

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISVILLE
AT LOUISVILLE

CIVIL ACTION NO. 3:12-CV-00573-H

ASHLEY TURNER

PLAINTIFF

V.

LABOR READY MIDATLANTIC, INC., et al.

DEFENDANTS

MEMORANDUM OPINION AND ORDER

Plaintiff, Ashley Turner, has moved to remand her state law discrimination claim. As grounds for removal, Plaintiff states that both her complaint and her subsequent affidavit affirms that she will not seek or accept amounts exceeding the federal jurisdictional amount. This assertion includes any amounts which may be sought for attorney's fees.

The Court has reviewed the complaint and the affidavit. Each appears to contain unequivocal assertions concerning the limitations of the amounts sought in the complaint. The Court finds that the assertions are consistent and cover all amounts recoverable under state law. Plaintiff is now bound by these limitations.

In sum, the Court finds no basis for concluding that Plaintiff's complaint seeks more than the federal jurisdictional amount.

Being otherwise sufficiently advised,

IT IS HEREBY ORDERED that Plaintiff's motion to remand is SUSTAINED and the complaint is REMANDED to Jefferson Circuit Court.

cc: Counsel of Record
Jefferson Circuit Court