

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

<b>OCIE JOHNSON, III,</b>	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>CIVIL ACTION NO. 13-416-CG-M</b>
	)	
<b>PROGRESSIVE SPECIALTY INSURANCE COMPANY,</b>	)	
	)	
Defendant.	)	

**REMAND ORDER**

This matter is before the court on plaintiff’s motion to remand (Doc. 5) and defendant’s consent thereto (Doc. 10). Plaintiff moved to remand, asserting that the requisite jurisdictional amount does not exist in this case in light of the affidavits of the plaintiff and his attorney. Defendant responded by consenting to remand on the grounds that plaintiff has stipulated and made a binding agreement that plaintiff will never seek or accept more than \$70,000.00 in resolution of all possible claims asserted in this lawsuit. After review of the pleadings in this case and in light of defendant’s consent, the court finds that the motion to remand should be granted.

It is **ORDERED** that plaintiff’s motion to remand (Doc. 5) is **GRANTED** and this case is hereby **REMANDED** to the **Circuit Court of Choctaw County, Alabama.**

**DONE and ORDERED** this 10<sup>th</sup> day of September, 2013.

/s/ Callie V. S. Granade  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE