

consider plaintiff's post-removal clarification stipulating her claim would be limited to no more than \$75,000, found the stipulation deprived the court of subject-matter jurisdiction, and remanded the matter to state court. *Id.* (citing *Tommie v. Orkin, Inc.*, No. 8:09-1225-HMH, 2009 WL 2148101, at *1-2 (D.S.C. July 15, 2009) (“[A] post-removal stipulation that damages will not exceed the jurisdictional minimum can be considered a clarification of an ambiguous complaint, rather than a post-removal amendment of the plaintiff’s complaint.”)).

Similarly, in this matter, Plaintiff’s post-removal stipulation is permissible and should be given effect, making it clear that Plaintiff will not and cannot recover damages in excess of the \$75,000 jurisdictional threshold. *See Shanaghan v. Cahill*, 58 F.3d 106, 112 (4th Cir.1995) (noting when a plaintiff “has alleged only a small amount of damages or it is otherwise obvious that the jurisdictional amount under § 1332(a) cannot be satisfied, the court must dismiss the case outright for lack of jurisdiction.”). Accordingly, the court is without subject matter jurisdiction and remands the case to the state court.

IT IS SO ORDERED.

/s/ Mary G. Lewis
United States District Judge

September 12, 2013
Spartanburg, South Carolina