

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION

Angela Anders and Ruby Duncan v. William Charles Keough and
Keough Hackles, LLC

Anders v. Keough · No. 1:25-CV-03166 · Decided March 30, 2026

SUMMARY

The court denies the plaintiffs’ motion to remand a motor-vehicle personal-injury action removed from Illinois state court on diversity-jurisdiction grounds. It holds that the defendants presented a plausible estimate exceeding \$75,000 for each plaintiff and that recovery above the jurisdictional threshold was not legally impossible because the plaintiffs had not filed a binding damages disclaimer. The court also directs the parties to confer regarding discovery and file a joint status report.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	Edmond E. Chang
JURISDICTION	United States District Court for the Northern District of Illinois, Eastern Division
DECIDED	March 30, 2026
DOCKET	1:25-CV-03166
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved to remand a removed diversity action to the Circuit Court of Cook County, arguing that the amount-in-controversy requirement was not satisfied. The district court denied the motion to remand.
STANDARD OF REVIEW	The court evaluated the amount in controversy at the time of removal and applied the rule that the removing defendant's good-faith estimate controls unless recovery exceeding \$75,000 is legally impossible.
PRECEDENTIAL VALUE	Unknown; memorandum opinion and order from a federal district court with no reporter citation.
PARTIES	Angela Anders, Ruby Duncan v. William Charles Keough, Keough Hackles, LLC

TOPICS

subject matter jurisdiction civil procedure personal injury negligence

PRACTICE AREAS

civil procedure diversity jurisdiction removal and remand personal injury negligence

QUESTIONS PRESENTED

1. Whether the amount-in-controversy requirement for diversity jurisdiction was satisfied when the complaint did not specify damages and plaintiffs asserted that they sought only medical expenses below \$15,000 each.
2. Whether plaintiffs established that recovery exceeding \$75,000 per plaintiff was legally impossible, such that remand was required.
3. Whether a settlement-demand letter and the types of damages potentially available under Illinois law could support defendants' good-faith estimate of the amount in controversy.

HOLDINGS

1. The amount-in-controversy requirement was satisfied because defendants presented a plausible, good-faith estimate that each plaintiff could recover more than \$75,000.
2. Plaintiffs failed to show that it was legally impossible for either plaintiff to recover more than \$75,000.
3. The plaintiffs' placement in the Law Division of the Circuit Court of Cook County did not cap their potential recovery at \$75,000 and therefore did not establish legal impossibility.
4. Aggregation was unnecessary because each plaintiff individually could legally recover more than \$75,000.

KEY QUOTATIONS

“Once this has been done, ... the estimate of the dispute’s stakes advanced by the proponent of federal jurisdiction controls unless a recovery that large is legally impossible.” (2)

“A plaintiff in Illinois can limit the relief to an amount less than the jurisdictional minimum, and thus prevent removal, by filing a binding stipulation or affidavit with the complaint.” (4)

“When a plaintiff does not tie its own hands with a binding disclaimer, the defendant is entitled to present a good-faith estimate of the stakes.” (6)

FACTUAL BACKGROUND

In March 2023, Angela Anders's car collided with William Charles Keough's commercial truck on an Illinois interstate. Anders, the driver, and Ruby Duncan, her passenger, alleged that they were injured and incurred medical expenses. They filed negligence claims and sought damages including medical expenses, pain and suffering, loss of society, and other potentially recoverable personal-injury damages; their settlement-demand letter requested more than \$110,000 for each plaintiff.

PROCEDURAL HISTORY

Plaintiffs filed Illinois negligence claims in the Circuit Court of Cook County arising from a motor vehicle accident. Defendants removed the case to the Northern District of Illinois based on diversity jurisdiction. Plaintiffs moved to remand, and the district court denied the motion, concluding that each plaintiff could legally recover more than \$75,000 and that defendants had presented a plausible good-faith estimate exceeding the jurisdictional threshold.

