

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

HELEN SUZANNE DEAL,

Plaintiff,

v.

MEDICAL DEPOT, INC. d/b/a
Drive Devilbliss Healthcare,
HL CORPORATION (USA) INC.,
and XYZ CORPORATIONS 2-3,

Defendants.

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CV 617-097

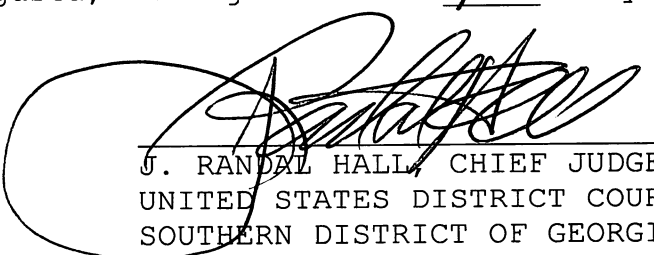
O R D E R

A defendant may remove "any civil action brought in a State court of which the district courts of the United States have original jurisdiction" to the district court "embracing the place where such action is pending." 28 U.S.C. § 1441(a). Under 28 U.S.C. § 1332(a), district courts have original jurisdiction over claims between citizens of different states if "the matter in controversy exceeds the sum or value of \$75,000." And it is typically the removing defendant's burden to show, by a preponderance of the evidence, that the amount in controversy exceeds the jurisdictional requirement. Williams v. Best Buy Co., 269 F.3d 1316, 1319 (11th Cir. 2001).

Defendants removed this case to this Court on July 20, 2017, alleging diversity jurisdiction under § 1332. (See Doc. 1.) According to Defendants' notice of removal, "[t]he amount claimed by Plaintiff in the above-captioned lawsuit is in excess of \$75,000.00 based on the damages being claimed by Plaintiff." (Id. at 2.) But in her amended complaint, Plaintiff alleges only that she was permanently injured and that she "has incurred serious and substantial past and future medical expenses and has endured and will continue to endure physical and mental pain and suffering." (Doc. 1-2 at 5.) Because neither filing provides any detail about the extent of Plaintiff's injuries or her medical expenses, the Court is not satisfied that § 1332's amount-in-controversy requirement is met.

Accordingly, within **30 days** from the date of this order, Defendants must provide the Court with evidence showing that the amount in controversy in this case exceeds \$75,000. If they fail to do so, the Court will remand this case to the Superior Court of Bulloch County.

ORDER ENTERED at Augusta, Georgia this 15th day of September, 2017.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA