

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

LORETTA MAURICE

CIVIL ACTION

VERSUS

NO. 06-8741

LIBERTY MUTUAL INSURANCE COMPANY,
ET AL.

SECTION: I/5

ORDER AND REASONS

The matter before the Court is a motion to remand, filed on behalf of plaintiff, Loretta Maurice. Defendants in this matter are Liberty Mutual Fire Insurance Company ("Liberty Mutual"), Prudential Financial, and AAA Contractors.

This Court has issued extensive opinions on the full range of legal issues regarding motions to remand in Hurricane Katrina insurance litigation. See, e.g., *Bourgeois v. State Farm Fire & Cas. Co.*, No. 06-8037, 2006 WL 3344736 (E.D. La. Nov. 16, 2006); *Rizzuto v. Tully*, No. 06-6883, 2006 WL 3332832 (E.D. La. Nov. 14, 2006); *Jackson v. State Fire & Cas. Ins. Co.*, No. 06-4467, 2006 WL 3332835 (E.D. La. Nov. 9, 2006); *Yount v. Lafayette Ins. Co.*, No. 06-7382, 2006 WL 3240790 (E.D. La. Nov. 7, 2006); *Trosclair v. Security Plan Life Ins. Co.*, No. 06-9220, 2006 U.S. Dist. LEXIS 84100 (E.D. La. Nov. 6, 2006); *Richmond v. Chubb Group of Ins. Cos.*, No. 06-3973, 2006 WL 2710566 (E.D. La. Sept. 20, 2006); *Best v. Independent Ins. Assocs. Inc.*, No. 06-1130, 2006 WL 2710445 (E.D. La. Sept. 19, 2006); *Nash v. Harry Kelleher & Co.*, No. 06-1083, 2006 WL 2644960 (E.D. La. Sept. 14, 2006);

Smith Lupo Williams Partners v. Carter, No. 06-2808, 2006 WL 2548255 (E.D. La. Aug. 31, 2006).

After fully considering the law, the facts, and the arguments of all parties, the Court finds that the above cited decisions, when applied to the facts of this case, dictate a remand.¹ The Court is inundated with motions to remand in cases such as this one, and it is neither in the interest of justice nor judicial economy to issue an extensive, yet repetitive, opinion. The Court, therefore, incorporates the applicable legal standards and analysis from its prior opinions as though fully written herein.

Accordingly, for the reasons stated herein,

IT IS ORDERED that the motion to remand filed on behalf of plaintiff² is **GRANTED** and the case is **REMANDED** to the 24th Judicial District Court for the Parish of Jefferson.

New Orleans, Louisiana, January 8th, 2007.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE

¹The Court notes that, on the facts of this case, it is not facially apparent that plaintiff's claims exceed \$75,000 and defendant has failed to prove by a preponderance of the evidence that the requisite amount for federal jurisdiction is present. See *Bourgeois*, 2006 WL 3344736 at *2. Plaintiff does not state that she seeks the full policy value, and Liberty Mutual's citation to the generalized damage language in plaintiff's complaint does not satisfy the burden of proving amount in controversy by a preponderance of the evidence.

²Rec. Doc. No. 11.