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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Gayla Davis, et al.,

10 Plaintiffs,

11 v.

12 Aramark Corporation, et al.,

13 Defendants.  
14

No. CV-17-08154-PCT-JAT

**ORDER**

15 Pending before the Court is Plaintiff's motion to remand this case to state court.  
16 (Doc. 16). In her motion, Plaintiff argues the amount in controversy required for  
17 diversity jurisdiction was not established by the removing Defendants in this case. (*Id.*).

18 The deadline for Defendants to respond to the motion to remand has run, and  
19 Defendants did not file a timely response to the motion. (*See* Local Rule Civil 7.2(c)).  
20 Pursuant to Local Rule Civil 7.2(i), the Court deems the failure to timely respond to the  
21 motion to be consent to the motion being granted (specifically, a concession that the  
22 amount in controversy was not established).<sup>1</sup>

23 Therefore,

24 **IT IS ORDERED** that the motion to remand (Doc. 16) is granted; this case is  
25 remanded to Coconino County Superior Court.

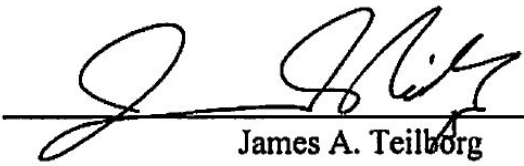
26 **IT IS FURTHER ORDERED** that the Rule 16 scheduling conference set for  
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28 <sup>1</sup> As further evidence that the parties are in agreement that they are returning to state court, the parties failed to file their proposed case management plan for the September 20, 2017 Rule 16 conference, which was due last Friday (September 8, 2017).

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September 20, 2017, is vacated.

Dated this 12th day of September, 2017.



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James A. Teilborg  
Senior United States District Judge