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**REMAND/JS-6**

7 Attorneys for Defendant  
 8 UBER TECHNOLOGIES, INC.

9 UNITED STATES DISTRICT COURT  
 10 CENTRAL DISTRICT OF CALIFORNIA

Gordon & Rees LLP  
 2211 Michelson Drive Suite 400  
 Irvine, CA 92612

12 KEATHER TAYLOR

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC, and  
 16 DOES 1 through 100, Inclusive

17 Defendants.

) NO. CV 17-318-GW(AGR<sub>x</sub>)

) *Removed from the Superior Court*  
 ) *Of California, Los Angeles County,*  
 ) *Case No. BC627067*

) **STIPULATION TO DISMISS**  
 ) **PLAINTIFF'S FALSE**  
 ) **ADVERTISING CLAIM**  
 ) **UNDER THE LANHAM ACT**  
 ) **AND TO REMAND REMOVED**  
 ) **ACTION; AND ORDER**

) Judge: Hon. George H. Wu  
 ) Magistrate Judge: Hon. Alicia G.  
 ) Rosenberg

) Action Filed: July 21, 2016  
 ) First Amended Complaint served:  
 ) December 16, 2016  
 ) Date removed: January 13, 2017

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1 Plaintiff Keather Taylor (“Plaintiff”) and Defendant Uber Technologies, Inc.  
2 (“Defendant”), by and through their respective counsel, hereby stipulate as  
3 follows:

4 **RECITALS**

5 A. On July 21, 2016, Plaintiff filed a Complaint against Defendant in the  
6 Superior Court of California, County of Los Angeles, Keather Taylor v. Uber  
7 Technologies, Inc., Case No. BC627067 (the “State Court Action”). Plaintiff did  
8 not effect service of her initial Complaint on Defendant at that time.

9 B. On December 1, 2016, Plaintiff filed a First Amended Complaint in  
10 the State Court Action.

11 C. On December 16, 2016, Plaintiff served her First Amended Complaint  
12 on Defendant.

13 D. On January 13, 2017, Defendant noticed the removal of this action  
14 from the Superior Court of California, Los Angeles County to the United States  
15 District Court, Central District of California, pursuant to 28 U.S.C. §§ 1441 and  
16 1446, based on federal question jurisdiction. Specifically, in her First Amended  
17 Complaint, Plaintiff asserts a claim for damages against Defendant arising out of  
18 an alleged violation of Section 43(A) of The Lanham Act, 15 U.S.C. § 1125.

19 E. On February 3, 2017, this Court issued an Order to Show Cause  
20 regarding federal subject matter jurisdiction.

21 F. On February 8, 2017, Counsel for Plaintiff and Defendant met and  
22 conferred regarding the Court's Order to Show Cause. Counsel for Plaintiff  
23 discussed with counsel for Defendant that Plaintiff was willing to dismiss that  
24 portion of her Fourth Claim for Relief for False Advertising alleged to arise out of  
25 a violation of Section 43(A) of the Lanham Act, 15 U.S.C. § 1125.

26 G. On February 13, 2017, Counsel for both Plaintiff and Defendant  
27 further met and conferred regarding federal court jurisdiction in light of Plaintiff's  
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1 proposal to voluntarily dismiss her False Advertising claim under Section 43(A) of  
2 The Lanham Act, 15 U.S.C. § 1125.

3 H. Counsel for the Parties agree that following a dismissal of that portion  
4 of Plaintiff's Fourth Claim for Relief for False Advertising alleged to arise out of a  
5 violation of Section 43(A) of The Lanham Act, 15 U.S.C. § 1125, the United States  
6 District Court for the Central District of California will no longer have subject  
7 matter jurisdiction over this action.

8 **STIPULATION OF THE PARTIES**

9 1. The Parties respectfully request that the Court dismiss, without  
10 prejudice, all portions of Plaintiff's Fourth Claim for Relief for False Advertising  
11 alleged to arise out of a violation of Section 43(A) of The Lanham Act, 15 U.S.C.  
12 § 1125.

13 2. The Parties agree that upon dismissal of the Lanham Act claim, this  
14 Court will no longer have federal subject matter jurisdiction.

15 3. The Parties request this Court remand the action to the Superior Court  
16 of California, County of Los Angeles, where this action was originally filed.

17  
18 Dated: February \_\_\_\_, 2017

GARY A. DORDICK, A LAW  
CORPORATION

19  
20 By: \_\_\_\_\_  
21 Gary A. Dordick  
22 Attorneys for Plaintiff  
KEATHER TAYLOR

23 Dated: February 17, 2017

24  
25 By: \_\_\_\_\_  
26 Jeffrey A. Swedo  
27 Stephanie P. Alexander  
28 Natasha M. Wu  
Attorneys for Defendant  
UBER TECHNOLOGIES, INC.

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**ORDER**

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

The Parties shall comply with the above stipulation's provisions.

Dated: February 21, 2017



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GEORGE H. WU, U.S. DISTRICT JUDGE