

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

GEORGE LEBEUF

CIVIL ACTION

VERSUS

RACE TRAC PETROLEUM, INC., ET
AL.

NO.: 17-00334-BAJ-RLB

RULING AND ORDER

Before this Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 13)** pursuant to 28 U.S.C. § 636(b)(1). This Court has diversity jurisdiction over the action pursuant to 28 U.S.C. 1332. The Report and Recommendation addresses the First Motion to Amend the Complaint (Doc. 12) filed by Plaintiff, George LeBeuf, which seeks to add two additional defendants. Defendants did not oppose the motion. (Doc. 13 at p. 2). The Magistrate Judge recommended that Plaintiff's Motion to Amend should be granted, but because granting the motion to amend would destroy the Court's diversity jurisdiction, the Magistrate Judge recommends that the action be remanded to state court. (*Id.* at p. 5)

The Report and Recommendation notified the parties that, pursuant to 28 U.S.C. § 636(b)(1), they 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. (Doc. 13 at p. 1). Neither party objected.

Having carefully considered the underlying Complaint, the instant motions, and related filings, the Court approves the Magistrate Judge's Report and Recommendation, and hereby adopts its findings of fact, conclusions of law, and recommendation.

Accordingly,

IT IS ORDERED that the **Magistrate Judge's Report and Recommendation (Doc. 13)** is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that Plaintiff's **First Motion to Amend (Doc. 12)** is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk's Office enter Plaintiff's First Amended Complaint (Doc. 12-4) into the record.

IT IS FURTHER ORDERED that subsequent to the entry of the First Amended Complaint into the record, the action shall be **REMANDED** to the 19th Judicial District Court, East Baton Rouge Parish, Louisiana.

Baton Rouge, Louisiana, this 8th day of January, 2018.



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