DISPOSITION

other

REMAND INSTRUCTIONS

The motion to remand was denied. The parties were directed to confer on a proposed discovery schedule and file a joint status report by April 13, 2026.

CASES CITED

- Oshana v. Coca-Cola Co., 472 F.3d 506, 510-12 (7th Cir. 2006)
- Wise v. Wachovia Securities, LLC, 450 F.3d 265, 267 (7th Cir. 2006)
- Back Doctors Ltd. v. Metropolitan Property & Casualty Insurance Co., 637 F.3d 827, 830-31 (7th Cir. 2011)
- Kemner v. Monsanto Co., 576 N.E.2d 1146, 1151-52 (Ill. App. Ct. 1991)
- Knight v. Lord, 648 N.E.2d 617, 623 (Ill. App. Ct. 1995)
- Estate of Oglesby v. Berg, 946 N.E.2d 414, 419-21 (Ill. App. Ct. 2011)
- Grand Rapids Furniture Co. v. Grand Rapids Furniture Co., 127 F.2d 245, 249 (7th Cir. 1942)
- Rising-Moore v. Red Roof Inns, Inc., 435 F.3d 813, 815-16 (7th Cir. 2006)
- Chase v. Shop 'N Save Warehouse Foods, Inc., 110 F.3d 424, 427-28 (7th Cir. 1997)

OPINION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION ANGELA ANDERS and RUBY DUNCAN, Plaintiffs, NO. 1:25-CV-03166 v. Judge Edmond E. Chang WILLIAM CHARLES KEOUGH and KEOUGH HACKLES, LLC, Defendants. MEMORANDUM OPINION AND ORDER Angela Anders¹ and Ruby Duncan sued William Charles Keough and Keough Hackles, LLC, in the Circuit Court of Cook County after the parties were involved in a motor vehicle accident.

R. 1-1, Exh. A, Compl.² The Defendants removed the case to federal court based on diversity jurisdiction. R. 1, Notice of Removal ¶ 10. The Plaintiffs move to remand, arguing that the amount-in-controversy requirement is not met. R. 10, Pls.' Mot.

Because it is not legally impossible for each plaintiff to recover over \$75,000, the motion is denied, so the case will stay in federal court. I. Background In March 2023, Anders's car and

Keough's commercial truck collided on the interstate in Illinois. Compl. ¶¶ 7–10. Anders and Duncan—a passenger in Anders's 1Although Plaintiff's name is Angela Anders, it was inadvertently entered in CM/ECF as Angela Anderson.

The Clerk's Office is directed to change the Case Short Title to "Anders et al v. Keough et al." 2Citations to the record are "R." followed by the docket entry number and, if needed, a page or paragraph number. car—say they were both injured in the collision and incurred medical expenses. Id. ¶¶ 2, 17, 37. They sued the Defendants in the Circuit Court of Cook County for negligence.

Id. ¶¶ 11–57. The Defendants removed the case to federal court based on diversity jurisdiction. Notice of Removal ¶ 10. Now, the Plaintiffs move to remand this case to state court for lack of subject matter jurisdiction. Pls.' Mot. ¶ 4. II. Analysis "A defendant has the right to remove a case from state to federal court when the federal court could exercise jurisdiction in the first instance." *Oshana v. Coca-Cola Co.*, 472 F.3d 506, 510 (7th Cir.

2006). Here, because the Plaintiffs bring state tort claims, "subject-matter jurisdiction could be based only on diversity" jurisdiction. See *id.* The parties agree that there is diversity of citizenship,³ but the Plaintiffs argue that the amount-in-controversy requirement is not satisfied. See Pls.' Mot. ¶ 4; see also 28 U.S.C. § 1332(a)(1). Specifically, they contend that the amount in controversy is less than \$75,000 because they seek compensatory damages only for their medical expenses, which are under \$15,000 for each Plaintiff.

