

Question

What claims can be made in federal court under diversity jurisdiction if a victim sues a perpetrator for \$90,000 in damages, alleging that the perpetrator facilitated fraudulent divorce paperwork, made false statements leading to deprivation of children, home, and business, and transferred \$1,576 through PayPal?

Answer (U.S. Federal)

Short response

A victim can sue in federal court under diversity jurisdiction for state law claims like fraud, misrepresentation, or intentional infliction of emotional distress as the \$90,000 damages sought exceeds the \$75,000 threshold required by [28 U.S.C. § 1332](#), provided the parties are citizens of different states. The specific state law claims available will depend on the substantive law of the relevant state jurisdiction.

Summary

Diversity jurisdiction allows federal courts to hear state law claims when the amount in controversy exceeds \$75,000 and there is complete diversity of citizenship between the parties, meaning no plaintiff is a citizen of the same state as any defendant. In this case, the victim's claim for \$90,000 in damages meets the amount in controversy requirement under [28 U.S.C. § 1332](#). If the victim and perpetrator are citizens of different states, the federal court would have subject matter jurisdiction to hear the case.

The allegations involving fraudulent divorce paperwork, false statements leading to deprivation of children, home, and business, and the unauthorized transfer of funds through PayPal could potentially give rise to several state law claims. These might include common law fraud, misrepresentation, intentional infliction of emotional distress, conversion (for the PayPal funds), and potentially other tort claims depending on the specific facts and the applicable state law. The federal court would apply the substantive law of the relevant state while following federal procedural rules.

Background and Relevant Legislation

The cornerstone of diversity jurisdiction in federal courts is [28 U.S.C. § 1332](#). This statute provides federal district courts with original jurisdiction over civil actions where the amount in controversy exceeds \$75,000, exclusive of interest and costs, and is between citizens of different states.

According to [28 U.S.C. § 1332](#), "The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between—

citizens of different States; citizens of a State and citizens or subjects of a foreign state, except that the district courts shall not have original jurisdiction under this subsection of an action between citizens of a State and citizens or subjects of a foreign state who are lawfully admitted for permanent residence in the United States and are domiciled in the same State."

This federal statute establishes two primary requirements for diversity jurisdiction:

1. The amount in controversy must exceed \$75,000, exclusive of interest and costs.
2. The parties must be citizens of different states, establishing what courts refer to as "complete diversity."

Case Law on Federal Diversity Jurisdiction

Amount in Controversy Requirement

The case law consistently confirms that for federal diversity jurisdiction to exist, the amount in controversy must exceed \$75,000, exclusive of interest and costs.

In [Roberts v. Moline Hous. Auth.](#) (C.D. Ill. 2024), the court stated: "District courts have diversity jurisdiction over civil actions where the amount in controversy exceeds \$75,000 and the suit is between citizens of different states." This reaffirms the statutory requirement and its continuing application in current jurisprudence.

Similarly, [Beck v. Am. Honda Fin. Corp., Civil Action No. 19-cv-02712-PAB-MEH \(D. Colo. Jun 09, 2020\)](#) notes: "Pursuant to § 1332, 'district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between... citizens of different States.'"

[Kamensky v. Estate of Weinstein, Case No. 10-cv-6605 \(N.D. Ill. May 13, 2011\)](#) further emphasizes this point, stating: "Congress has provided that '[t]he district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000 exclusive of interests and costs' and where the action is between 'citizens of different states.'"

In the scenario presented, the victim is seeking \$90,000 in damages, which clearly exceeds the statutory threshold of \$75,000. Therefore, the amount in controversy requirement for diversity jurisdiction would be satisfied.

Complete Diversity Requirement

The case law also consistently emphasizes the requirement of "complete diversity" between the parties.

[McIver v. Murray, 20-CV-10538 \(LLS\) \(S.D. N.Y. Feb 05, 2021\)](#) explains: "Under [28 U.S.C. § 1332](#), a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff."

[Beck v. Am. Honda Fin. Corp., Civil Action No. 19-cv-02712-PAB-MEH \(D. Colo. Jun 09, 2020\)](#) elaborates on this requirement: "Thus, 'diversity jurisdiction exists only if no plaintiff and no defendant are citizens of the same state—that is, there must be 'complete diversity between all plaintiffs and all defendants.'" *Middleton v. Stephenson*, 749 F.3d 1197, 1200 (10th Cir. 2014) (quoting *Lincoln Prop. Co. v. Roche*, 546 U.S. 81, 89 (2005))."

