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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOFIA REBELLON, Plaintiff, v. DIMENSION DEVELOPMENT CORPORATION, a Louisana corporation; DIMENSION DEVELOPMENT TWO, LLC, a Louisiana Limited Liability Company; TIMOTHY BRISTOL, an individual, Defendants.	Case No. CV 13-06243 DDP (JEMx) **ORDER TO SHOW CAUSE RE: AMOUNT IN CONTROVERSY**

Defendants are ordered to show cause why this action should not be remanded for lack of subject matter jurisdiction. Defendants removed this employment action to this court on the basis of diversity jurisdiction. It is not clear to the court that the amount in controversy in this matter exceeds $75,000, as is required to establish diversity jurisdiction under 28 U.S.C. § 1332.

Plaintiff's complaint does not specify a particular amount of damages. Under such circumstances, Defendants bear the burden of

establishing, by a preponderance of the evidence, that the amount in controversy exceeds the jurisdictional minimum. Rodriguez v. At&T Mobility Servs., LLC., – F.3d –, 2013 WL 4516757 at *6 (9th Cir. Aug. 27, 2013). Defendants estimate, based upon Plaintiff's prior earnings, that she will only claim approximately $33,000, far below the jurisdictional threshold. (Notice of Removal at 6.) Defendants' assertion that emotional damages, punitive damages, and attorney's fees will exceed $75,000 is entirely speculative.

Accordingly, Defendants are ordered to file a brief, not to exceed ten pages, by Monday, October 21, 2013 showing a non-speculative reason why this action should not be remanded for lack of subject matter jurisdiction. Defendants shall also deliver a courtesy copy to chambers, Room 244-J, Second Floor, 312 N. Spring Street, Los Angeles. Failure to file a brief in accordance with this Order will be deemed consent to remand of this action.

IT IS SO ORDERED.

Dated: October 11, 2013

DEAN D. PREGERSON
United States District Judge