

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GLENN G. HUMPHREY,

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Plaintiff,

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v.

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Civil Action No. 11-11298-JLT

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PAUL REVERE LIFE INS. CO.,

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HEIDI R. ALMEIDA, and

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SCITUATE RAY PRECAST, CORP.,

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Defendants.

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ORDER

October 20, 2011

TAURO, J.

After reviewing the Parties' submissions, this Court hereby orders that Plaintiff's Motion to Remand to State Court [#11] is DENIED. Defendant Paul Revere Insurance Company's Notice of Removal [#1] was filed within thirty days of Defendant Paul Revere Insurance Company's receipt of the Complaint and therefore removal was valid under 28 U.S.C. § 1446(b).¹

The Court is not ruling on Defendant's Motion to Dismiss [#3] at this time. Plaintiff has until November 10, 2011 to file a motion for leave to amend the complaint to satisfy the pleading requirements of the Employment Retirement Income Security Act of 1974.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge

¹ See Garside v. Osco Drug, Inc., 702 F. Supp. 19, 21-22 (D. Mass. 1988).