R. 14, Pls.' Reply Br. ¶ 6. "When removing a suit, the defendant as proponent of federal jurisdiction is entitled to present its own estimate of the stakes; it is not bound by the plaintiff's 3Anders and Duncan are Illinois citizens. Notice of Removal ¶ 5. And Keough Hackles, LLC is a Michigan limited liability company with one member, Keough, who is a Michigan citizen.

R. 26, Jurisdictional Memo. ¶¶ 2–3; see *Wise v. Wachovia Sec., LLC*, 450 F.3d 265, 267 (7th Cir. 2006) ("The citizenship for diversity purposes of a limited liability company ... is the citizenship of each of its members."). 2 estimate." *Back Drs. Ltd. v. Metro. Prop. & Cas. Ins. Co.*, 637 F.3d 827, 830 (7th Cir. 2011). "Once this has been done, ... the estimate of the dispute's stakes advanced by the proponent of federal jurisdiction controls unless a recovery that large is legally impossible." *Id.* Applying that standard here, the amount-in-controversy requirement is met, and thus removal was proper.

First, the Defendants successfully demonstrate that each Plaintiff could recover over \$75,000.⁴ The Plaintiffs' complaint did not request a specific amount in damages because Illinois law prohibits them from doing so. See generally Compl.; see 735 ILCS 5/2-604.2(a). But in Illinois, personal-injury plaintiffs can recover several types of compensatory damages (such as loss of a normal life, pain and suffering, and past and future medical expenses), as well as punitive damages.

See *Kemner v. Mon-santo Co.*, 576 N.E.2d 1146, 1151–52 (Ill. App. Ct. 1991); see also *Knight v. Lord*, 648 N.E.2d 617, 623 (Ill. App. Ct. 1995). It is thus possible that a jury could award the Plaintiffs compensatory and punitive damages that amount to over \$75,000 per Plaintiff. See, e.g., *Est. of Oglesby v. Berg*, 946 N.E.2d 414, 419–21 (Ill. App. Ct. 2011) (affirming a jury award of \$76,000 for loss of normal life and pain and suffering from a car accident).

Indeed, in a settlement-demand letter to the Defendants, the Plaintiffs each requested over \$110,000 in compensation for their medical expenses, pain and 4The Plaintiffs note that the claims of multiple plaintiffs cannot be aggregated to meet the amount-in-controversy requirement. Pls.’ Reply Br. ¶ 4; *Grand Rapids Furniture Co. v. Grand Rapids Furniture Co.*, 127 F.2d 245, 249 (7th Cir.

1942). But because it is legally possible for each Plaintiff here to individually recover over \$75,000, removal does not run afoul of this rule. 3 suffering, and loss of society. R. 11-1, Exh. 1, Demand Letter at 8.

Thus, the Defendants have presented a plausible estimate that the amount in controversy exceeds \$75,000. See *Oshana*, 472 F.3d at 511–12 (concluding that the defendant made a good-faith estimate of the amount in controversy based on various facts, including the types of damages sought in the complaint).

The Plaintiffs argue that the defense’s amount-in-controversy estimate is inaccurate because it relies on the settlement-demand letter, which was “made solely for the purpose of facilitating settlement negotiations and reflected an effort to encourage the parties to meet somewhere in the middle,” rather than representing “a definitive statement of the value of either claim for jurisdictional purposes.” Pls.’ Reply Br. ¶ 2.

But the Court may consider the Plaintiffs’ settlement demand to estimate the amount in controversy, particularly when the complaint itself does not request a specific amount in damages. See *Rising-Moore v. Red Roof Inns, Inc.*, 435 F.3d 813, 815–16 (7th Cir. 2006); see also *Chase v. Shop ‘N Save Warehouse Foods, Inc.*, 110 F.3d 424, 427–28 (7th Cir. 1997). And even without the letter, the Defendants’ estimate is plausible given the damages often recovered in Illinois personal-injury cases.

