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114TH CONGRESS
1ST SESSION

H. R. 3624

To amend title 28, United States Code, to prevent fraudulent joinder.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2015

Mr. BUCK introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To amend title 28, United States Code, to prevent fraudulent joinder.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fraudulent Joinder Prevention Act of 2015''.

SEC. 2. PREVENTION OF FRAUDULENT JOINDER.

Section 1447(c) of title 28, United States Code, is amended by adding at the end the following: ''A motion for remand, and any opposition thereto, may include affidavit or other evidence showing a plausible claim for relief against each nondiverse defendant, or the lack thereof, or

indicating a good faith intention to prosecute the action against each nondiverse defendant or to seek a joint judgment, or the lack of such a good faith intent. The district court shall deny a motion to remand if it finds that the complaint does not state a plausible claim for relief against a nondiverse defendant under applicable State law or there is no good faith intention to prosecute the action against a nondiverse defendant or to seek a joint judgment.''.

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