

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Diana Satterlee v. Allstate Fire and Casualty Company; and Monica
Baker Agency, Inc.

Satterlee · No. CIV-25-847-D · Decided January 12, 2026

SUMMARY

The court grants Plaintiff Diana Satterlee’s motion to remand an insurance dispute to the District Court of Cleveland County, Oklahoma. It holds that Allstate failed to establish with complete certainty that the nondiverse insurance agency was fraudulently joined, so federal subject-matter jurisdiction was lacking.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Timothy D. DeGiusti
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	January 12, 2026
DOCKET	CIV-25-847-D
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand a removed insurance action to Oklahoma state court, arguing that the nondiverse insurance agency was not fraudulently joined. The federal district court granted the motion and remanded the action.
STANDARD OF REVIEW	A removing defendant bears the burden of establishing federal jurisdiction. Fraudulent joinder requires the removing party to show that there is no possibility the plaintiff can establish a cause of action against the nondiverse defendant in state court; factual and legal issues are resolved in the plaintiff’s favor, and the standard is more exacting than the Rule 12(b)(6) dismissal standard.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- subject matter jurisdiction
- civil procedure
- insurance
- negligent misrepresentation
- remedies

PRACTICE AREAS

civil procedure

insurance

negligent misrepresentation

QUESTIONS PRESENTED

1. Whether Allstate established that Monica Baker Agency was fraudulently joined because Plaintiff had no possibility of stating a claim against the agency under Oklahoma law.
2. Whether the absence of established fraudulent joinder required remand for lack of complete diversity and subject-matter jurisdiction.

HOLDINGS

1. Allstate failed to establish with complete certainty that Plaintiff could not state a cause of action against Monica Baker Agency in Oklahoma state court; therefore, Baker was not shown to have been fraudulently joined.
2. Because Allstate failed to establish fraudulent joinder of the nondiverse defendant, complete diversity was absent and the federal court lacked subject-matter jurisdiction.

KEY QUOTATIONS

“To satisfy the “heavy burden on the party asserting fraudulent joinder,” Allstate must show that there is no possibility that Plaintiff would be able to establish a cause of action against Baker in state court.”
(Discussion I)

“Certainly, Plaintiff’s claims against Baker in state court are not a “sure-thing.” But the Court finds that Allstate has failed to show with complete certainty that Plaintiff cannot establish a claim against Baker in state court.” (Discussion I)

FACTUAL BACKGROUND

A hailstorm allegedly damaged Plaintiff's home and shed in June 2024. Allstate inspected the property, concluded that most claimed damage resulted from blistering, wear and tear, deterioration, or other excluded conditions, and offered \$233.99 after applying the deductible, while Plaintiff's contractor estimated covered damage at \$28,747.88. Plaintiff alleged that Monica Baker Agency represented during policy renewals that the property was in good condition and qualified for replacement-cost coverage, despite Allstate later denying coverage based on preexisting conditions.

PROCEDURAL HISTORY

Diana Satterlee filed an action in the District Court of Cleveland County, Oklahoma, against Allstate Fire and Casualty Company and Monica Baker Agency, Inc. Allstate removed the case under the diversity statute, asserting that Baker, a nondiverse defendant, had been fraudulently joined. The federal court concluded that Allstate had not established fraudulent joinder with the required certainty, found that subject-matter jurisdiction was lacking, and remanded the case to the Cleveland County District Court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case was remanded to the District Court of Cleveland County, Oklahoma. The Clerk was directed to mail a certified copy of the order to the state-court clerk. Each side was ordered to bear its own attorney fees, costs, and expenses incurred from removal and remand.

CASES CITED

- Dutcher v. Matheson, 733 F.3d 980, 988 (10th Cir. 2013)
- McPhail v. Deere & Co., 529 F.3d 947, 955 (10th Cir. 2008)
- Fajen v. Foundation Reserve Insurance Co., 683 F.2d 331, 333 (10th Cir. 1982)
- Montano v. Allstate Indemnity, No. 99-2225, 2000 WL 525592, at *1-*2 (10th Cir. Apr. 14, 2000)
- Brazell v. Waite, 525 F. App'x 878, 881 (10th Cir. 2013)
- Dodd v. Fawcett Publications, Inc., 329 F.2d 82, 85 (10th Cir. 1964)
- Smoot v. Chicago, Rock Island & Pacific Railroad Co., 378 F.2d 879, 881-82 (10th Cir. 1967)
- Kutz v. State Farm Fire & Casualty Co., 189 P.3d 740, 744-45 (Okla. 2008)
- Rotan v. Farmers Insurance Group of Companies, Inc., 83 P.3d 894, 895 (Okla. 2003)
- McDow v. State Farm Fire & Casualty Co., No. CIV-22-927-F, 2022 WL 17960457, at *2 (W.D. Okla. Dec. 27, 2022)
- Foster v. State Farm Fire & Casualty Co., No. CIV-24-222-PRW, 2025 WL 392728, at *3 (W.D. Okla. Feb. 4, 2025)
- Specialty Beverages, L.L.C. v. Pabst Brewing Co., 537 F.3d 1165, 1180-81 (10th Cir. 2008)
- Pruitt v. State Farm Fire & Casualty Co., No. CIV-25-43-D, 2025 WL 1030353, at *4 (W.D. Okla. Apr. 7, 2025)
- Nerad v. AstraZeneca Pharmaceuticals, Inc., 203 F. App'x 911, 913 (10th Cir. 2006)