

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH, GA.
2011 JUL 13 AM 10:46

DELETTRIA WHITEHEAD,)
Individually and as class)
representative for all others)
similarly situated,)
)
Plaintiff,)
)
v.)
)
J.I. FINANCIAL, LLC; LUFTMAN)
HECK & ASSOCIATES, LLC, f/k/a)
Forna, Luftman & Heck, LLC;)
JEREMIAH HECK; and UNKNOWN)
PARTIES A, B, C, and D, whose real)
and proper identities are)
unknown at present;)
)
Defendants.)

CLERK [Signature]
SO. DIST. OF GA.

CASE NO. CV410-262

O R D E R


Before the Court is the parties' Joint Motion for Remand of Action to Superior Court of Toombs County. (Doc. 36.) This action was originally removed pursuant to the provisions of The Class Action Fairness Act of 2005 ("CAFA"), 28 U.S.C. § 1332(d). The party that removed this action, former¹ Defendant Global Client Solutions, LLC, originally alleged that the amount in controversy equaled \$5.25 million, satisfying the \$5 million threshold required by CAFA, 28 U.S.C. § 1332(d)(2). (Doc. 36 at 3.)

If the Court finds that it lacks subject matter jurisdiction

¹ The parties filed a Stipulation of Dismissal Without Prejudice (Doc. 26) as to this Defendant on January 19, 2011.

in a removed action at any time before final judgment, the case should be remanded. 28 U.S.C. § 1447(c). In this motion, the parties agree that, through discovery, "it has . . . become apparent that the jurisdictional amount required to satisfy the CAFA is not satisfied in this action." (Doc. 36 ¶ 2.) After careful consideration the Court finds that it lacks subject matter jurisdiction and, therefore, this motion is **GRANTED**. This action is **REMANDED** to the Superior Court of Toombs County. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 13th day of July 2011.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA