

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**ERIC INSELBERG and INSELBERG
INTERACTIVE, LLC,**

Plaintiffs,

v.

**FRANK BISIGNANO and FIRST
DATA CORPORATION,**

Defendants.

Civ. No. 16-317 (KM) (JBC)

ORDER

This matter having been opened to the court on two motions:

(a) The motion (ECF no. 9) of the plaintiffs, Eric Inselberg ("Inselberg") and Inselberg Interactive, LLC ("Interactive") to dismiss the Counterclaims (ECF no. 1-2 at 25) for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(b)(1), and for failure to state a claim, pursuant to Fed. R. Civ. P. 12(b)(6); and the defendants, Frank Bisignano and First Data Corporation, having filed a response (ECF no. 21); and the defendants having filed a reply (ECF no. 22); and

(b) The motion (ECF no. 8) of the plaintiffs to remand this action to state court, pursuant to 28 U.S.C. § 1447(c); and the defendants having filed a response (ECF no. 15); and the plaintiffs having filed a reply (ECF no. 17);

And the Court having considered the matter without oral argument, pursuant to Fed. R. Civ. P. 78; for the reasons stated in the accompanying Opinion, and good cause appearing therefor;

IT IS this 25th day of August, 2016

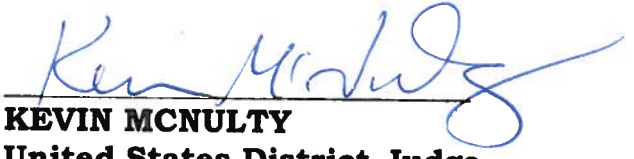
ORDERED that

(a) The motion to dismiss the Counterclaims for lack of subject matter jurisdiction, filed February 24, 2016 (ECF no. 9) is GRANTED; and

(b) The motion to remand the case to state court, filed February 18, 2016 (ECF no. 8) is GRANTED, and the case is hereby remanded to the Superior Court of New Jersey, Hudson County, where it was assigned docket no. HUD-L-04954-15.

The pending motion to dismiss the Complaint (ECF no. 6) is administratively terminated without prejudice to renewal in state court.

The Clerk shall close the file.


KEVIN MCNULTY
United States District Judge