

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

CHRISTOPHER S. MOORE,)	
)	
Plaintiff,)	Civil Action No. 5:11-11-JMH
)	
v.)	
)	
)	
RICHARD A. HUGHES, et al.,)	MEMORANDUM OPINION AND ORDER
)	
Defendants.)	

** ** ** ** **

On January 7, 2011, this Court entered a Memorandum Opinion and Order [DE 3] requiring Defendants to show cause why this matter should not be remanded to Fayette Circuit Court. Specifically, the Court was of the opinion that it lacked original jurisdiction over this matter under 28 U.S.C. § 1332 and that this matter had been improperly removed to this Court under 28 U.S.C. § 1441 in the absence of any competent proof of an amount in controversy which exceeds \$75,000.

Defendants have now filed a Response [DE 6] in which they outline the basis for their belief that the amount in controversy exceeds \$75,000. They cite to copies of Plaintiff's medical bills obtained from Defendant Hawklane Nevada's third-party claims administrator which relate to treatment for injuries allegedly resulting from the accident which is the subject of this lawsuit. Those medical bills reveal charges of \$99,240.72 for the eighteen

day period following the accident. Having considered these submissions, the Court is of the opinion that Defendants have shown by competent proof that it is more likely than not that Plaintiff's claims exceed \$75,000. See *King v. Household Finance Corp. II*, 593 F.Supp.2d 958, 959 (E.D. Ky. 2009). The Court is satisfied that it has original jurisdiction over this matter under 28 U.S.C. § 1332, and that the action was properly removed pursuant to 28 U.S.C. § 1441(a).

Accordingly, **IT IS ORDERED** that the Court's Order of January 7, 2011 [DE 3], is **DISCHARGED**.

This the 19th day of January, 2011.



Signed By:

Joseph M. Hood *JMH*

Senior U.S. District Judge