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# JS-6

7 Attorneys for Plaintiffs, Joshua Hammer;  
 8 Thomas R. Keller; Samuel Boyd; Jurgen Boelzle;  
 9 Jeffrey Nelson; Donald L. Coulter, II;  
 10 Brian Lepkowski; Richard A. Martin; Kirk Pilling,  
 11 Robert Shelden; Christopher M. Dahlen

12 UNITED STATES DISTRICT COURT  
 13 CENTRAL DISTRICT OF CALIFORNIA

14 JOSHUA HAMMER; THOMAS R.  
 15 KELLER; SAMUEL BOYD; JURGEN  
 16 BOELZLE; JEFFREY NELSON;  
 17 DONALD L. COULTER, II; BRIAN  
 18 LEPKOWSKI; RICHARD A. MARTIN;  
 19 KIRK PILLING; ROBERT SHELDEN;  
 20 CHRISTOPHER M. DAHLEN,

Plaintiffs,

vs.

22 DYNAMIC AVIATION GROUP, INC.;

23 and DOES 1 through 50, inclusive,

Defendants.

Case No. CV08-4950 ODW (CWx)

**[PROPOSED] ORDER**  
**REMANDING CASE TO STATE**  
**COURT AND FOR SANCTIONS**

Date: September 29, 2008  
 Time: 1:30  
 Crtm: 11

Hon. Otis D. Wright, II

Disc. Cut-Off: None set  
 Pretrial Conference: None set  
 Trial: None set

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This matter came regularly on calendar on the above-referenced time and date. \_\_\_\_\_, Esq., Harris & Kaufman appeared for the plaintiffs. \_\_\_\_\_, Esq., appeared for the defendant.

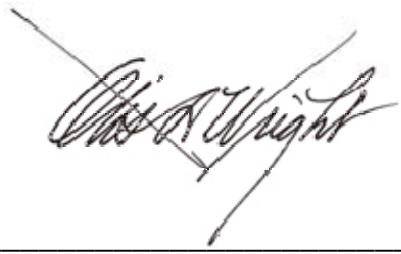
**Now before the Court is Plaintiffs' Motion to Remand. The Court finds the matter appropriate for decision without oral argument. See Fed. R. Civ. P. 78; Local Rule 7-15.**

After considering the papers filed in the matter and the arguments of counsel, the court finds that (1) **it is unclear and ambiguous from the state court complaint whether the requisite amount in controversy is pled, and (2) the removing Defendant has not established, by a preponderance of the evidence, that the amount in controversy exceeds \$75,000.** and (2) an award of expenses against defendant Dynamic Aviation Group, Inc., and Crowell & Moring, LLP, in the amount of \$4,800 is just.

With good cause showing, the court orders as follows:

- (1) The case shall be remanded to state court;
- (2) ~~Dynamic Aviation Group, Inc., and Crowell & Moring, LLP, pay the expenses of plaintiffs in the amount of \$4,800.~~

DATED: October 6, 2008



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Hon. Otis D. Wright, II