

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

ANTHONY E. PAVLOVIC

PLAINTIFF

VS.

4:16-CV-00653-BRW

**ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY**

DEFENDANT

ORDER

Pending are Defendant's Motion to Dismiss Bad Faith Claim (Doc. No. 5) and Plaintiff's Motion to Remand and to Dismiss Bad Faith Claim (Doc. No. 8).

This case involves Plaintiff's demand for payment for roof damage pursuant to Defendant's insurance policy. Defendant denied the claim. Without alleging specific facts Plaintiff asserted that Defendant "is guilty of bad faith in conjunction with the nonpayment of Plaintiff's claim."¹ Plaintiff agrees that "Defendant's motion to dismiss [the bad faith claim] should be granted at some stage of the proceeding."² It is also undisputed that, without the bad faith claim, the amount in dispute is far below the federal jurisdiction threshold of \$75,000.

Accordingly, Defendant's Motion to Dismiss Bad Faith Claim (Doc. No. 5) is GRANTED and the bad faith claim is DISMISSED. Plaintiff's Motion to Remand and to Dismiss Bad Faith Claim (Doc. No. 8) is GRANTED. The Clerk of the Court is directed to immediately REMAND this case to the Circuit Court of Lonoke County, Arkansas.

IT IS SO ORDERED, this 5th day of October, 2016.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹Doc. No. 2.

²Doc. No. 8.