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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Yvette Baker-Fertini,  
Plaintiff  
v.  
Geico Casualty Company,  
Defendant

Case No.: 2:16-cv-2547-JAD-VCF

**Order Granting Motion to Remand**  
**[ECF No. 14]**

10 Plaintiff Yvette Baker-Fertini moves to remand this case back to the Eighth Judicial District  
11 Court whence it was removed, arguing that the value of this case does not meet the jurisdictional  
12 threshold.<sup>1</sup> Removing defendant Geico's opposition to the motion was due two weeks ago, no  
13 opposition has been filed, and no extension of the deadline was sought. Having removed this case  
14 based on diversity, it is Geico's burden to establish that the amount in controversy in this case  
15 exceeds the jurisdictional amount.<sup>2</sup> The face of the complaint suggests only that the case value  
16 exceeds \$50,000, and Geico has offered no response to Fertini's remand motion, let alone evidence  
17 to support an amount in controversy that exceeds \$75,000. Accordingly, because Geico has failed to  
18 satisfy its burden, and because Geico's failure to oppose this motion "constitutes a consent to"  
19 granting it under Local Rule 7-2(d),

20 IT IS HEREBY ORDERED that **the motion to remand [ECF No. 14] is GRANTED.** This  
21 case is remanded back to the Eighth Judicial District Court, Case No. A-16-743598-C, Dept.  
22 XXVIII;

23 IT IS FURTHER ORDERED that **the hearing on the motion** for remand scheduled for  
24 **4/10/17 at 2:30 p.m. is VACATED.**

25 DATED: March 28, 2017

26   
JENNIFER A. DORSEY  
UNITED STATES DISTRICT JUDGE

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28 <sup>1</sup> ECF No. 14.

<sup>2</sup> See, e.g., *Sanchez v. Monumental Life Ins. Co.*, 102 F.3d 398 (9th Cir. 1996).