See, e.g., *Est. of Oglesby*, 946 N.E.2d at 419–21. At the second step, the Plaintiffs fail to show that recovery of over \$75,000 is legally impossible. The Plaintiffs argue that they seek compensation only for their medical expenses, which are less than \$15,000 each. Pls.’ Mot. ¶¶ 7–8 (noting that Anders’s medical expenses total \$14,174.63 and Duncan’s medical expenses total \$10,990.35); see also Demand Letter at 5, 8.

But this statement is insufficient to show 4 that it is legally impossible for the Plaintiffs to recover more. See *Back Drs. Ltd.*, 637 F.3d at 830–31. “First, events after the date of removal do not affect

federal jurisdiction, and this means ... that a declaration by the plaintiff following removal” that they will not seek damages meeting the amount-in-controversy requirement “does not permit remand.” *Id.* at 830.

Second, the Plaintiffs’ disclaimer would be insufficient even if they had made it before removal. “A plaintiff in Illinois can limit the relief to an amount less than the jurisdictional minimum, and thus prevent removal, by filing a binding stipulation or affidavit with the complaint.” *Id.* at 831 (emphasis added). But the Plaintiffs here have not filed any kind of binding document.

See *Oshana*, 472 F.3d at 511–12 (“[D]isclaimers have been long approved as a way of staying out of federal court, but only when the disclaimer is binding.” (cleaned up)).⁵ The Plaintiffs note that the complaint did not ask for “punitive damages, permanent disability, or any form of extraordinary relief” besides their medical expenses. Pls.’ Reply Br. ¶ 6. But “such an omission from a complaint” does not “make[] a punitive award impossible.” *Back Drs.*

Ltd., 637 F.3d at 831 (emphasis in original). For instance, even if plaintiffs do not presently request other damages, they “can amend their complaint[] as the litigation progresses.” *Id.* “And juries can award damages not requested by the complaint.” *Id.* So the fact that the complaint does not request other categories of damages does not render those damages legally impossible.

⁵This Opinion uses (cleaned up) to indicate that internal quotation marks, alterations, and citations have been omitted from quotations. See Jack Metzler, *Cleaning Up Quotations*, 18 *Journal of Appellate Practice and Process* 143 (2017). Finally, the Plaintiffs argue that they brought their case in the Law Division of the Circuit Court of Cook County, which only hears cases with monetary damages exceeding \$30,000, so “it is legally impossible for either Plaintiff to individually recover more than \$75,000 in a Cook County Law Division court.” Pls.’ Reply Br. ¶¶ 4– 5; Law Division, Circuit Court of Cook County, <https://www.cookcountycourt.il.gov/division/law-division> (last visited Jan.

8, 2026). This argument is puzzling. Because the Law Division imposes a \$30,000 floor, rather than a ceiling, the placement of the Plaintiffs’ case in that division does not preclude them from recovering over \$75,000. If anything, this fact works against the Plaintiffs.

Because their medical expenses are supposedly less than \$30,000, the placement of their case in the Law Division suggests that they seek to recover other, additional damages in order to meet the \$30,000 requirement—which contradicts the Plaintiffs’ statement that they only seek damages for their medical expenses. See Pls.’ Reply Br. ¶ 6; Demand Letter at 5, 8.

In sum, “[w]hen a plaintiff does not tie its own hands” with a binding disclaimer, “the defendant is entitled to present a good-faith estimate of the stakes.” *Back Drs. Ltd.*, 637 F.3d at 831. The Defendants did so here.

Because “that estimate exceeds the jurisdictional minimum, it controls and allows removal” given the Plaintiffs’ failure to show that “recovery exceeding the jurisdictional minimum would be legally impossible.” See *id.* 6 III. Conclusion The motion to remand, R. 10, is denied.

The parties shall confer on a proposed discovery schedule and file a joint status report by April 13, 2026. ENTERED: s/Edmond E. Chang Honorable Edmond E. Chang United States District Judge
DATE: March 30, 2026 7