

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

DONNA C. JACKSON, ET AL.

CIVIL ACTION

v.

NO. 18-6692

DENKA PERFORMANCE ELASTOMER LLC, ET AL.

SECTION "F"

ORDER AND REASONS

Before the Court is the plaintiffs' request for oral argument on their motion to remand, which is presently noticed for submission on August 22, 2018. The request is DENIED for the following reasons.

It is the Court's policy to grant oral argument on motions if one of the following factors is present:

1. There is a need for an evidentiary hearing.
2. The motion or opposition papers involve a novel or complex issue of law that is unsettled.
3. The motion or opposition papers argue for a change in existing law.
4. The motion or opposition papers implicate a constitutional issue.

5. The case itself is of widespread community interest.

Because the plaintiffs' motion to remand does not involve any of the above factors, IT IS ORDERED: that the plaintiffs' request for oral argument is DENIED.¹ IT IS FURTHER ORDERED: that the hearing on the motion to remand is hereby continued to September 5, 2018, on the papers.

New Orleans, Louisiana, August 21, 2018


MARTIN L. C. FELDMAN
UNITED STATES DISTRICT JUDGE

¹ In support of their request for oral argument, the plaintiffs note that this case has received media attention. Indeed, the media has been covering the now many cases filed against the defendants concerning chloroprene emissions. However, the issues raised in the motion to remand are purely legal issues that do not concern the merits of the claims; no party suggests that the jurisdictional issue presented by the motion -- whether the allegations satisfy the jurisdictional amount in controversy required for this Court to exercise diversity jurisdiction -- is a novel issue or one of widespread community interest. The only issue is whether the case will be heard by this Court or state court.