[Nguyen v. Sound Solutions Grp., Inc., Case No. 18-cv-02225-BLF \(N.D. Cal. Jul 30, 2018\)](#) also notes: "Diversity jurisdiction requires 'complete diversity,' that 'plaintiffs and each defendant be citizens of different states.' *Allen v. Boeing Co.*, 821 F.3d 1111, 1115 (9th Cir. 2016)."

For the scenario presented, complete diversity would exist if the victim and the perpetrator are citizens of different states. Without specific information about their citizenship, we cannot definitively state whether this requirement is met. However, if they are citizens of different states, this requirement would be satisfied.

Burden of Proof

It's important to note that the party invoking federal diversity jurisdiction bears the burden of establishing that jurisdiction exists.

[Beck v. Am. Honda Fin. Corp., Civil Action No. 19-cv-02712-PAB-MEH \(D. Colo. Jun 09, 2020\)](#) states: "[A] party invoking diversity jurisdiction bears the burden of proving its existence by a preponderance of the evidence.' Id."

Similarly, [Marchese v. JPMorgan Chase Bank, N.A., 917 F. Supp. 2d 452 \(D. Md. 2013\)](#) notes: "The removing party has the burden of proving the existence of federal jurisdiction."

In the given scenario, if the victim files the lawsuit in federal court based on diversity jurisdiction, they would bear the burden of proving that complete diversity exists between the parties and that the amount in controversy exceeds \$75,000.

Administrative Decisions and Secondary Materials on Pleading Requirements

Administrative decisions and secondary materials provide additional guidance on the requirements for properly pleading diversity jurisdiction in federal court.

[H. Rept. 115-17 - Innocent Party Protection Act, 2017-02-24](#) defines diversity jurisdiction as "the jurisdiction of Federal courts over cases where the

underlying claims arise solely under state law, but the parties are citizens of different states. A plaintiff may file a case in Federal court on diversity grounds or a defendant may remove a case filed in state court to Federal court on such basis."

According to Pleading (2023-05-01), "In order to properly plead diversity jurisdiction, the plaintiff must: (1) identify the citizenship of each party to demonstrate that there is indeed diversity; and (2) allege that the amount in controversy exceeds \$75,000, exclusive of interest and costs. Additionally, the plaintiff must indicate that diversity jurisdiction is based on the federal statute authorizing diversity jurisdiction—28 U.S.C. §1332."

For the victim in our scenario, this means that when filing the complaint in federal court, they must clearly identify their own citizenship and the citizenship of the perpetrator to establish complete diversity, explicitly state that the amount in controversy exceeds \$75,000 (which would be satisfied by the \$90,000 claim), and cite 28 U.S.C. §1332 as the basis for federal jurisdiction.

Analysis of Potential State Law Claims

Since diversity jurisdiction allows federal courts to hear state law claims when the jurisdictional requirements are met, we need to analyze what state law claims might arise from the victim's allegations. The federal court would apply the substantive law of the relevant state while following federal procedural rules.

Fraud Claims

[Roberts v. Moline Hous. Auth.](#) (C.D. Ill. 2024) clarifies that "fraud is a state law claim" and cites examples of the elements for common law fraud from Illinois law: "See, e.g., Connick v. Suzuki Motor Co., 675 N.E.2d 584, 591 (Ill. 1996) (stating the elements for common law fraud)." The court also notes that common law fraud is "a traditional area of state regulation."

Based on the facts presented, the victim could potentially bring a fraud claim against the perpetrator for facilitating fraudulent divorce paperwork and making false statements that led to deprivation of children, home, and business. While the specific elements of fraud vary by state, they typically include:

1. A false statement of material fact
2. Knowledge by the defendant that the statement was false
3. Intent to induce the plaintiff to act
4. Reliance by the plaintiff
5. Damages resulting from that reliance

The allegation that the perpetrator facilitated fraudulent divorce paperwork and made false statements suggests potential misrepresentation of material facts. If the victim relied on these misrepresentations to their detriment, resulting in the loss of children, home, and business, a fraud claim might be appropriate.

