

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LUTHER WHITMORE, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:11CV1170 RWS
)	
AMERICAN DREAM LOGISTICS,)	
INC., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case was recently reassigned to me and is before me on a review of the file.

Although they have yet to file a motion, in their motion for remand plaintiffs seek leave to amend their complaint and add a defendant. Plaintiffs argue in their motion for remand that joinder of this additional defendant will destroy diversity jurisdiction and require remand, but defendants' opposition to remand demonstrates that diversity jurisdiction will not be destroyed by the joinder of this defendant. I will grant plaintiffs until Friday, July 29, 2011, to file a reply brief in support of remand. Any reply brief should explain how diversity jurisdiction is destroyed by the joinder of this additional defendant despite the evidence that it is not a Missouri citizen. Failure to file a reply brief will result in a denial of the motion.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs shall file a reply brief in support of remand in accordance with this Memorandum and Order by July 29, 2011, or the motion will be deemed abandoned and will be denied.

IT IS FURTHER ORDERED that plaintiffs are granted leave to file an amended

complaint in conformity with the proposed amended complaint attached as Exhibit A to their motion for remand [#13]. The amended complaint shall be filed by Friday, July 29, 2011.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 27th day of July, 2011.