

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

LISA SMITH

CIVIL ACTION

VERSUS

NUMBER 12-575-JJB-MJU

DOLLAR TREE STORES, INC.

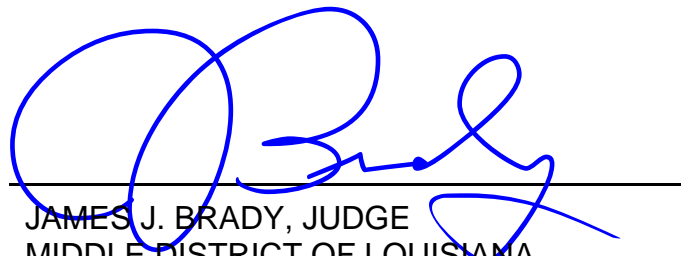
ORDER

The Court *sua sponte* raises the question of jurisdiction over the subject matter in this removed case, in connection with the amount in controversy requirement for diversity jurisdiction, and, accordingly,

IT IS ORDERED that defendant shall file a memorandum concerning subject matter jurisdiction on or before **January 31, 2013**, and that plaintiff shall file a memorandum concerning same on or before **February 21, 2013**. The parties' memoranda shall address the implications for this case of the Fifth Circuit's decision in [Simon v. Walmart, 193 F.3d 848 \(5th Cir. 1999\)](#).

IT IS FURTHER ORDERED that the scheduling conference set for **January 23, 2013**, is **CANCELLED** and will be reset following a ruling on subject matter jurisdiction, if necessary.

Baton Rouge, Louisiana, January 14, 2013.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA

