

damages meeting the jurisdictional threshold of \$75,000 and the Court accordingly lacks jurisdiction over this action.

Because the Court finds that it does not have jurisdiction, it does not reach the question of whether plaintiff's claim must be arbitrated. If the Court had jurisdiction, however, it likely would have converted defendant's motion to dismiss into a motion to compel arbitration and granted that motion.

Finally, defendant's motion for Rule 11 sanctions is a closer call. The Court deems it sufficient at this point to dismiss the amended complaint for lack of jurisdiction while reserving the right, should this case be reinstated for any reason, to revisit the appropriateness of sanctions.

SO ORDERED.

Dated: New York, NY
November 28, 2017



JED S. RAKOFF, U.S.D.J.