Misrepresentation Claims

Closely related to fraud are claims for negligent or intentional misrepresentation. The allegations that the perpetrator made false statements leading to deprivation of children, home, and business could potentially support such claims.

Intentional misrepresentation generally requires showing:

1. A false representation
2. Made with knowledge of its falsity or reckless disregard for the truth
3. Made with the intent to induce reliance
4. Actual reliance by the plaintiff
5. Resulting damages

Negligent misrepresentation typically requires:

1. A false representation made without reasonable basis for believing it to be true
2. Made in the course of business or a transaction in which the defendant has a pecuniary interest
3. Justifiable reliance by the plaintiff
4. Resulting damages

Given the allegation that the perpetrator made false statements leading to significant losses for the victim, these claims might be appropriate depending on the specific facts and applicable state law.

Conversion Claims

For the unauthorized transfer of \$1,576 through PayPal, the victim could potentially bring a conversion claim. Conversion is generally defined as the wrongful exercise of dominion and control over another's personal property in denial of or inconsistent with their rights in that property.

If the perpetrator transferred funds from the victim's PayPal account without authorization, or induced the victim to make the transfer through fraud or misrepresentation, this could potentially constitute conversion under state law.

Intentional Infliction of Emotional Distress

Depending on the specific facts and circumstances, the victim might also have a claim for intentional infliction of emotional distress (IIED). This tort generally requires:

1. Extreme and outrageous conduct by the defendant
2. The defendant's intention to cause, or reckless disregard of the probability of causing, emotional distress
3. Severe emotional distress suffered by the plaintiff
4. Actual and proximate causation

If the perpetrator's actions in facilitating fraudulent divorce paperwork and making false statements that led to the victim's loss of children, home, and business were sufficiently extreme and outrageous, and caused severe emotional distress, an IIED claim might be appropriate.

Other Potential Claims

Depending on the specific facts and circumstances, and the applicable state law, other potential claims might include:

- Tortious interference with family relations
- Civil conspiracy
- Unjust enrichment
- Breach of fiduciary duty (if a fiduciary relationship existed)

The availability and elements of these claims would depend on the substantive law of the relevant state and the specific facts of the case.

Geographical Scope of Claims

It's important to note that the victim's claim must be brought in the proper federal district court. Under 28 U.S.C. § 1331, which governs venue in federal courts, a civil action may be brought in:

1. A judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;
2. A judicial district in which a substantial part of the events or omissions giving rise to the claim occurred; or
3. If there is no district in which an action may otherwise be brought, any judicial district in which any defendant is subject to the court's personal jurisdiction.

Given the facts provided, the most appropriate venue would likely be the federal district court in which a substantial part of the events giving rise to the claim occurred, which would likely be where the fraudulent divorce paperwork was facilitated or where the false statements were made.

Limitations and Challenges

Proving Damages

While the victim is claiming \$90,000 in damages, they will need to provide sufficient evidence to support this amount. This could include financial records, property valuations, and other documentation demonstrating the losses incurred as a result of the perpetrator's actions.

Statute of Limitations

State law claims are subject to statutes of limitations, which vary by state and by type of claim. The victim would need to ensure that their claims are

brought within the applicable limitations period, which typically begins running from the date the cause of action accrued or, in some cases, from when the victim discovered or should have discovered the fraud or other wrongful conduct.

Jurisdiction Over Children

It's important to note that federal courts generally lack jurisdiction over domestic relations matters, including child custody disputes. This is known as the "domestic relations exception" to federal jurisdiction. While the victim can seek damages for the deprivation of children, the federal court would not have jurisdiction to make or modify child custody determinations.

As noted in [Roberts v. Moline Hous. Auth.](#) (C.D. Ill. 2024), federal courts have jurisdiction primarily over "those in which a plaintiff alleges a violation of his rights under the Constitution or federal law (federal question jurisdiction); and (2) those in which a citizen of one state alleges a violation of his rights established under state law by a citizen of another state where the amount in controversy exceeds \$75,000 (diversity jurisdiction)."

Proving Fraud

Fraud claims typically must be pleaded with particularity under Rule 9(b) of the Federal Rules of Civil Procedure. This means the victim would need to state with particularity the circumstances constituting fraud, including the time, place, and content of the false representations, as well as the identity of the person making the misrepresentation and what they obtained thereby.

Conclusion

Based on the provided materials, a victim can bring state law claims in federal court under diversity jurisdiction if:

1. The amount in controversy exceeds \$75,000 (which is satisfied by the \$90,000 damages claim);
2. The parties are citizens of different states (complete diversity exists); and
3. The claims are properly pleaded in accordance with federal procedural rules.

The specific state law claims available would depend on the substantive law of the relevant state, but could potentially include:

1. Fraud related to the facilitation of fraudulent divorce paperwork and false statements;
2. Misrepresentation (intentional or negligent) based on the false statements;
3. Conversion for the unauthorized transfer of funds through PayPal;
4. Intentional infliction of emotional distress; and

5. Other potential claims such as tortious interference with family relations, civil conspiracy, unjust enrichment, or breach of fiduciary duty, depending on the specific facts and applicable state law.

The victim would need to file their complaint in the appropriate federal district court, pleading diversity jurisdiction under [28 U.S.C. § 1332](#) and clearly identifying the citizenship of each party to establish complete diversity. They would also need to ensure that their claims are brought within the applicable statutes of limitations and that any fraud claims are pleaded with particularity as required by Rule 9(b) of the Federal Rules of Civil Procedure.

While federal courts can hear these state law claims under diversity jurisdiction, they generally cannot make or modify child custody determinations due to the domestic relations exception to federal jurisdiction. The victim can seek damages for the deprivation of children, but any actual custody matters would need to be addressed in state court.

Legal Authorities

[Marchese v. JPMorgan Chase Bank, N.A., 917 F. Supp. 2d 452 \(D. Md. 2013\)](#)

U.S. District Court — District of Maryland

Extract

Federal courts have removal jurisdiction over state court actions “of which the district courts of the United States have original jurisdiction.” 28 U.S.C. § 1441(a) (2012). A district court has original jurisdiction over civil claims arising under federal law, 28 U.S.C. § 1331 (2012); over civil actions where the amount in controversy exceeds \$75,000, exclusive of interests and costs, and there is complete diversity of citizenship, 28 U.S.C. § 1332(a) (2012); and over actions where the “putative state law claim has been totally subsumed by federal law,” Barbour v. Int'l Union, 594 F.3d 315, 326 (4th Cir. 2010), abrogated on other grounds by 28 U.S.C. § 1446(b)(2)(B) (2012). The removing party has the burden of proving the existence of federal jurisdiction.

Summary

Conditions under which federal courts have jurisdiction over civil actions, specifically highlighting diversity jurisdiction. It states that a district court has original jurisdiction over civil actions where the amount in controversy exceeds \$75,000 and there is complete diversity of citizenship. In the given scenario, the victim is suing for \$90,000, which satisfies the amount in controversy requirement. If there is complete diversity of citizenship between the parties, the federal court would have jurisdiction under 28 U.S.C. § 1332(a).

[Phelps v. Dairyland Car Ins.](#)

U.S. District Court — Northern District of California

Extract

Under federal law, district courts are of limited jurisdiction and only have the power to adjudicate cases that have either "federal question jurisdiction" or "diversity jurisdiction." 28 U.S.C. §§ 1331, 1332(a). To have diversity jurisdiction, the claimant must demonstrate that there is complete diversity of citizenship between the parties and the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332(a).

Summary

General rule applicable to any case seeking to establish diversity jurisdiction in federal court.

[Nguyen v. Sound Solutions Grp., Inc., Case No. 18-cv-02225-BLF \(N.D. Cal. Jul 30, 2018\)](#)

U.S. District Court — Northern District of California

Extract

Turning to the whether there is diversity jurisdiction, the complaint must allege that the matter in controversy is between citizens of different states and the amount in controversy must exceed \$75,000 to invoke diversity jurisdiction in an action involving U.S. citizens. 28 U.S.C. §1332(a)(1). Diversity jurisdiction requires 'complete diversity,' that 'plaintiffs and each defendant be citizens of different states.' Allen v. Boeing Co., 821 F.3d 1111, 1115 (9th Cir. 2016).

