

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

STEVEN KIM & SARAH KIM,)	
)	
Plaintiffs,)	
)	
v.)	Docket no. 2:14-cv-265-GZS
)	
METROPOLITAN PROPERTY &)	
CASUALTY INSURANCE COMPANY,)	
)	
)	
Defendant.)	

ORDER ON MOTION TO REMAND

Before the Court is Plaintiffs’ Motion to Remand (ECF No. 8). In response, Defendant has indicated it does not oppose the Motion (ECF No. 9). Therefore, the Motion is hereby GRANTED.

In seeking remand, Plaintiffs’ counsel has requested reasonable costs and attorney’s fees, which the Court may require pursuant to 28 U.S.C. § 1447(c). This case was removed on July 7, 2014. On July 2, 2014, and again on July 7, 2014, Plaintiffs’ counsel notified Defendant’s counsel that Plaintiffs would stipulate to total damages of less than the amount required to invoke this Court’s diversity jurisdiction.¹ In light of Defendant’s decision to nonetheless pursue removal based on diversity jurisdiction, the Court finds that Plaintiffs are entitled to an award of just costs and actual expenses incurred in seeking remand. Plaintiffs’ counsel shall provide Defendant’s counsel with an itemized list of the just costs and actual expenses within 14 days of this Order. Defendant shall have 30 days in which to pay the requested amount or file on this docket an objection to the amount, along with a copy of the itemized list received from Plaintiff’s counsel.

The Court will retain jurisdiction only to the extent necessary to enforce this Order. However, the substantive claims shall be remanded to state court forthwith.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 12th day of December, 2014.

¹ See Exs. A (ECF No. 8-2) & B (ECF No. 8-3).

Plaintiff

STEVEN KIM

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Plaintiff

SARAH KIM

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ATTORNEY TO BE NOTICED

V.

Defendant

**METROPOLITAN PROPERTY
AND CASUALTY INSURANCE
COMPANY**

represented by **CHRISTINE KENNEDY-
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