

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF LOUISIANA**

JESSE TILLEY

CIVIL ACTION

VERSUS

NO. 13-6104

AMERICAN TUGS, INC., M/V BORN AGAIN  
AND ABC INSURANCE COMPANY

SECTION "N" (5)

**ORDER AND REASONS**

Presently before the Court is Plaintiff's motion seeking remand (Rec. Doc. 9) of this action, i.e., his Jones Act and maintenance and cure claims. Having considered the parties' submissions and applicable law, **IT IS ORDERED** that Plaintiff's motion **DENIED**. In so ruling, the Court finds the legal analysis set forth in *Bridges v. Phillips 66 Co.*, No. 13-477, 2013 WL 6092803, \*4-5 (M.D. La. 11/19 13)(Brady, J), *Wells v. Abe's Boat Rentals Inc.*, No. 13-1112, 2013 WL 3110322, \*1-4 (S.D. Tex. 6/18/13)(Rosenthal, J.) and *Ryan v. Hercules Offshore, Inc.*, 945 F. Supp.2d 772, 774-78 (S.D. Tex. 2013), regarding 28 U.S.C. § 1441, as amended by the Federal Courts Jurisdiction and Venue Clarification Act of 2011, §105, Pub. L. No. 112-63, 125 Stat. 758, persuasive. Should Plaintiff, however, advise the Court that he desires to have only his Jones Act claim severed and remanded to state court, pursuant to 28 U.S.C. §1441(c)(2), such limited relief shall be granted.<sup>1</sup>

New Orleans, Louisiana, this 16<sup>th</sup> day of January 2014.



**Kurt D. Engelhardt**  
**United States District Judge**

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<sup>1</sup> Because Plaintiff's motion does not alternatively request that only his Jones Act claim be remanded, the Court awaits confirmation that Plaintiff, having been denied remand of the entirety of his action, desires to sever and litigate his claims in separate courts.