Summary

For a claim to be made under diversity jurisdiction in federal court, the matter must involve citizens of different states, and the amount in controversy must exceed \$75,000. The passage also emphasizes the requirement of "complete diversity," meaning that all plaintiffs must be citizens of different states from all defendants.

[Jordan-Rowell v. Fargo, 1:19-CV-0370 \(CM\) \(S.D. N.Y. Sep 27, 2019\)](#)

U.S. District Court — Southern District of New York

Extract

While Plaintiff invoked the Court's federal question jurisdiction, in its April 19, 2019 order, the Court construed Plaintiff's claims as brought under state law under the Court's diversity jurisdiction. (ECF 7, p. 3.) The Court noted that the parties were likely diverse - that Plaintiff is a citizen of New York and Wells Fargo is probably a citizen of South Dakota. (Id. p. 4.) But it also noted that it was unclear from the original complaint whether Plaintiff had alleged sufficient facts to satisfy the jurisdictional amount in controversy for a diversity action - an amount in excess of the sum or value of \$75,000. (Id.) ... The Court specified that Plaintiff had to 'show that she and the defendant are citizens of different states and that the amount in controversy exceeds the sum or value of \$75,000.00.' (Id.)

Summary

Requirements for a federal court to have diversity jurisdiction over a case. Specifically, it highlights that for diversity jurisdiction to be applicable, the parties must be citizens of different states, and the amount in controversy must exceed \$75,000. This is relevant to the question because the victim's claim of \$90,000 in damages meets the amount in controversy requirement, and if the parties are from different states, the case could potentially be heard under diversity jurisdiction.

[Roberts v. Moline Hous. Auth.](#)

U.S. District Court — Central District of Illinois

Extract

Generally, district courts have the authority to hear two types of cases: (1) those in which a plaintiff alleges a violation of his rights under the Constitution or federal law (federal question jurisdiction); and (2) those in which a citizen of one state alleges a violation of his rights established under state law by a citizen of another state where the amount in controversy exceeds \$75,000 (diversity jurisdiction). See 28 U.S.C. §§ 1331-1332. Plaintiff explicitly states that she is bringing suit for fraud, Mot. 1; Am. Compl. 7, and has disclaimed any reliance on § 1983, Mot. 1. Fraud is a state law claim. [] See, e.g., Connick v. Suzuki Motor Co., 675 N.E.2d 584, 591 (Ill. 1996) (stating the elements for common law fraud); Trs. of AFTRA Health Fund v. Biondi, 303 F.3d 765, 775 (7th Cir. 2002) (noting that "common law fraud[is] a traditional area of state regulation"). The Court can typically only hear state law claims if it has diversity jurisdiction over the case. District courts have diversity jurisdiction over civil actions where the amount in controversy exceeds \$75,000 and the suit is between citizens of different states.

Summary

Federal courts can hear cases under diversity jurisdiction if the amount in controversy exceeds \$75,000 and the parties are citizens of different states. The passage also clarifies that fraud is a state law claim, which can be heard in federal court under diversity jurisdiction if the aforementioned conditions are met.

[Kamensky v. Estate of Weinstein, Case No. 10-cv-6605 \(N.D. Ill. May 13, 2011\)](#)

U.S. District Court — Northern District of Illinois

Extract

Plaintiff alleges that federal diversity jurisdiction over these state law claims is proper because the parties are from different states and the amount in controversy exceeds the sum of \$75,000.00 exclusive of interest and costs. (Id. at ¶ 12.) Federal courts are courts of limited jurisdiction; 'they have only the power that is authorized by Article III of the Constitution and the statutes enacted by Congress pursuant thereto.' *Transit Express, Inc. v. Ettinger*, 246 F.3d 1018, 1023 (7th Cir. 2001) (internal quotations and citations omitted). Congress has provided that '[t]he district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000 exclusive of interests and costs' and where the action is between 'citizens of different states.' 28 U.S.C. § 1332(a).

Summary

For a federal court to have diversity jurisdiction, the parties must be citizens of different states, and the amount in controversy must exceed \$75,000, exclusive of interest and costs. This is a general requirement under 28 U.S.C. § 1332(a) and is applicable to any case seeking to establish diversity jurisdiction in federal court.

