

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PATRICIA BAILEY	:	CIVIL ACTION
	:	
v.	:	
	:	
NATIONAL RAILROAD PASSENGER CORPORATION d/b/a AMTRAK, et al.	:	NO. 2:13-cv-2132
	:	

ORDER

AND NOW, this 10th day of June 2013, upon consideration of the parties’ Stipulation of Dismissal (Doc. No. 11), it is hereby ORDERED that the stipulation dismissing all claims against Defendant National Railroad Passenger Corporation (Amtrak) in the above matter, as well as all of Amtrak’s cross-claims against the other defendants, without prejudice, is APPROVED.

This matter was removed to this Court solely on the basis that Defendant Amtrak is an entity that was created by an act of Congress with more than half of its corporate stock owned by the federal government, pursuant to 28 U.S.C. sections 1349 and 1441(a). (See Notice of Removal 2–3, Doc. No. 1). As all claims against Defendant Amtrak have been dismissed and no question of federal law nor diversity of citizenship between the parties exists, this Court lacks subject matter jurisdiction. See 28 U.S.C. §§ 1331, 1332 (2012). Therefore, the matter is DISMISSED WITHOUT PREJUDICE and remanded to state court. See, e.g., Zambelli Fireworks Mfg. Co., Inc. v. Wood, 592 F.3d 412, 420 (3d Cir. 2010) (noting federal courts may dismiss suit for lack of subject matter jurisdiction “at any stage in the proceeding” on its own motion). The Clerk of Court is directed to close this matter for statistical purposes.

BY THE COURT:

/s/Legrome D. Davis

Legrome D. Davis, J.