

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL L. HALE, JR.,)
Plaintiff,)
vs.) Case No. 4:12CV01490 AGF
WHOLE FOOD MARKET GROUP, INC.,)
Defendant.)

MEMORANDUM AND ORDER

This employment discrimination matter is before the Court on the motion Plaintiff Michael Hale, Jr., to remand the case to state court. In his complaint, Plaintiff asserts claims of racial discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981. Defendant's removal of the case based on federal question jurisdiction, pursuant to 28 U.S.C. § 1441(a), was, thus, proper. Furthermore, Plaintiff has failed to rebut Defendant's evidence supporting this Court's diversity jurisdiction, pursuant to 28 U.S.C. § 1332(a), over the case.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion to remand is **DENIED**.

(Doc. No. 7.)

Audrey G. Fleissig
AUDREY G. FLEISSIG
UNITED STATES DISTRICT COURT

Dated this 16th day of October, 2012