

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

KAMEEL ABBASI

CIVIL ACTION

VERSUS

NO: 16-12956

**VOLKSWAGEN GROUP
OF AMERICA, INC., ET AL**

SECTION: "H"(5)

ORDER

Before the Court are Defendant's Motion to Stay (Doc. 8) and Plaintiff's Motion to Remand (Doc. 9). Defendants contend that this matter is ripe for transfer to the *In re: Volkswagen "Clean Diesel"* Multidistrict Litigation pending in the United States District Court for the Northern District of California. Accordingly, Defendants contend that this matter should be stayed pending transfer to the MDL court. Plaintiff disagrees, arguing that the Court should rule on his Motion to Remand before the Judicial Panel on Multidistrict Litigation decides whether transfer to the MDL is appropriate. The Court has reviewed both motions and finds that a stay is appropriate. Determining whether federal question jurisdiction exists requires evaluation of "the welter

of issues regarding the interrelation of federal and state authority and the proper management of the federal judicial system”¹ Because there is a risk of inconsistent outcomes should this Court’s evaluation differ from that of the MDL Court, the MDL Court should decide the Motion to Remand. Accordingly;

IT IS ORDERED that this case is **STAYED AND ADMINISTRATIVELY CLOSED** pending the MDL Panel’s determination regarding transfer. Plaintiffs will be permitted to re-urge their Motion to Remand once the Panel’s determination is made.

IT IS FURTHER ORDERED that the September 7, 2016 oral argument on Motion to Remand is **CANCELLED**.

New Orleans, Louisiana this 1st day of September, 2016.



JANE TRICHE MILAZZO
UNITED STATES DISTRICT JUDGE

¹ *Grable & Sons Metal Prods., Inc. v. Darue Eng’g & Mfg*, 545 U.S. 308, 314 (2005) (internal citations omitted)