

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

FILICHIA INSURANCE AGENCY, INC.,

Plaintiff,

v.

Case No. 6:14-cv-756-Orl-37KRS

MARK BLOSSER; and VIRGINIA
BLOSSER,

Defendants.

ORDER

This cause is before the Court on the following:

1. Order to Show Cause (Doc. 6), filed May 20, 2014;
2. Defendants' Response to Order to Show Cause (Doc. 10), filed June 2, 2014; and
3. Plaintiff's Response to Order to Show Cause (Doc. 12), filed June 2, 2014.

Upon review of Defendants' Notice of Removal, this Court ordered Defendants to show cause why this case should not be remanded for want of subject matter jurisdiction, due to an unsound amount in controversy calculation. (Doc. 6.) Defendants responded that the Court should value the six counts in Plaintiff's Complaint in excess of \$15,000 each, despite the Court's concerns that the Complaint only evinces the intent to plead in excess of \$15,000 total and that the injunctive relief counts were improperly valued. (Doc. 10.) Indeed, Plaintiff countered that it is not actually seeking more than \$75,000. (Doc. 12.)

The Court remains unconvinced by Defendants' ill-supported amount in controversy calculation, particularly in light of the Court's own judicial experience and

Plaintiff's acknowledgement that it is seeking less than the requisite amount. See *Burns v. Windsor Ins. Co.*, 31 F.3d 1092, 1095 (11th Cir. 1994) (noting that doubts about jurisdiction are to be resolved in favor of remand). Therefore, this case is due to be remanded for lack of diversity jurisdiction.

Accordingly, it is hereby **ORDERED AND ADJUDGED**:

1. Order to Show Cause (Doc. 6) is **DISCHARGED**.
2. This case is **REMANDED** to the Circuit Court of the Eighteenth Judicial Circuit, in and for Brevard County, Florida.
3. The Clerk is **DIRECTED** to close this file.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 4, 2014.



ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record

Circuit Court of the Eighteenth Judicial Circuit, in and for Brevard County, Florida