

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

TRACEY SCOTT and LORRENZO HAMPTON,
individually and on behalf of all others similarly situated

PLAINTIFFS

v.

No. 3:18CV00056 JLH


REVCLAIMS, LLC; and
ST. BERNARD'S HOSPITAL, INC.

DEFENDANTS

ORDER

The plaintiffs commenced this action in this Court on March 30, 2018, asserting subject matter jurisdiction, apparently, under the Class Action Fairness Act. *See* 28 U.S.C. § 1332(d). The complaint alleges in a conclusory fashion only that the Court has subject matter jurisdiction due to the amount and type of relief sought and because the amount in controversy exceeds the minimum jurisdictional limits of the Court. Document #1 at 2, ¶5. Both named plaintiffs are citizens of Arkansas, as is one of the defendants. Document #1 at 1, ¶1, ¶2 and ¶4. Hence, complete diversity between the plaintiffs and the defendants is lacking. Nor do the named plaintiffs appear to seek an amount exceeding \$75,000 for their individual claims. Because the Court cannot ascertain from the pleadings whether it has subject matter jurisdiction, it orders the parties to brief the issue. The plaintiffs, who invoked this Court's jurisdiction, must file their brief within 14 days from the entry of this Order. The brief must explain the factual and legal basis for the allegation that this Court has subject matter jurisdiction. If jurisdiction is asserted under 28 U.S.C. § 1332(d), the brief must explain the basis for the assertion that the amount in controversy exceeds \$5,000,000 as required by 28 U.S.C. § 1332(d)(2) and must also address the elements of § 1332(d)(4). The defendants may, if they choose, respond within 14 days after the plaintiffs have filed their brief.

IT IS SO ORDERED this 29th day of October, 2018.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE