

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID BOGLE,

Case No.: 2:22-cv-01054-APG-EJY

Plaintiff

Order Remanding Case to State Court

V.

REGAL COLONNADE, et al.,

Defendants

I previously ordered the defendants to show cause why this case should not be remanded to state court for failure to establish the amount in controversy. ECF No. 9. The defendants responded by presenting evidence that prior to filing suit, the plaintiff made a demand for the policy limit, which is \$1,000,000. ECF No. 11 at 10, 20. But at the time of that demand, the plaintiff did not know what the limit was. *Id.* at 10 (“Unfortunately, your insured has chosen not to divulge the amount of their policy limits.”). The only other evidence the defendants offer is the plaintiff’s refusal to stipulate to cap damages at \$75,000. *Id.* at 23. That is insufficient for the defendants to meet their burden of showing that more than \$75,000 is at issue. *See, e.g., Jauregui v. Mid-Century Ins. Co.*, No. 2:16-cv-01496-GMN-NJK, 2016 WL 5952742, at *2 (D. Nev. Oct. 12, 2016).

18 I THEREFORE ORDER that this case is remanded to the state court from which it was
19 removed for all further proceedings. The clerk of the court is instructed to close this case.

DATED this 1st day of August, 2022.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE