

2024 Tex. Bus. 7



**The Business Court of Texas,
First Division**

Christopher Seter,	§	
<i>Plaintiff,</i>	§	
v.	§	
Westdale Asset Management, Ltd.,	§	Cause No. 24-BC01A-0006
JGB Ventures I, Ltd., Joseph	§	
Beard, and Westdale Investments,	§	
L.P.,	§	
<i>Defendants.</i>	§	

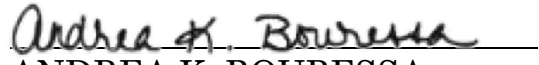
Memorandum Opinion and Order to Remand

1 Before the Court is *Plaintiff's Motion to Remand*, challenging removal on grounds that the action was commenced before September 1, 2024, and because the amount in controversy does not fall within this Court's jurisdiction.

2 The legislation creating the Business Court specifically states that the Court "is created September 1, 2024" and that "changes in law made by this Act apply to civil actions commenced on or after September 1, 2024." Act of May 25, 2023, 88th Leg., R.S., ch. 380 (H.B. 19 §§5, 8); 2023 Tex. Sess. Law Serv. 919, 929 (H.B. 19). In six prior instances, this Court has remanded actions commenced before September 1, 2024, for lack of authority or want of jurisdiction. *See, e.g., Energy Transfer LP, et al. v. Culberson Midstream LLC, et al.*, 2024 Tex. Bus. 1 (Tex. Bus. Ct. October 30,

2024) (holding “this court does not have authority over cases filed before September 1, 2024”); *Jorrie v. Charles, et al.*, Tex. Bus. 4 (Tex. Bus. Ct. November 7, 2024) (holding “[b]ecause this suit commenced before that date, the court lacks jurisdiction to adjudicate it.”); *Winans v. Berry*, Tex. Bus. 5 (Tex. Bus. Ct. November 7, 2024) (holding “because this case commenced prior to September 1, 2024, Chapter 25A and its removal procedure do not apply to it . . .”). The Court is unpersuaded by Defendants’ arguments that these cases were wrongly decided.

3 It is undisputed that the instant action commenced before September 1, 2024. Without reaching Plaintiff’s second argument, the Court holds that removal is improper and grants the motion to remand. IT IS THEREFORE ORDERED that the case is remanded to County Court at Law No. 3, Dallas County, Texas.


ANDREA K. BOURESSA
Judge of the Texas Business Court,
First Division

SIGNED ON: December 16, 2024.