

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

JANE MILLER,	:	
	:	
<i>Plaintiff,</i>	:	
	:	Civil Action No. 3:16-cv-00724-VLB
	:	
v.	:	
	:	
THOMAS DUNKERTON	:	
<i>Defendant</i>	:	June 10, 2016
	:	

**MOTION TO REMAND**

Pursuant to 28 U.S.C. § 1447(c), Plaintiff, Jane Miller, hereby moves to remand this case to the State of Connecticut Superior Court for the judicial district of Danbury. There is absolutely no basis for federal jurisdiction over this one-count, statutory cause of action brought pursuant to Connecticut General Statutes § 9-63. The sole basis on which Defendant Thomas Dunkerton asserts federal jurisdiction is not even close to one of the “extremely rare” occasions on which a cause of action created by state law “arises” out of federal law for removal purposes. See *Mihok v. Medtronic, Inc.*, 119 F. Supp. 3d 22, 27 (D. Conn. 2015). Accordingly, for the reasons more fully set forth in the accompanying memorandum of law, this court is without jurisdiction and this action must be remanded.

Because there was no objectively reasonable basis to seek removal of this action, Plaintiff further seeks, pursuant to 28 U.S.C. § 1447(c), that the Court’s order of remand requires Defendant to pay just costs and any actual expenses, including attorney fees, incurred as a result of the removal.

**THE PLAINTIFF**

**By: /s/Alexander Copp**  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2016, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/Alexander Copp  
Alexander Copp