

FILED

SEP 06 2017

Clerk, U.S. District Court
District Of Montana
Helena

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BUTTE DIVISION

THE KORNER KLUB, INC., a
Montana corporation,

Plaintiff,

vs.

GALLATIN COUNTY and MATT
KELLEY, as Health Officer for the
Gallatin City-County Health
Department

Defendants.

No. CV-17-36-BU-SEH

ORDER

Review and assessment of the Complaint, filed May 19, 2017, in the Montana Eighteenth Judicial District Court, Gallatin County,¹ and Defendant's Notice of Removal, filed June 21, 2017, in this Court,² discloses that federal

¹ Doc. 3.

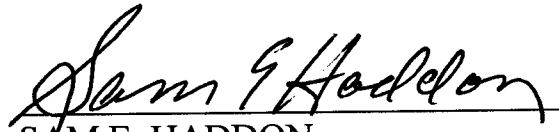
² Doc. 1.

question jurisdiction of this Court, grounded in 28 U.S.C. § 1331, as asserted, is not well-pleaded.

ORDERED,

This case will be remanded to the Montana Eighteenth Judicial District Court, Gallatin County, unless Defendant files, on or before September 15, 2017, a revised notice of removal, appropriately setting forth the legal and factual basis for invocation of federal question jurisdiction of this Court.

DATED this 6th day of September, 2017.


SAM E. HADDON
United States District Judge