

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

EUGENE A. LEJEUNE, ET AL.

CIVIL ACTION

VERSUS

CONESTOGA-ROVERS &  
ASSOCIATES, INC.

NO.: 15-00396-BAJ-SCR

RULING AND ORDER

Before the Court is a **Motion to Remand (Doc. 10)**, filed by Plaintiffs Eugene A. Lejuene and Tara Lejuene, seeking an order from this Court remanding the above-captioned matter to the Eighteenth Judicial District Court, Parish of Iberville, State of Louisiana. Specifically, Plaintiffs argue that complete diversity of citizenship does not exist to sustain this Court's subject matter jurisdiction, and they further contend that not all Defendants consented to removal. (Doc. 10-2 at pp. 3-5). In their motion, Plaintiffs also seek costs, expenses, and attorney's fees. (Doc. 10 at p. 3). Defendants Action Resources, Inc. and Conestoga-Rovers & Associates, Inc. oppose Plaintiffs' motion. (Docs. 12, 13).

The Magistrate Judge issued a Report and Recommendation, recommending that Plaintiffs' Motion to Remand be denied, finding that complete diversity of citizenship exists and rejecting Plaintiffs' argument regarding a lack of consent. (See Doc. 14 at pp. 3-5). No objections were filed to the Magistrate Judge's Report.

Having carefully considered Plaintiffs' motion, Defendants' oppositions, and the Magistrate Judge's Report, the Court **APPROVES** the Magistrate Judge's **Report and Recommendation (Doc. 14)**, and **ADOPTS** the Report as the Court's opinion herein.

For reasons explained in the Magistrate Judge's Report,

**IT IS ORDERED** that Plaintiffs Eugene A. Lejuene and Tara Lejuene's **Motion to Remand (Doc. 10)** is **DENIED**. The Court also concludes that Plaintiffs are not entitled to costs, expenses, or attorney's fees.

Baton Rouge, Louisiana, this 27<sup>th</sup> day of August, 2015.



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