

that this Court may exercise subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1332, 1446.

On February 10, 2010, Defendants filed a Response which indicated that complete diversity of citizenship cannot be established under the standard set forth in *Zambelli*.

Accordingly, Defendants recognize that this case is subject to remand.

AND NOW, this 11th day of February, 2010, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this action is hereby **REMANDED FORTHWITH** to the Court of Common Pleas of Butler County, Pennsylvania

The clerk shall docket this case closed.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

cc: Eric S. Newman
Email: enewman@cohenlaw.com
Fridrikh V. Shrayber, Esquire
Email: fshrayber@cohenlaw.com
Kerrin M. Kowach
Email: kkowach@cohenlaw.com

Mark A. Eck, Esquire
Email: meck@mdbbe.com