

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

STATE OF LOUISIANA, <i>EX REL</i>	§	CIVIL ACTION
JAMES D. “BUDDY” CALDWELL,	§	
ATTORNEY GENERAL	§	NO. 3:14-cv-00550
	§	
v.	§	
	§	
STATE FARM FIRE AND CASUALTY	§	JUDGE DICK
COMPANY, STATE FARM GENERAL	§	
INSURANCE COMPANY, AND STATE	§	
FARM MUTUAL AUTOMOBILE	§	
INSURANCE COMPANY	§	MAGISTRATE RIEDLINGER

PLAINTIFF’S MOTION TO REMAND TO STATE COURT

NOW INTO COURT, through James D. “Buddy” Caldwell, Attorney General, and undersigned counsel, comes Plaintiff, State of Louisiana, who respectfully moves this Honorable Court for an Order remanding this matter back to the 19th Judicial District Court of the State of Louisiana.

On August 20, 2014, the State filed a Petition for Injunctive Relief and Restitution in the 19th Judicial District Court of the State of Louisiana. On September 3, 2014, Defendants filed a Notice of Removal and the matter was transferred to this Court.

In their Notice of Removal, Defendants assert that the State’s Petition creates a substantial question of federal law. The instant case, however, filed by the State of Louisiana through its Attorney General pursuant to its *parens patriae* authority, asserts only claims under the state laws of Louisiana as fully described in the attached Memorandum in Support of Motion to Remand, and does not give rise to any federal questions of law. Thus, Defendants’ removal is improper and this matter should be remanded back to state court.

WHEREFORE, Plaintiff moves for an Order remanding this matter back to the 19th
Judicial District Court of the State of Louisiana.

Respectfully submitted,

JAMES D. "BUDDY" CALDWELL
LOUISIANA ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2014, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to counsel of record in the captioned matter, and further, that a copy of the foregoing has been served on all counsel of record via electronic mail.

s/Stacie deBlieux
STACIE LAMBERT DEBLIEUX