

- i. Such motion shall be filed **on or before 5:00 p.m. Friday, October 12, 2018;**
- ii. For each of the 64 claims dismissed in the Court’s Order and Opinion issued August 3, 2018, ECF Nos. 16 and 17, the motion shall note, in proper legal citation form and with a short parenthetical explanation, whether the particular state substantive law under which the claims arise allows for punitive damages for the claims asserted in the Complaint;
- iii. For each of the 64 claims dismissed in the Court’s Order and Opinion issued August 3, 2018, ECF Nos. 16 and 17, the motion shall note, in proper legal citation form and with a short parenthetical explanation, whether the particular state substantive law under which the claims arise allows for a subrogee to recover punitive damages to the same extent as its subrogor;
- iv. To the extent that items *ii* or *iii* above include caps on the punitive damages allowed, such motion shall include a brief explanation as to how the capped punitive damages plus the previously alleged compensatory damages satisfy the amount in controversy required for diversity actions.²

3. Plaintiff is **DIRECTED** to file an amended complaint for claims “www,” “xxx,” and “bbbb” **no later than October 19, 2018.**

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

² For example, if state x caps punitive damages at \$50,000 it would be sufficient to write “Claim A seeks compensatory damages in the amount of \$25,000. Claim A occurred in state x which allows punitive damages up to \$50,000. Therefore, the total possible damages satisfy the amount in controversy required for diversity actions.”