

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

SHAREN PARKER and	)	
WILLIAM PARKER,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 2:17-cv-04090-NKL
	)	
AMERICAN PUB, LLC d/ba/	)	
TGI FRIDAY’S and	)	
BB HOLDING, LLC,	)	
d/b/a TGI FRIDAY’S	)	
	)	
Defendants.	)	

**ORDER**

Plaintiffs Sharen and William Parker and Defendant American Pub, LLC jointly move to remand this action to the Circuit Court of Boone County, Missouri for lack of subject matter jurisdiction. [Doc. 6.] The motion to remand is granted.

On April 20, 2017, Plaintiffs Sharen and William Parker filed suit in the Circuit Court of Boone County, Missouri against Defendant American Pub, LLC, alleging ownership of a TGI Friday’s where Plaintiff Sharen Parker was injured. Before Defendant American Pub, LLC filed an Answer, Plaintiffs amended their Petition, identifying BB Holding, LLC as an owner of TGI Friday’s and adding it as a defendant. On May 26, 2017, Defendant American Pub, LLC removed the action to this Court on the basis of diversity jurisdiction under 28 U.S.C. § 1332, not realizing that an Amended Petition was filed adding BB Holding, LLC as a defendant. Defendant BB Holding, LLC is a Missouri company.

In their motion, Defendant American Pub, LLC, the removing defendant, jointly moves with Plaintiffs to remand this action back to the Circuit Court of Boone County for lack of diversity. [Doc. 6]. Because the parties represent that BB Holding, LLC is a Missouri company, removal to this federal court in Missouri is barred by 28 U.S.C. § 1441(b)(2), and the Court lacks subject matter jurisdiction. See 28 U.S.C. § 1441(b)(2) (“A civil action otherwise removable solely on the basis of the jurisdiction under section 1332(a) . . . may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.”). Accordingly, this matter is remanded to the Circuit Court of Boone County, Missouri.

For the previous reasons, Plaintiffs and Defendant American Pub, LLC’s Joint Motion to Remand, [Doc. 6], is granted.

s/ Nanette K. Laughrey  
NANETTE K. LAUGHREY  
United States District Judge

Dated: June 30, 2017  
Jefferson City, Missouri