

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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MICHAEL A. STARCHER, et al. : CASE NO. 15-CV-01741  
Plaintiffs, :  
vs. : ORDER AND OPINION  
STATE FARM INSURANCE :  
COMPANIES, et al., :  
Defendants. :  
:

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JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On July 23, 2015, Plaintiffs Michael Starcher et al. filed a complaint in the Court of Common Pleas, Cuyahoga County, Ohio, against Defendants State Farm Insurance Companies and UAW Retiree Medical Benefit Trust.<sup>1/</sup> On August 28, 2015, Defendants filed a Notice of Removal under diversity jurisdiction.<sup>2/</sup> On September 4, 2015, Plaintiffs filed a Motion to Remand to state court.<sup>3/</sup> On September 25, 2015, this Court denied Plaintiffs' motion to remand.<sup>4/</sup>

On September 1, 2015, the Cuyahoga County Court of Common Pleas made a nunc pro tunc entry dismissing Defendant UAW Retiree Medical Benefits Trust. That order indicated that Plaintiffs had filed a notice of dismissal as to Defendant UAW.

In their answer, Defendant State Farm points out that Plaintiffs named both "State Farm

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<sup>1/</sup>Doc. [1-2](#).

<sup>2/</sup>Doc. [1](#).

<sup>3/</sup>Doc. [5](#).

<sup>4/</sup>Doc. [7](#).

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Insurance Companies" and "State Farm Mutual Automobile Insurance Companies" as Defendants. Defendants indicate that "State Farm Insurance Companies" does not exist as a legal entity.<sup>5/</sup>

For the reasons discussed above, the Court **ORDERS** Plaintiffs to file motion to dismiss UAW Retiree Medical Benefits Trust as a defendant. The Court also orders Plaintiffs to file a motion to dismiss erroneously named Defendant "State Farm Insurance Companies" and to instate "State Farm Mutual Automobile Insurance Companies" as the correctly named Defendant.

IT IS SO ORDERED.

Dated: December 9, 2015

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>5/</sup>Doc. [1-3](#).