

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

THERESA GAGNON,

Plaintiff,

v.

Case No.: 2:20-cv-676-FtM-38MRM

PETSMART, INC.,

Defendant.

ORDER¹

Before the Court is Defendant's response and supplement ([Doc. 9](#)) to the Court's Order to Show Cause ([Doc. 8](#)). The Court ordered Defendant to show cause why the case should not be remanded for lack of subject-matter jurisdiction. Specifically, the Notice of Removal ([Doc. 1](#)) established neither Plaintiff's citizenship nor amount in controversy over \$75,000. In its supplement, Defendant provides evidence of Plaintiff's Florida driver's license and voter registration—showing she is a Florida citizen. E.g., [13E Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 3612 \(3d ed. 2020\)](#). Moreover, Defendant explains the amount in controversy with a letter from Plaintiff's doctor—detailing future medical expenses that Plaintiff will incur even in a best-case scenario. An average estimate of those expenses, taken together with the past medical expenses, alone exceed the jurisdictional minimum. So at this time, the Court is satisfied the amount in controversy “more likely than not exceeds” \$75,000. [Roe v.](#)

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

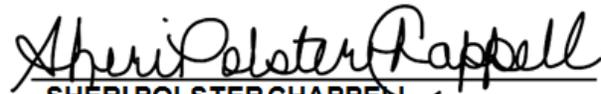
[Michelin N. Am., Inc., 613 F.3d 1058, 1061 \(11th Cir. 2010\)](#) (citation omitted). And the Court will take no further action on its Order.

Accordingly, it is now

ORDERED:

The Court will take **NO FURTHER ACTION** on its Order to Show Cause ([Doc. 8](#)).

DONE and **ORDERED** in Fort Myers, Florida this 10th day of September, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record