

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

WILFORD FONTENOT, individually and
OBO his wife

CIVIL ACTION

VERSUS

NO. 14-701-JWD-RLB

DOLLAR GENERAL STORE, ET AL

NOTICE AND ORDER

In the Amended Status Report, the parties represent that that “are discussing stipulating that plaintiff’s claims are less than \$30,000.” (R. Doc. 11). At the scheduling conference on April 9, 2015, the parties represented to the undersigned that they had reached an agreement that the amount in controversy necessary for federal jurisdiction is not present. (R. Doc. 14). The parties anticipated an appropriate filing being made, not later than April 15, 2015, addressing whether this court had jurisdiction in this matter. Nothing has been filed. In light of these representations, as well as the Court’s review of the Notice of Removal (R. Doc. 1), the Court *sua sponte* raises the issue of whether it may exercise diversity jurisdiction in this matter, specifically, the amount in controversy requirement.

IT IS ORDERED that defendants shall file a memorandum concerning subject matter jurisdiction on or before **May 1, 2015**, and that plaintiff shall file a memorandum concerning the same on or before **May 15, 2015**. The parties’ memoranda shall address the application of the Fifth Circuit’s analysis in *Simon v. Walmart*, 193 F.3d 848 (5th Cir. 1999), to the facts of this case.

Signed in Baton Rouge, Louisiana, on April 16, 2015.



RICHARD L. BOURGEOIS, JR.
UNITED STATES MAGISTRATE JUDGE