

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA

Aboosamara v. Cisolift Distribution USA, Inc.

No. 2:25-cv-1100-JES-NPM (M.D. Fla. Jan. 28, 2026) · No. 2:25-cv-1100-JES-NPM · Decided January 28, 2026

SUMMARY

The United States District Court for the Middle District of Florida considered whether to remand a removed employment action involving an alleged retaliatory discharge under Florida’s workers’ compensation statute and related unpaid-wage claims. The court concluded that the retaliation claim was subject to remand under 28 U.S.C. § 1445(c), questioned whether the amount-in-controversy requirement was satisfied, and ordered the defendant to show cause why the case should not be remanded.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida
WRITING FOR THE COURT	John E. Steele
JURISDICTION	United States District Court for the Middle District of Florida
DECIDED	January 28, 2026
DOCKET	2:25-cv-1100-JES-NPM
DISPOSITION	remanded
PROCEDURAL POSTURE	Removed from state court; defendant's motion to dismiss for improper venue pending; order to show cause regarding subject matter jurisdiction.
PRECEDENTIAL VALUE	unpublished

TOPICS

- subject matter jurisdiction
- venue
- civil procedure
- employment discrimination
- remedies

PRACTICE AREAS

- civil procedure
- employment law

QUESTIONS PRESENTED

1. Whether the district court has subject matter jurisdiction over a state workers' compensation retaliation claim removed to federal court.
2. Whether the amount in controversy exceeds \$75,000 to support diversity jurisdiction.
3. Whether the court should decline to exercise supplemental jurisdiction over remaining state law claims.

HOLDINGS

1. Count I (retaliatory discharge under Florida's Workers' Compensation Law, Fla. Stat. § 440.205) must be remanded to state court because a civil action arising under state workers' compensation laws may not be removed to federal court pursuant to 28 U.S.C. § 1445(c).
2. The court finds that it is not immediately clear that the amount in controversy is met.
3. The court is not inclined to maintain jurisdiction over the remaining claims where state law dominates.

KEY QUOTATIONS

"A civil action in any State court arising under the workmen's compensation laws of such State may not be removed to any district court of the United States." 28 U.S.C. § 1445(c)."

"Federal courts are courts of limited jurisdiction." Burns v. Windsor Ins. Co., 31 F.3d 1092, 1095 (11th Cir. 1994)."

"They possess only that power authorized by Constitution and statute." Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)."

FACTUAL BACKGROUND

Plaintiff Fred Aboosamara, domiciled in Florida, worked for defendant Cisolift Distribution USA, Incorporated (incorporated in Delaware with a principal place of business in Canada) as a Service Writer. He alleged he was discharged after attempting to file a workers' compensation claim for a workplace injury. He also claimed unpaid wages, as he was paid \$80,000.44 per year instead of his agreed \$85,000 salary, resulting in an underpayment of \$192.29 per pay period.

PROCEDURAL HISTORY

Plaintiff filed suit in Florida state court alleging retaliatory discharge and unpaid wages. Defendant removed to federal court based on diversity jurisdiction. Defendant filed a motion to dismiss for improper venue. The court issued an order to show cause why the case should not be remanded.

DISPOSITION

remanded

REMAND INSTRUCTIONS

Defendant shall show cause why the case should not be remanded. Parties may both respond within seven (7) days of the order on why subject matter jurisdiction is present.

CASES CITED

- Morrison v. Allstate Indem. Co., 228 F.3d 1255 (11th Cir. 2000)
- Juback v. Michaels Stores, Inc., 143 F. Supp. 3d 1195 (M.D. Fla. 2015)
- Alansari v. Tropic Star Seafood Inc., 388 F. App'x 902 (11th Cir. 2010)
- Reed v. Heil Co., 206 F.3d 1055 (11th Cir. 2000)
- In re Trusted Net Media Holdings, LLC, 550 F.3d 1035 (11th Cir. 2008)
- Dart Cherokee Basin Operating Co., LLC v. Owens, 135 S. Ct. 547 (2014)
- Sammie Bonner Constr. Co. v. W. Star Trucks Sales, Inc., 330 F.3d 1308 (11th Cir. 2003)
- Thermoset Corp. v. Bldg. Materials Corp of Am., 849 F.3d 1313 (11th Cir. 2017)
- Williams v. Best Buy Co., 269 F.3d 1316 (11th Cir. 2001)
- Sierminski v. Transouth Fin. Corp., 216 F.3d 945 (11th Cir. 2000)
- Allen v. R&H Oil Co., 63 F.3d 1326 (5th Cir. 1995)
- Burns v. Windsor Ins. Co., 31 F.3d 1092 (11th Cir. 1994)
- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375 (1994)
- Pacheco de Perez v. AT & T Co., 139 F.3d 1368 (11th Cir. 1998)