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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALBERT C. SCHREIB,

Plaintiff,

v.

STATE FARM FIRE AND CASUALTY
COMPANY,

Defendant.

CASE NO. C13-1606 MJP

ORDER ON MOTION FOR
REMAND

This matter comes before the Court upon Plaintiff's Motion for Remand (Dkt. No. 8). Defendant's basis for removal was diversity jurisdiction pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1332, which requires the amount in controversy to exceed \$75,000. (See Dkt. No. 1.) The motion for remand is unopposed by Defendant as long as Plaintiff agrees to submit his claim to mandatory arbitration, wherein claims are limited to \$50,000 or less. (See Def.'s Resp., Dkt. No. 11; Dkt. No. 8 at 2-3.) Plaintiff represents to this Court that he intends to so limit his claims and submit the case to mandatory arbitration. (Pl.'s Reply, Dkt. No. 13.) Having reviewed the


1 papers filed in connection with this action, including Defendant's Notice of Removal (Dkt. No.
2 1), the Court finds that remand is appropriate.

3 Because Defendant had an objectively reasonable basis for believing the amount in
4 controversy to exceed \$75,000 (see Decl. of Vasudev N. Addanki, Dkt. No. 3 at 1, 5), despite
5 Plaintiff's later disavowal of a claim in that amount, the Court declines to award fees or costs.
6 See Martin v. Franklin Capital Corp., 546 U.S. 132, 141 (2005).

7 The Court therefore ORDERS that this matter is REMANDED to Snohomish County
8 Superior Court. The Court declines to award fees or costs.

9 The clerk is ordered to provide copies of this order to all counsel.

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11 Dated this 5th day of November, 2013.

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13 Marsha J. Pechman
14 United States District Judge
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