

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

**Terrell Lott v. Comprehensive Behavioral Health Center of St. Clair
County, Inc.**

Lott · No. 26-cv-259-RJD · Decided May 6, 2026

OPINION

Lott

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

)

TERRELL LOTT,)

) Plaintiff,)) Case No. 26-cv-259-RJD v.))

COMPREHENSIVE BEHAVIORAL)

HEALTH CENTER OF ST. CLAIR)

COUNTY, INC.,)

) Defendant.)

ORDER

DALY, Magistrate Judge: This matter comes before the Court on Plaintiff’s Motion to Remand (Doc. 12). The Court previously took the motion under advisement. Doc. 24. Plaintiff originally filed her Complaint against Comprehensive Behavior Health Center of St. Clair County, Inc. (“CBHC”) in the Circuit Court of St. Clair County, Illinois. Doc. 1-2, pp. 1, 3. Plaintiff formerly worked at CBHC as an assistant manager for its residential transitional living program for individuals with serious mental health disabilities. Id. at ¶5. Plaintiff alleged that she observed and reported conduct that was “discriminatory and abusive” towards residents, and CHBC retaliated against her and ultimately fired her because she opposed CHBC’s discriminatory and abusive practices towards residents. Id. at ¶¶15-18. Plaintiff also alleged that CHBC required her to be “on call” without pay. Id. at ¶18. Defendant removed the case to this Court, citing the Court’s jurisdiction to decide cases involving questions of federal law as the basis for removal. Doc. 1. Plaintiff’s original Page 1 of 3 Complaint contains four claims that allege CHBC violated the following Illinois statutes: (1) Count I: the Illinois Whistleblower Act ; (2) Count II: the Illinois Human Rights Act; (3) Count III: the Illinois Minimum Wage Law; (4) Count IV: the Illinois Wage Payment and Collection Act. Defendant contends that Plaintiff’s Complaint raises a question of federal law because Plaintiff alleged that she is entitled to “liquidated damages where applicable” in Count III. The Fair Labor Standards Act (“FLSA”, a federal law) provides that “any

employer who violates [the FLSA] shall be liable to the employee...affected in the amount of their unpaid minimum wages....and in an additional equal amount as liquidated damages.” 29 U.S.C. §216(b). The Illinois Minimum Wage Law does not provide for successful plaintiffs to receive an additional amount equal to their unpaid wages, nor does it use the term “liquidated damages.” Defendant also noted that Plaintiff alleged she was a non-exempt employee under the FLSA and that Defendant was an employer under the FLSA. This Court has federal question jurisdiction only if the “well-pleaded complaint” presents a federal question. *Caterpillar Inc. v. Williams*, 482 U.S. 386, 392 (1987). Plaintiff is “the master of the claim” and can avoid litigating this case in federal court by exclusively relying on state law. *Id.* The Court was not persuaded that Plaintiff’s allegations in her Complaint regarding the FLSA invoked the court’s federal question jurisdiction. However, in her Motion to Remand (Doc. 12) and subsequent Reply (Doc. 22) to Defendant’s Response (Doc. 21), Plaintiff did not offer a sufficient explanation as to why she referenced the FLSA in her Complaint that purportedly only contained claims under Illinois state law. Plaintiff contended that she should be allowed to amend her Complaint to remove any reference to the FLSA and the Court granted her leave to do so. Docs. 22, 24. Plaintiff’s Amended Complaint does not request liquidated damages nor does it reference the FLSA. Doc. Page 2 of 3

25. Since Plaintiff has filed her First Amended Complaint, Defendant concedes that federal question jurisdiction does not exist in this case. Docs. 27. Because Plaintiff’s First Amended Complaint does not raise a question of federal law, this Court does not have subject matter jurisdiction. Plaintiff’s Motion to Remand (Doc. 12) is GRANTED. This case is REMANDED to the Circuit Court of the 20th Judicial Circuit, St. Clair County, Illinois. IT IS SO ORDERED. DATED: May 6, 2026 s/ Reona J. Daly Hon. Reona J. Daly United States Magistrate Judge Page 3 of 3