

the Constitution, laws, or treaties of the United States.” See 28 U.S.C. § 1331. In determining whether an action “arises under” federal law, this Court must observe well-pleaded complaint rule, which requires that a federal question be presented on the face of the complaint. See Caterpillar, Inc. v. Williams, 482 U.S. 386, 392 (1987).

Upon review of the complaint, the Court concludes that the defendant has met its burden. The complaint alleges violations of the Fair Debt Collection Practices Act, and other federal laws. (See Complaint, ¶¶24, 27-34, 40; Prayer for relief ¶¶1-4). The plaintiffs maintain they are entitled to remedies purportedly authorized by those acts, including a permanent injunction, monetary damages, and reasonable attorneys’ fees. Id. These are not mere incidental references, as the plaintiffs seem to believe, but substantive claims for relief based specifically on the laws of the United States. In the Court’s view, the plaintiffs’ complaint asserts a cause of action “arising under” federal law, making removal proper in this instance.

For the above-stated reasons, the plaintiffs’ motion is denied. (Resolving Doc. 8).

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 14 January 2013