

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

MARY EASTWOOD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:13-cv-02575-EFM-JPO
	)	
RONALD BECKHAM, USF HOLLAND,	)	
INC., and YRC WORLDWIDE, INC., a	)	
Parent Company of USF HOLLAND, INC.,	)	
	)	
Defendants.	)	

**JOINT MEMORANDUM AND ORDER**

COMES NOW before this Court the Motion of Plaintiff to remand the case entitled Mary Eastwood v. Ronald Beckham, USF Holland, Inc., and YRC Worldwide, Inc., a Parent Company of USF Holland, Inc., Case No. 13CV312, to the District Court of Bourbon County, Kansas. For the reasons set forth below, Plaintiff's motion to remand is granted.

Plaintiff's Motion to Remand.

The Federal Rules of Civil Procedure provide that any civil action commenced in state court over which a federal district court would have original jurisdiction may be removed to a federal court in the district in which the matter is pending. 28 U.S.C. §1441(a). Defendants predicate their removal of this case on the theory that the matter in controversy exceeds the sum or value of \$75,000.00, inclusive of interest and costs, and is between citizens of different states.

The Parties entered into a non-binding mediation on December 12, 2013 and were able to resolve all issues. Court approval of the settlement (friendly settlement hearing) is required since this claim arises out of the wrongful death of Plaintiff's husband, Marion Eastwood.

The Parties wish to remand the case back to District Court of Bourbon County, Kansas, for the purpose of obtaining Court approval of said settlement.

IT IS THEREFORE, BY THE COURT ORDERED that Plaintiff's Unopposed Motion To Remand the case to the District Court of Bourbon County, Kansas, is GRANTED. The Clerk is hereby directed to take all necessary steps to effectuate the remand.

Copies of this Order shall be provided to counsel of record for the Parties.

IT IS SO ORDERED.

Dated at Wichita, Kansas this 16th day of December, 2013.

  
HONORABLE ERIC F. MELGREN  
U.S. DISTRICT JUDGE

PREPARED AND APPROVED BY:

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