

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

**REBECCA TRUCK PLAZA & CASINO, LLC**

**CIVIL ACTION**

**VERSUS**

**NO. 22-3790**

**LANDMARK AMERICAN  
INSURANCE COMPANY**

**SECTION: D (2)**

**ORDER AND REASONS**

Before the Court is Plaintiff's Motion to Remand, filed by Rebecca Truck Plaza & Casino, LLC.<sup>1</sup> Defendant, Landmark American Insurance Company, opposes the Motion.<sup>2</sup> The submission date on the Motion was November 29, 2022.<sup>3</sup> As such, the matter is ripe for determination.

After careful consideration of the parties' memoranda and the applicable law, the Motion is **DENIED** for the reasons set forth in Landmark American Insurance Company's Opposition brief.

Additionally, the Court points out that Plaintiff's counsel, in a telephone status conference held with the Court on November 4, 2022, confirmed that defense counsel had correctly named the members of Rebecca Truck Plaza & Casino, LLC in its Amended and Supplemental Notice of Removal and that the members were citizens of Louisiana.<sup>4</sup> It is perplexing, at best, that Plaintiff has now filed a Motion to Remand, seeming to rely on information that was not disclosed to opposing counsel or to the Court during that telephone status conference. Perhaps even more

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<sup>1</sup> R. Doc. 17.


<sup>2</sup> R. Doc. 19.

<sup>3</sup> R. Doc. 17.

<sup>4</sup> R. Doc. 15; *See*, R. Doc. 11.

troubling, however, is that the information now relied upon by Plaintiff from the Louisiana Secretary of State's website is dated 2004<sup>5</sup> and ignores the more recent information *submitted by Plaintiff* from the same Louisiana Secretary of State website that is dated 2018.<sup>6</sup> The Court will not entertain such tactics.

New Orleans, Louisiana, May 30, 2023.

  
WENDY B. VITTER  
United States District Judge

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<sup>5</sup> R. Doc. 17-1 at p. 4 (*citing* R. Doc. 17-2). *See*, R. Doc. 17-2 at pp. 10-11.

<sup>6</sup> R. Doc. 17-2 at p. 12.