

**REMAND/JS-6**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 16-7667-GW (SSx)	Date	November 10, 2016
Title	<i>Levent Anik v. AvalonBay Communities, Inc., et al.</i>		

Present: The Honorable	GEORGE H. WU, UNITED STATES DISTRICT JUDGE		
Javier Gonzalez	None Present		
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
None Present	None Present		

**PROCEEDINGS (IN CHAMBERS): ORDER REMANDING ACTION TO STATE COURT**

On October 14, 2016, Defendant AvalonBay Communities, Inc. (“AvalonBay”) removed this case to federal court alleging diversity jurisdiction. *See* Notice of Removal, Docket No. 1. However, AvalonBay also alleges that Defendant Ralph’s Grocery Company (“Ralph’s”) has its principal place of business and corporate headquarters located in Compton, California. *Id.* ¶ 24. In other words, AvalonBay concedes that Ralph’s is a citizen of California. *See* 28 USC § 1332(c)(1). As such, Ralph’s is a “local defendant,” which precludes removal on the basis of diversity jurisdiction. *See id.* § 1441(b)(2); Schwarzer, Tashima & Wagstaffe, *Cal. Prac. Guide: Fed. Civ. Proc. Before Trial*(The Rutter Group 2016) §§ 2:2320 and 2:3117. For this reason, the Court finds an absence of subject matter jurisdiction based on diversity over this action and the case is therefore remanded.

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Initials of Preparer JG