

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 11-cv-00008-PAB

PROBUILD COMPANY LLC, f/k/a ProBuild East LLC, and  
PROBUILD HOLDINGS, INC.,

Plaintiffs,

v.

CONTINENTAL CASUALTY COMPANY,  
GRANITE STATE INSURANCE COMPANY,  
LIBERTY MUTUAL FIRE INSURANCE COMPANY, and  
NATIONAL UNION FIRE INSURANCE COMPANY OF  
PITTSBURGH, PENNSYLVANIA,

Defendants.

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**ORDER REMANDING CASE TO STATE COURT**

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This matter comes before the Court defendant Continental Casualty Company's ("Continental") response to order to show cause and notice of its consent to remand [Docket No. 31]. Continental removed this case from state court with the consent of its co-defendants on the premise that federal diversity jurisdiction existed pursuant to 28 U.S.C. § 1332 [Docket No. 1]. Based on incomplete allegations as to the citizenship of plaintiff ProBuild Company LLC, the Court issued an order requiring defendants to show cause why the case should not be remanded to state court due to this Court's lack of subject matter jurisdiction [Docket No. 20]. Continental now submits that plaintiff ProBuild Company LLC has disclosed information demonstrating that there is not complete diversity of citizenship between plaintiffs and defendants. Docket No. 31 at 2. Remand is therefore appropriate.

Therefore, it is

**ORDERED** that due to this Court's lack of subject matter jurisdiction, this case is **REMANDED** to the District Court of Boulder County, Colorado.

DATED January 20, 2011.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge