

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CONIFER INSURANCE COMPANY,

Plaintiff,

v.

Case No. 15-11650

CONTINENTAL ENTERPRISES, et al.,

Defendants.

PRELIMINARY SCHEDULING ORDER

On August 4, 2015, the court conducted a telephone conference in the above-captioned matter. During the conference, the court questioned the existence of subject matter jurisdiction over this removed case. Counsel agree that the parties are not diverse, but disagree as to whether all Defendants are properly joined in this matter. Before commencing discovery or issuing a scheduling order, the court deems it prudent to first settle the preliminary issue of subject matter jurisdiction. Accordingly,

IT IS ORDERED that by **September 4, 2015** , Plaintiff Conifer Insurance Company shall a) submit a stipulation and proposed order that would i) eliminate non-diverse parties and clarify this court's jurisdiction, or ii) maintain the non-diverse parties and remand the case to state court OR, b) in the absence of a stipulated proposed order, file a motion to remand. If a motion is filed, briefing shall follow the deadlines imposed by the local rules. If a stipulation to remand is filed, the matter is concluded in this court; if a stipulation to eliminate the non-diverse parties is filed,

the court will schedule a scheduling/status conference.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 11, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 11, 2015, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

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