

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CHELSEA SCHREIBER,
Plaintiff,

v.

ICONMA, LLC, et al.,
Defendants.

CV 20-7985 DSF (AGR~~x~~)

Order DENYING Motion to
Remand (Dkt. No. 24)

Plaintiff Chelsea Schreiber moves for remand claiming that Defendants have not adequately established that there is complete diversity, that the amount in controversy exceeds \$75,000, or that removal was timely. The Court deems this matter appropriate for decision without oral argument. See Fed. R. Civ. P. 78; Local Rule 7-15. The hearing set for November 23, 2020 is removed from the Court's calendar.

None of Plaintiff's arguments has merit. The Court is satisfied that there is complete diversity based on the papers filed in opposition to this motion and Defendant's response to the Court's previous order to show cause. Despite Plaintiff's attempt to backtrack from her admissions, Plaintiff's own discovery responses confirm that more than \$75,000 is at stake. Even in the absence of Plaintiff's admissions, the Court is satisfied that the amount in controversy is more than \$75,000 given her claims for past lost wages, potential lost wages up to trial, potential punitive damages, and attorney's fees. Removal was also timely because the original complaint did not provide notice of the amount in controversy, and the first "amended pleading, motion, order or other paper" that gave notice that the case was removable was

Plaintiff's response to interrogatories served on August 27, 2020. The case was removed on September 1.

The motion to remand is DENIED.

IT IS SO ORDERED.

Date: November 17, 2020

A handwritten signature in blue ink that reads "Dale S. Fischer". The signature is written in a cursive style and is positioned above a horizontal line.

Dale S. Fischer
United States District Judge