Pellant v. Blakenship et al Doc. 23

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JEREMIAH PELLANT,	)	3:16-cv-00284-WGC
	)	
Plaintiff,	)	**MINUTES OF THE COURT**
	)	
vs.	)	October 13, 2016
	)	
ANTHONY WAYNE BLAKENSHIP, BASIN LOGISTICS, LLC, a foreign limited liability company,	)	
	)	
Defendants.	)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the Court is Defendants' Motion to Establish the Amount in Controversy for Subject Matter Jurisdiction (ECF No. 22). No response has been filed.

Defendants' motion arises from a hearing this Court conducted on August 24, 2016, at which time the Court indicated an order directing the removing parties to supply more information about the amount in controversy would be forthcoming (ECF No. 18 at 2). The following day the Court entered an Order directing Defendants to demonstrate the amount in controversy exceeds the Court's jurisdiction requirements of $75,000 (ECF No. 17). The Court indicated it would be receptive to a "summary judgment type evidence" showing by a preponderance of the evidence that the jurisdictional threshold has been satisfied. *Id.* at 3.

Defendants' Motion to Establish the Amount in Controversy for Subject Matter Jurisdiction followed (ECF No. 22). Defendants have submitted satisfactory evidence which establishes that to date Plaintiff's medical bills incurred as a result of the subject accident approximate $41,000±. (*Id.* at 4). Plaintiff's treatment for post-traumatic stress disorder is on-going. (*Id*. at 6). Defendants state Plaintiff is claiming approximately $1,500± in wage loss and $3,000± in property damages "totaling $40,000" and also an award of attorney's fees and costs. (*Id* at 5; emphasis in the original).

///

Dockets.Justia.com

The Court finds, therefore, that Defendants have adequately established that the amount in controversy exceeds $75,000 and that as a result the Court may entertain jurisdiction herein based upon diversity of citizenship. 28 U.S.C. § 1332(a); *Rains v. Criterion Systems, Inc.*, 80 F.3d 339, 342 (9th Cir. 1996); *Kroske v. U.S. Bank Corp.*, 432 F.3d 976, 980 (9th Cir. 2006).

Defendants' Motion (ECF No. 22) is **GRANTED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk