

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

STANDING ORDER REGARDING ALL REMOVED CASES ASSIGNED TO JUDGE MARY GEIGER LEWIS

Not later than seven days after the Court's text order calling the parties' attention to this Standing Order, the one(s) removing the action to this Court shall file (use the event "Reply Not to a Motion") and serve a signed statement that sets forth the following information:

- 1. The date(s) Defendant(s) or their representative(s) first received a copy of the summons and complaint in the state court action;
- 2. The date(s) each Defendant was served with a copy of the summons and complaint, if any of those dates differ from the date(s) set forth in item number 1;
- 3. In actions predicated on diversity jurisdiction, an explanation of whether any Defendants who have been served are citizens of South Carolina;

Note: for purposes of diversity jurisdiction, a corporation is a citizen of "any State by which it has been incorporated and of the State where it has its principal place of business." 28 U.S.C. § 1332(c)(1); *Hertz Corp. v. Friend*, 559 U.S. 77, 77 (2010). In a suit against an unincorporated entity, however, diversity jurisdiction depends on the citizenship of all the entity's members. *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195 (1990).

- 4. In actions predicated on diversity jurisdiction, the basis for believing that the amount in controversy exceeds \$75,000.00;
- 5. If removal takes place more than thirty days after any Defendant first received a copy of the summons and complaint, the reasons why removal has taken place at this time and the date on which Defendant(s) first received a paper identifying the basis for such a removal;
- 6. In actions removed on the basis of this Court's diversity jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons why this action should not summarily be remanded to state court; and
- 7. The identity of any Defendant who Plaintiff(s) served prior to the time of removal who did not formally join in notice of removal and the reasons therefor.

All Defendants to the action who joined in notice of removal shall file such a statement within the time period set forth herein, although the parties may file a joint statement as long as such statement is signed by counsel for each party.

The removing Defendant(s) shall serve a copy of this order on all other parties to the action no later than the time they file and serve a copy of the statement required by this order.

Any party who learns at any time that any of the information provided in the statement(s) filed pursuant to this Order is incorrect shall immediately notify the Court in writing thereof.

Plaintiff shall file a motion to remand, if appropriate, within thirty days after the filing of the notice of removal. *See* 28 U.S.C. Section 1447(c).

IT IS SO ORDERED.

Signed this 3rd day of August, 2020, in Columbia, South Carolina.

MARY GEIGER LEWIS

Mary D. Lewis

UNITED STATES DISTRICT JUDGE