

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

GREG ALBRITTON, as)
Personal Representative)
of the Estate of)
Sang Doo Lee, Deceased,)
)
Plaintiff,)
)
v.)
)
TRAVELERS PROPERTY AND)
CASUALTY INSURANCE)
COMPANY, et al.,)
)
Defendants.)

CIVIL ACTION NO.
2:14cv572-MHT
(WO)

ORDER

This lawsuit, which was removed from state to federal court based on diversity-of-citizenship jurisdiction, 28 U.S.C. §§ 1332, 1441, is now before the court on the question of whether there has been a fraudulent joinder. The court agrees with plaintiff that this case should be remanded to state court. The court agrees with plaintiff that there has been neither fraudulent joinder, Coker v. Amoco Oil Co., 709 F.2d 1433, 1440 (11th Cir. 1983); Cabalceta v. Standard Fruit Co., 883 F.2d 1553, 1561 (11th

Cir. 1989), nor fraudulent misjoinder, Tapscott v. MS Dealer Service Corp., 77 F.3d 1353, 1360 (11th Cir. 1996).

Accordingly, it is the ORDER, JUDGMENT, and DECREE of the court that, pursuant to 28 U.S.C. § 1447(c), this cause is remanded to the Circuit Court of Covington County, Alabama.

It is further ORDERED that any and all pending motions and issues in dispute are left for disposition by the state court after remand.

The clerk of the court is DIRECTED to take appropriate steps to effect the remand.

This case is closed in this court.

DONE, this the 3rd day of July, 2014.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE