

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

DELTA COATINGS, INC.

CIVIL ACTION

VERSUS

TRAVELERS PROPERTY CASUALTY  
COMPANY OF AMERICA

NO.: 15-00222-BAJ-RLB

RULING AND ORDER

Before the Court is **Plaintiff's Motion to Remand (Doc. 14)**, filed by Plaintiff Delta Coatings, Inc. Plaintiff seeks an order from this Court remanding the above-captioned matter to the Twenty-Third Judicial District Court, Parish of Ascension, State of Louisiana. Specifically, Plaintiff argues that the amount in controversy in this matter does not exceed \$75,000 – the minimum amount required for this Court to exercise original jurisdiction in a civil action between diverse parties. *See* 28 U.S.C. 1332(a). Defendant opposes the Motion. (*See* Doc. 20).

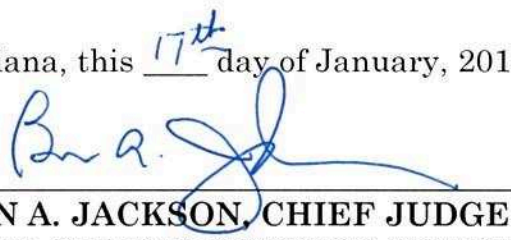
The Magistrate Judge issued a Report and Recommendation, recommending that Plaintiff's Motion to Remand be denied and finding that (1) the amount in controversy had been clarified by Defendant at the time of removal by Defendant's submission of various invoices, which demonstrated that Plaintiff's claim exceeds \$75,000, and (2) that Plaintiff's post-removal stipulation that it would not "accept any sum in excess of \$75,000" does not divest the Court of jurisdiction. (Doc. 31 at pp. 7-10). Plaintiff timely filed objections to the findings of the Report and Recommendation. (*See* Doc. 32).

Having carefully considered Plaintiff's Motion, Defendant's memorandum in opposition, the Magistrate Judge's Report, and Plaintiff's objections, the Court **APPROVES** the Magistrate Judge's **Report and Recommendation (Doc. 31)**, and **ADOPTS** the Report as the Court's opinion herein.

For reasons explained in the Magistrate Judge's Report,

**IT IS ORDERED** that Plaintiff's **Motion to Remand (Doc. 14)** is **DENIED**.

Baton Rouge, Louisiana, this 17<sup>th</sup> day of January, 2017.



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**BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**