

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES -- GENERAL

Case No. **CV 15-7858-JFW (FFMx)**

Date: October 22, 2015

Title: Charles Phillips-v- Orchard Supply Hardware Stores Corporation, et al.

PRESENT:

HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE

**Shannon Reilly
Courtroom Deputy**

**None Present
Court Reporter**

ATTORNEYS PRESENT FOR PLAINTIFFS:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

PROCEEDINGS (IN CHAMBERS):

**ORDER TO SHOW CAUSE WHY DEFENDANT
ORCHARD SUPPLY HARDWARE STORES
CORPORATION SHOULD NOT BE DISMISSED FOR
FRAUDULENT JOINDER**

On October 7, 2015, Defendant Orchard Supply Company, LLC filed a Notice of Removal of Action Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446 ("Notice of Removal"), contending that this Court has jurisdiction over this action and that Defendant Orchard Supply Hardware Stores Corporation has been fraudulently joined.

Accordingly, Plaintiff is hereby ordered to show cause, in writing, no later than **October 27, 2015**, why Defendant Orchard Supply Hardware Stores Corporation should not be dismissed for fraudulent joinder. No oral argument on this matter will be heard unless otherwise ordered by the Court. See Fed. R. Civ. P. 78; Local Rule 7-15. The Order will stand submitted upon the filing of the response to the Order to Show Cause. If Plaintiff files a Notice of Dismissal of Defendant Orchard Supply Hardware Stores Corporation, the Court will consider that a satisfactory response to the Order to Show Cause. Failure to respond to the Order to Show Cause will result in the dismissal of Defendant Orchard Supply Hardware Stores Corporation.

IT IS SO ORDERED.