

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

E-Filed – **JS-6**  
(link #16, 20)

**CIVIL MINUTES - GENERAL**

Case No. CV 13-2707-GHK (AJWx) Date August 21, 2013

Title *F. Wood Boyce v. Wells Fargo Bank, N.A., et al.*

**Presiding: The Honorable**

**GEORGE H. KING, CHIEF U.S. DISTRICT JUDGE**

Beatrice Herrera

N/A

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

**Proceedings: (In Chambers) Order Remanding Action**

On August 5, 2013, we ordered Defendants to show cause why this matter should not be remanded in light of our ruling in *Olson v. Wells Fargo Bank, N.A.*, \_\_ F. Supp. 2d \_\_\_, 2013 WL 4407495 (C.D. Cal. 2013). Defendants timely responded. They ask us to reconsider our ruling in *Olson*. We decline to do so. As Defendants have failed to allege Wells Fargo's principal place of business, they have failed to establish diversity jurisdiction. Defendants also ask that we stay a decision on this matter pending the Ninth Circuit's ruling in *Rouse v. Wachovia Mortgage, FSB*, No. 12-55278 (9th Cir. 2012). No decision in *Rouse* appears imminent, however; the court's most recent action was an August 1, 2013 notice requesting the parties to electronically submit their excerpts of record. Accordingly, Defendants' request that we stay decision is **DENIED**. As Defendants have failed to meet their burden to establish federal subject matter jurisdiction, we decline to rule on the pending motion to dismiss and motion to expunge lis pendens. This action is hereby **REMANDED** to the state court from which it was removed.

**IT IS SO ORDERED.**

Initials of Deputy Clerk

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