

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CHARLEEN GUEDRY

VERSUS

LEGACY VULCAN CORPORATION, ET AL

CIVIL ACTION

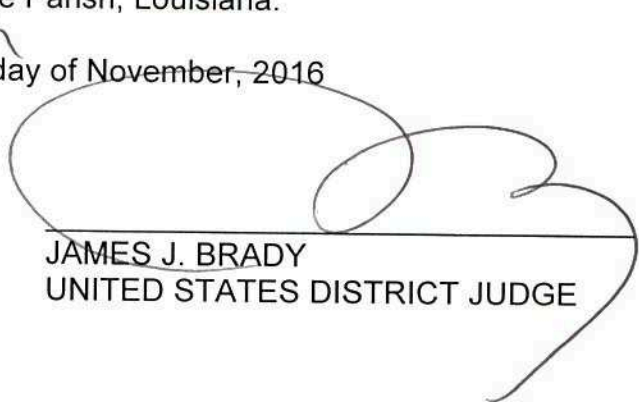
NO. 16-348-JJB-RLB

RULING

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Richard L. Bourgeois, Jr. dated November 4, 2016 (doc. no. 16). The defendant, Brock Services, LLC has filed an objection which lacks merit for the reasons stated in the Report which is hereby approved and adopted. This is particularly true as ANCO was made a defendant at the onset and was dismissed without prejudice. ANCO's rejoinder following voluminous discovery supports the finding that the primary purpose of the amendment is not to defeat diversity jurisdiction.

Accordingly, Plaintiffs' Motion for Leave of Court to File Second Amended and Supplemental Complaint (doc. no. 9) is GRANTED. Further, the Court instructs the Clerk's Office to enter Plaintiffs' Second Amended and Supplemental Complaint (doc. no. 9 at 3-5) into the record. In view of the entry of the Second Amended and Supplemental Complaint, which destroys diversity jurisdiction in this action, the Court REMANDS this action to the 19th Judicial District Court, East Baton Rouge Parish, Louisiana.

Baton Rouge, Louisiana, this 29th day of November, 2016


JAMES J. BRADY
UNITED STATES DISTRICT JUDGE