

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

CHANTA S. MANSFIELD MITCHELL

PLAINTIFF

v.

No. 2:15-cv-117-DPM

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

ORDER

Mitchell's motion to strike, *No. 7*, is granted and State Farm's motion to dismiss, *No. 3*, is denied as moot. The correct name of the defendant has been cured by the amended complaint. *No. 5*.

State Farm has shown by a preponderance of the evidence that the amount in controversy could exceed the jurisdictional minimum. *Bell v. Hershey Company*, 557 F.3d 953, 956 (8th Cir. 2009), *overruled in immaterial part by Standard Fire Insurance Company v. Knowles*, 133 S. Ct. 1345, 1348–50 (2013). Mitchell's motion to remand, *No. 8*, is therefore denied without prejudice. This case will remain here unless Mitchell stipulates to capping her potential recovery (including fees and costs) from all claims at an amount less than the jurisdictional minimum. Any stipulation is due by 10 September 2015.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

18 August 2015