

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

JOSEPH STURCH, etc., et al.,

Plaintiffs,

v.

Case No. 3:24-cv-727-TJC-MCR

STATE FARM MUTUAL  
AUTOMOBILE INSURANCE  
COMPANY, etc.,

Defendant.

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**ORDER**

This personal injury auto accident insurance case is before the Court on plaintiffs' motion to remand (Doc. 11), to which defendant has responded in opposition (Doc. 12). Defendant removed the case pursuant to 28 U.S.C. §§ 1441(a) and (b) and 1446 (a)-(c), invoking the Court's diversity jurisdiction, 28 U.S.C. §§ 1332(a) and (c). There is no dispute that the parties' citizenship is diverse; the only question is whether defendant has met its burden to demonstrate by a preponderance of the evidence that the amount in controversy is in excess of \$75,000, exclusive of interest and costs. See Williams v. Best Buy, 269 F.3d 1316, 1319 (11th Cir. 2001).

The Court has reviewed the entirety of the file and determines defendant has failed to meet its burden. The allegations of damages in the complaint

(which seeks an amount in excess of the state court jurisdictional minimum of \$50,000) are the same boilerplate statements of nearly every personal injury case, the demand letters seeking policy limits of \$100,000 do not include anything to distinguish them as more than mere puffery, and the medical bills of record (\$6,584 for one plaintiff and \$6,316 for the other) are simply too low to bridge the gap.<sup>1</sup>

Accordingly, it is hereby

**ORDERED:**

Plaintiffs' Motion to Remand (Doc. 11) is **GRANTED**. This case is remanded to the Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida. Following remand, the clerk shall close the file.

**DONE AND ORDERED** in Jacksonville, Florida this 16th day of December, 2024.



*Timothy J. Corrigan*

TIMOTHY J. CORRIGAN  
Senior United States District Judge

s.

Copies:

Counsel of record

Clerk of Court, Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida

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<sup>1</sup> The Court does not aggregate the plaintiffs' claims in determining the amount in controversy. See Morrison v. Allstate Indem. Co., 228 F.3d 1255, 1262-63 (11th Cir. 2000).