

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TRESSIE LITTLE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:11-CV-00728-NAB
)	
BIG LOTS STORES, INC.,)	
)	
Defendant.)	

MEMORANDUM OPINION

Presently before the Court is Plaintiff’s Motion for Leave to File First Amended Complaint and Plaintiff’s Motion to Remand to State Court. [\[Doc. 17\]](#). Defendant did not respond to the Motions. Having fully considered the arguments set forth by Plaintiff, the Court grants Plaintiff’s Motion for Leave to File First Amended Complaint.¹ The Court will reserve ruling on the Motion to Remand.

Discussion

This personal injury action was removed to this Court by Defendant from the Circuit Court of the City of Saint Louis, Missouri (“state court”) on April 25, 2011 pursuant to 28 U.S.C. § 1441(a) on the basis of diversity jurisdiction under 28 U.S.C. § 1332(a).² See [\[Doc. 1\]](#). Plaintiff now seeks leave to amend the Complaint to add an additional negligence count against a new named defendant, KRC Christy 804, Inc. (“KRC Christy”). Plaintiff also seeks to have this action remanded to state court on the basis that the new defendant is a Missouri corporation, and if added to this action, would divest the Court of diversity jurisdiction. [\[Doc. 17\]](#).

¹Pursuant to 28 U.S.C. § 636(c)(1), the parties consented to the jurisdiction of the undersigned United States Magistrate. [\[Doc. 9\]](#).

²Plaintiff is a citizen of Missouri; Defendant is an Ohio Corporation with its principal place of business in Ohio.

