

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 11-cv-02483-RPM

BENJAMIN VALDEZ,

Plaintiff,

v.

APOLLO GROUP, INC., an Arizona corporation,
INSIGHT SCHOOLS, INC., an Oregon corporation
d/b/a Insight School of Colorado and Insight School Colorado at Julesburg,
now a subsidiary of Iowa College Acquisition Corp., a Delaware corporation,
in turn a subsidiary of Kaplan Higher Education Corporation, a Delaware corporation,

ORDER DENYING MOTION TO REMAND

On September 21, 2011, defendants Insight Schools, Inc. and Insight School Colorado at Julesburg filed a notice of removal based on diversity jurisdiction under 28 U.S.C. § 1332. The notice included a notice of consent by Apollo Group Inc. Thus all defendants have removed this civil action. The plaintiff filed a motion to remand on October 7, 2011, asserting that the defendants have failed to establish the amount in controversy as exceeding \$75,000.00 dollars. The defendants filed their opposition on October 31, 2011. The plaintiff's motion to remand equivocates and does not explicitly concede that the plaintiff is not seeking more than \$75,000.00 dollars in this case. Accordingly, it is

ORDERED that the motion to remand is denied.

DATED: November 1st, 2011

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge