

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

<p>DIANE BARKER, Plaintiff, vs. GMAC Bank, a Utah corporation, and DOES I - X, Defendants.</p>	<p>ORDER AND MEMORANDUM DECISION Case Nos. 1:09 CV 133</p>
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Plaintiff Diane Barker asks this court to allow her to file an amended complaint that would remove the federal causes of action and to remand this case to Idaho state court based on a lack of subject matter jurisdiction.

From the face of the complaint, the court notes that diversity jurisdiction might exist pursuant to 28 U.S.C. § 1332. Neither party addresses whether diversity jurisdiction exists and the effect that such jurisdiction would have on the dispute here.

Accordingly, the court ORDERS the parties to submit simultaneous additional briefing within 10 days.

DATED this 20th day of May 2009.

BY THE COURT:



TENA CAMPBELL
Chief Judge, District of Utah