

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SUN INDUSTRIES, LLC

CIVIL ACTION

VERSUS

PHOENIX INSURANCE COMPANY,
ET AL.

NO.: 16-00172-BAJ-EWD

RULING AND ORDER

Before the Court is the United States Magistrate Judge's Report and Recommendation (Doc. 31), pursuant to 28 U.S.C. § 636(b)(1), addressing a **Motion to Remand (Doc. 2)** filed by Sun Industries, LLC ("Third Party Plaintiff"). In the Report and Recommendation, the Magistrate Judge recommends that the Motion to Remand be granted and that the matter be remanded to the 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana, for lack of subject matter jurisdiction under 28 U.S.C. § 1332(a). (Doc. 31 at p. 23).

Pursuant to 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72, the parties had fourteen (14) days from the date they received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. No objections were filed.

Having carefully considered the Petition, the Motion to Remand, and other relevant documents, the Court approves the Magistrate Judge's Report and Recommendation, and hereby adopts the findings of fact, conclusions of law, and recommendations therein.

Accordingly,

IT IS ORDERED that the Magistrate Judge's Report and Recommendation (Doc. 31) is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that the Plaintiff's **Motion to Remand** (Doc. 2) is **GRANTED** and this case is **REMANDED** to the 19th Judicial District Court.

Baton Rouge, Louisiana, this 24th day of October, 2016.



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