

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

RON DAVIS, *et al.*

PLAINTIFFS

v.

4:10CV01595-WRW

REGINA FAVORS, President-CEO, *et al.*

DEFENDANTS

ORDER

Pending is Plaintiffs' Motion for Summary Remand (Doc. No. 10). Defendants, through the United States Attorney representing the real parties in interest, have responded.¹ Plaintiffs have replied.²

Plaintiffs contend that this case should be remanded to state court because “[t]he minimum claim Amount in Controversy for Federal Court review has not been met.”³ As Defendants point out, however, failure to meet the jurisdictional amount in controversy does not entitle Plaintiffs to review by a court other than a federal district court.⁴ Despite Plaintiffs' protests to the contrary, this case presents questions of federal law (arising under the Medicare statute and regulations), which are properly before this court.

The Motion to Remand (Doc. No. 10) is DENIED.

IT IS SO ORDERED this 3rd day of January, 2011.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹Doc. No. 12.

²Doc. No. 14.

³Doc. No. 10.

⁴Doc. No. 12.