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**United States District Court
Central District of California**

ERIN HUGHES; and ROBERT
HUGHES,

Plaintiff,

v.

TRAVELERS COMMERCIAL
INSURANCE CO.; FARMERS
INSURANCE GROUP; FOREMOST
INSURANCE GROUP; and DOES 2-10,
inclusive,

Defendants.

Case № 2:17-cv-01392-ODW(FFM)

**ORDER GRANTING MOTION TO
DISMISS PUNITIVE DAMAGES [8]
AND GRANTING MOTION TO
REMAND [10]**

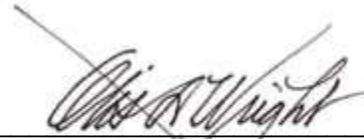
On March 14, 2017, Defendant Travelers Insurance Company (“Travelers”) filed a motion to dismiss punitive damages in this case (ECF No. 8), and on March 23, 2017, Plaintiff Erin Hughes filed a motion to remand the case to state court (ECF No. 10). The deadline for Plaintiffs to oppose Travelers’s motion to dismiss punitive damages was March 27, 2017. No opposition was filed; however, in Erin Hughes’s motion to remand, she included a waiver of any damages exceeding \$74,999.00, thereby foreclosing her punitive damages claim and eliminating the Court’s diversity

1 jurisdiction in this action.¹ (*See* Damages Waiver, ECF No. 10-1.) Further, on April
2 3, 2017, Travelers filed a notice of its non-opposition to remand the case to state court,
3 given that Erin Hughes’s Damages Waiver and non-opposition to the motion to
4 dismiss guarantee that the punitive damages issue is now moot. (ECF No. 11).

5 In light of the fact that the motion to dismiss punitive damages is unopposed,
6 the Court **GRANTS** the motion. (ECF No. 10.) In doing so, the Court eliminates any
7 federal jurisdiction in this action. Observing this, the Court simultaneously **GRANTS**
8 the motion to remand. The Clerk of Court shall close the case.

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11 **IT IS SO ORDERED.**

12 April 4, 2017

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16 **OTIS D. WRIGHT, II**
17 **UNITED STATES DISTRICT JUDGE**

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27 _____
28 ¹ Travelers removed this case to federal court based on diversity of citizenship, which requires that all plaintiffs’ state citizenship be completely diverse from all defendants’ state citizenship, and that the amount in controversy exceed \$75,000.00. *See* 28 U.S.C. §§ 1332, 1446; (Not. of Removal 1, ECF No. 1.)