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                       UNITED STATES DISTRICT COURT
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                       CENTRAL DISTRICT OF CALIFORNIA
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   CATALINA RICALDAI, on behalf
                                     Case No. CV 10-07388 DDP (PLAx)
   of herself and all others
                                     ORDER DENYING PLAINTIFF'S MOTION
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   similarly situated,
                                     TO REMAND CASE TO LOS ANGELES
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                   Plaintiff,
                                     SUPERIOR COURT
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                                      [Motion filed on November 3,
        v.
                                      2010]
   US INVESTIGATIONS SERVICES,
   LLC, a Delaware limited
   liablity company ,
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                   Defendants.
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        Presently before the court is Plaintiff Catalina Ricaldai's
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   Motion to Remand Case to Los Angeles Superior Court. Plaintiff
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   argues that removal to this court was improper because the matter
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   does not meet the amount-in-controversy threshold for original
   subject matter jurisdiction. (Pl.'s Motion 2:9-11.)
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        The "strong presumption" against removal jurisdiction means
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   that the defendant always has the burden of establishing that
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   removal is proper. Gaus v. Miles, 980 F.2d 564, 566 (9th Cir.
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   1992). Here, Defendant U.S. Investigations Services, LLC has set
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forth a detailed calculation of the jurisdictional amount.

According to Defendant's calculations "even using the lowest possible number of California Investigators who allegedly missed meal periods, and assuming that only half of separated California Investigators could recover waiting time penalties, the amount in controversy still exceeds \$8 million," well above the minimum for purposes of removal pursuant to the Class Action Fairness Act ("CAFA"), 29 U.S.C. § 1332(d).

Having considered the papers submitted by the parties, and in particular the calculations and numbers provided by Defendants, the court finds that Defendants have met their burden of providing facts in support of removal. Plaintiff's Motion to Remand Case to Los Angeles Superior Court is DENIED.

DEAN D.

United States District Judge

IT IS SO ORDERED.

Dated: December 14, 2010

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