[McIver v. Murray, 20-CV-10538 \(LLS\) \(S.D. N.Y. Feb 05, 2021\)](#)

U.S. District Court — Southern District of New York

Extract

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity

case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

Summary

For a case to be heard in federal court under diversity jurisdiction, the parties must be citizens of different states, and the amount in controversy must exceed \$75,000. The passage provides the legal basis for diversity jurisdiction under 28 U.S.C. § 1332, which is relevant to the question as it involves a claim for \$90,000, which exceeds the jurisdictional threshold.

[Beck v. Am. Honda Fin. Corp., Civil Action No. 19-cv-02712-PAB-MEH \(D. Colo. Jun 09, 2020\)](#)

U.S. District Court — District of Colorado

Extract

Pursuant to § 1332, 'district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between... citizens of different States.' 28 U.S.C. § 1332(a). Thus, 'diversity jurisdiction exists only if no plaintiff and no defendant are citizens of the same state—that is, there must be 'complete diversity between all plaintiffs and all defendants.'" Middleton v. Stephenson, 749 F.3d 1197, 1200 (10th Cir. 2014) (quoting Lincoln Prop. Co. v. Roche, 546 U.S. 81, 89 (2005)). '[A] party invoking diversity jurisdiction bears the burden of proving its existence by a preponderance of the evidence.' Id.

Summary

Requirements for diversity jurisdiction under 28 U.S.C. § 1332. It specifies that for a federal court to have diversity jurisdiction, the amount in controversy must exceed \$75,000, and there must be complete diversity between the parties, meaning no plaintiff and no defendant can be citizens of the same state. The party invoking diversity jurisdiction must prove its existence by a preponderance of the evidence. This is relevant to the question as it provides the legal basis for determining whether the federal court can hear the case under diversity jurisdiction.

[28 U.S.C. § 1332 28 U.S.C. § 1332 Diversity of Citizenship; Amount In Controversy; Costs](#)

Extract

The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between- citizens of different States; citizens of a

State and citizens or subjects of a foreign state, except that the district courts shall not have original jurisdiction under this subsection of an action between citizens of a State and citizens or subjects of a foreign state who are lawfully admitted for permanent residence in the United States and are domiciled in the same State;

Summary

For a federal court to have diversity jurisdiction, the matter in controversy must exceed \$75,000, and the parties must be citizens of different states or a citizen of a state and a foreign state. In this case, the victim is suing for \$90,000, which exceeds the \$75,000 threshold, and if the parties are from different states, the federal court would have jurisdiction under diversity jurisdiction.

Pleading

Litigating Employment Discrimination Cases. Volume 1-2 - James Publishing - Andrew H. Friedman - 2023-05-01

Extract

In order to properly plead diversity jurisdiction, the plaintiff must: (1) identify the citizenship of each party to demonstrate that there is indeed diversity; and (2) allege that the amount in controversy exceeds \$75,000, exclusive of interest and costs. Additionally, the plaintiff must indicate that diversity jurisdiction is based on the federal statute authorizing diversity jurisdiction—28 U.S.C. §1332.

Summary

To establish diversity jurisdiction in federal court, the plaintiff must demonstrate that the parties are citizens of different states and that the amount in controversy exceeds \$75,000, exclusive of interest and costs. The passage also indicates that the plaintiff must reference the federal statute authorizing diversity jurisdiction, 28 U.S.C. §1332. This information is applicable to the question as it provides the requirements for filing a claim under diversity jurisdiction in federal court.

[H. Rept. 115-17 - Innocent Party Protection Act, 2017-02-24](#)

Congressional Committee Reports

Extract

Diversity jurisdiction refers to the jurisdiction of Federal courts over cases where the underlying claims arise solely under state law, but the parties are citizens of different states. A plaintiff may file a case in Federal court on

diversity grounds or a defendant may remove a case filed in state court to Federal court on such basis.

Summary

Federal courts have jurisdiction over cases where the claims arise under state law, but the parties are citizens of different states. This is directly relevant to the question of whether the victim can bring a claim in federal court under diversity jurisdiction.

This memo was compiled by Vincent AI based on vLex materials available as of June 06, 2025. [View full answer on vLex](#)