

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:21-cv-01774-FLA (KKx)

Date January 10, 2022

Title Betty J. Scott Torres, et al. v. National General Insurance Co., et al.

Present: The Honorable FERNANDO L. AENLLE-ROCHA
UNITED STATES DISTRICT JUDGE

T. Freeman

Not Reported

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

Not Present

Not Present

Proceeding: (IN CHAMBERS) ORDER SEVERING PLAINTIFFS' CLAIMS AND REMANDING 23 PLAINTIFFS' CLAIMS TO SAN BERNARDINO COUNTY SUPERIOR COURT [14]

Ruling

On September 10, 2021, twenty-five (25) individual Plaintiffs asserted claims against Defendants National General Insurance Company and Integon National Insurance Company ("Defendants") in the Complaint, which was filed in San Bernardino County Superior Court. Dkt. 1. On October 19, 2021, Defendants removed the action to this court. *Id.* Plaintiffs filed a Motion to Remand the action on November 18, 2021. Dkt. 10.

On December 8, 2021, the court Ordered the parties to Show Cause ("OSC") why each individual Plaintiff's claims should not severed and whether the court has subject matter jurisdiction over the severed claims. Dkt. 14. The parties submitted a joint statement on December 31, 2021, stating they agree that all Plaintiffs' claims can be severed from one another and that 23 Plaintiffs' claims can be remanded to San Bernardino County Superior Court. Dkt. 16 at 1, 5. The parties disagree as to the two remaining Plaintiffs, Cornelius L. Shivers ("Shivers") and Maya Gaiterbriton ("Gaiterbriton"), and Defendants argue the court has diversity jurisdiction over these Plaintiffs' claims. *Id.* at 5.

Having reviewed the parties' joint statement and finding good cause therefor, the court SEVERES each Plaintiff's claims from one another and separately REMANDS the claims by Plaintiffs (1) Betty J. Scott Torres, (2) Maria Chavez, (3) Tyler Thompson, (4) Pablo Hernandez, (5) Yolanda Salamanca Diaz, (6) Ascencion Galarza, (7) Frankie Lee Taylor, Jr., (8) Susana Moreno Arias, (9) Marco Arango Jeronimo, (10) Julie Miller, (11) Ricardo Ruiz, (12) Carlos Armando Ruiz Rivera, (13) Mary Luz Marquez Lobo, (14) Roberto Villaseñor Cardenas, (15) Joni Cisowski, (16) Satin Weaver, (17) Walter Salazar Martinez, (18) Antonio Benito Arellano, (19) Christian Scheffler, (20) Jose Augustin Paz Mendoza, (21) Jesse

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Miramontes, (22) Leticia Bermejo, and (23) Matias Bravo Herrera to San Bernardino County Superior Court.

The court finds the remaining Plaintiffs Shivers and Gaiterbriton's Motion to Remand appropriate for resolution without oral argument, takes the Motion under submission, and VACATES the January 14, 2022 hearing on the Motion and the OSC. See Fed. R. Civ. P. 78(b); Local Rule 7-15. The court will address the parties' arguments regarding the court's subject matter jurisdiction over Plaintiffs Shivers and Gaiterbriton when it rules on Plaintiffs' Motion to Remand.

IT IS SO ORDERED.

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