

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BL Harbert International LLC, }

Plaintiff, }

v. }

Shepard Electric Inc., }

Defendant.

Case No.: 2:21-cv-00095-MHH

Memorandum Opinion

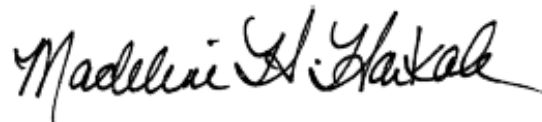
On December 18, 2020, BL Harbert International LLC sued Shepard Electric Inc. in the Circuit Court of Jefferson County, Alabama. (Doc. 1-1, p. 2). Shepard removed the case to this federal court under 28 U.S.C. §§ 1441(a) and 1446(a) on January 21, 2021 on the basis of diversity jurisdiction under 28 U.S.C. § 1332. (Doc. 1, pp. 1–2). Shepard stated that BL Harbert is a Delaware limited liability company and that, upon information and belief, no members of BL Harbert are Georgia citizens. (Doc. 1, p. 2). Shepard is a Georgia corporation with its principal place of business in Georgia. (Doc. 1, pp. 2–3).

On February 11, 2021, BL Harbert moved to remand this case to Alabama state court under 28 U.S.C. § 1447(c). (Doc. 7, p. 1). BL Harbert explained that one of its members is a Georgia citizen, so that the parties are not completely diverse. (Doc. 7, p. 3, ¶ 7). BL Harbert submitted the affidavit of John Rives, BL Harbert's controller, treasurer, and assistant secretary, as evidence that one of its members is a Georgia citizen. (Doc. 7-1, p. 3, ¶ 3).

The Court held a telephone conference on February 17, 2021 to discuss BL Harbert's motion to remand. (Minute Entry 02/17/2021). During the conference, the parties agreed that BL Harbert would provide a confidential declaration to Shepard regarding its Georgia member's citizenship. On March 3, 2021, counsel for Shepard notified the Court by email that after reviewing the confidential declaration, it does not oppose BL Harbert's motion to remand.

Accordingly, the Court grants BL Harbert's motion to remand. (Doc. 7). The Court directs the Clerk to please return this action to the Circuit Court of Jefferson County, Alabama.

DONE and ORDERED this March 8, 2021.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE