

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Amy Robertson v. Safepoint Insurance Company

Robertson · No. No. 24-1172 · Decided February 13, 2026

SUMMARY

The court grants Plaintiff Amy Robertson’s unopposed motion to remand a first-party insurance dispute to the Civil District Court for the Parish of Orleans. After removal based on diversity jurisdiction, the plaintiff amended the petition to add Cajun Underwriters Reciprocal Exchange, alleged to be a Louisiana citizen, destroying complete diversity. The court remands the claims under 28 U.S.C. § 1447(e).

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Brandon S. Long
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	February 13, 2026
DOCKET	No. 24-1172
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved unopposed to remand a removed first-party insurance action after amending her petition to add an allegedly nondiverse defendant.
STANDARD OF REVIEW	The court independently examined whether subject matter jurisdiction existed; remand is required whenever it appears before final judgment that the district court lacks subject matter jurisdiction.
PRECEDENTIAL VALUE	unknown
PARTIES	Amy Robertson v. Safepoint Insurance Company

TOPICS

- subject matter jurisdiction
- joinder
- civil procedure
- insurance
- federalism

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the post-removal addition of Cajun Underwriters Reciprocal Exchange, an allegedly nondiverse defendant, destroyed complete diversity and required remand.
2. Whether the court could remand under 28 U.S.C. § 1447(e) after permitting the plaintiff to join a defendant whose citizenship defeated subject matter jurisdiction.

HOLDINGS

1. The addition of Cajun Underwriters Reciprocal Exchange, alleged to be a Louisiana citizen like Plaintiff, destroyed complete diversity and vitiated the court's subject matter jurisdiction under 28 U.S.C. § 1332.
2. The court was required to remand Plaintiff's claims to the Civil District Court for the Parish of Orleans because it lacked subject matter jurisdiction.

KEY QUOTATIONS

"If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded."

"If after removal the plaintiff seeks to join additional defendants whose joinder would destroy subject matter jurisdiction, the court may . . . permit joinder and remand the action to the State court."

FACTUAL BACKGROUND

Robertson brought a first-party insurance action arising from a June 15, 2022 property loss. After removal based on diversity jurisdiction, Safepoint's corporate representative testified that Cajun Underwriters Reciprocal Exchange, rather than Safepoint, was the proper defendant and insurer. Robertson amended her petition to add Cajun, which was alleged to be a Louisiana citizen, as was Robertson.

PROCEDURAL HISTORY

Amy Robertson filed the action in the Civil District Court for the Parish of Orleans on February 29, 2024. Safepoint removed the case to federal court on May 8, 2024, invoking diversity jurisdiction. After a corporate deposition indicated that Cajun Underwriters Reciprocal Exchange was the proper insurer, Robertson obtained leave to amend and added Cajun as a defendant. Because Cajun and Robertson were alleged to be Louisiana citizens, Robertson moved unopposed for remand, which the court granted.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The plaintiff's claims were remanded to the Civil District Court for the Parish of Orleans, Louisiana.

CASES CITED

- *McLaughlin v. Miss. Power Co.*, 376 F.3d 344, 353 (5th Cir. 2004)
- *Harrison v. Prather*, 404 F.2d 267, 272 (5th Cir. 1968)
- *English v. Aramark Corp.*, 858 F. App'x 115, 116 (5th Cir. 2021)
- *Mullins v. TestAmerica, Inc.*, 564 F.3d 386, 397 n.6 (5th Cir. 2009)
- *Grupo Dataflux v. Atlas Glob. Grp., L.P.*, 541 U.S. 567, 569-70 (2004)
- *Freeport-McMoran, Inc. v. K N Energy, Inc.*, 498 U.S. 426, 428 (1991)
- *Hager v. Thomas*, No. 18-cv-139, 2019 WL 13200643, at *1 (S.D. Miss. Apr. 9, 2019)
- *Hensgens v. Deere & Co.*, 833 F.2d 1179, 1181 (5th Cir. 1987)
- *Owen Equip. & Erection Co. v. Kroger*, 437 U.S. 365, 374 (1978)
- *Rockwell Int'l Corp. v. United States*, 549 U.S. 457, 473-74 (2007)
- *Cobb v. Delta Exps., Inc.*, 186 F.3d 675, 677 (5th Cir. 1999)

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