

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION
AT COVINGTON**

CIVIL ACTION NO. 17-206-DLB-CJS

KURTIS KEENEY, et al.

PLAINTIFFS

V.

ORDER

VALLEY STATION 1, LLC, et al.

DEFENDANTS

* * * * *

This matter is before the Court upon Defendants' Notice of Removal (Doc. # 1) from Kenton County Circuit Court. On November 9, 2017, this Court entered a Memorandum Opinion and Order in a nearly identical case, *DT GRAT JMT, LLC, et al. v. Keeney, et al.*, No. 2:17-CV-101, finding that the Park Companies are the real parties in interest under Federal Rule of Civil Procedure 17(a) and holding that subject-matter jurisdiction was lacking (Doc. # 71 therein). The Court having reviewed Defendants' Notice of Removal (Doc. # 1) and the record in this matter, and being otherwise sufficiently advised, the Court concludes that the Park Companies were not fraudulently joined, diversity jurisdiction does not exist, and the Court does not have subject-matter jurisdiction over this matter. Accordingly,

IT IS ORDERED as follows:

- (1) This matter is **remanded** to Kenton County Circuit Court.
- (2) This matter is **dismissed** and **stricken** from the Court's active docket.

This 9th day of November, 2017.



Signed By:

David L. Bunning *DB*

United States District Judge

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