

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

May 11, 2022

Lyle W. Cayce  
Clerk

---

No. 19-30766

---

DENISE A. BADGEROW,

*Plaintiff—Appellant,*

*versus*

GREG WALTERS; THOMAS MEYER; RAY TROSCLAIR,

*Defendants—Appellees.*

---

Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:19-CV-10353

---

ON REMAND FROM  
THE SUPREME COURT OF THE UNITED STATES

Before JOLLY, GRAVES, and DUNCAN, *Circuit Judges.*

PER CURIAM:

This case comes to us on remand from the Supreme Court. In its opinion, the Court reversed our holding that subject-matter jurisdiction for an action under sections 9 and 10 of the Federal Arbitration Act could be provided by “looking through” to the controversy underlying the arbitration. *Badgerow v. Walters*, 142 S. Ct. 1310, 1314 (2022). Moreover, and as the Court stated, there can be no resort to federal question or diversity jurisdiction in

this case because the “applications [to confirm or vacate the arbitration award] raise no federal issue,” and “[Walters] and Badgerow are from the same State.” *Id.* at 1316. Since neither diversity nor a federal question are present, and a “look through” approach is not viable, there is no basis for the federal courts to assert jurisdiction.

IT IS THEREFORE ORDERED that this case is REMANDED to the United States District Court for the Eastern District of Louisiana with instructions to remand to state court.