

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. CV 17-2315 PA (RAOx) Date May 3, 2017

Title Patrick Sinay, et al. v. Essendant Co., et al.

Present: The Honorable PERCY ANDERSON, UNITED STATES DISTRICT JUDGE

V.R. Vallery

Not Reported

N/A

Deputy Clerk

Court Reporter

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

**Proceedings:** IN CHAMBERS

Before the Court is a Motion to Remand filed by plaintiff Patrick Sinay (“Plaintiff”) (Docket No. 11). Defendant Essendant Co. (“Defendant”) has filed a Notice of Non-Opposition. Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, the Court finds that this matter is appropriate for decision without oral argument. The hearing calendared for May 15, 2017, is vacated, and the matter taken off calendar.

In light of Defendant’s Non-Opposition, the Court grants the Motion to Remand. As the Court stated in its April 21, 2017 minute order denying the parties’ Stipulation to Remand, the Court remains concerned that the parties may seek to evade the Scheduling Order the Court previously entered in this action. Should the action be removed again, absent significantly different circumstances, the Court would, in all likelihood, set pretrial and trial dates consistent with those contained in the Scheduling Order. The Court would also potentially make additional inquiries to determine if one or more parties or counsel were engaging in gamesmanship or other efforts to evade the Court’s orders and the requirements of the Local Rules.

For all of the foregoing reasons, this action is remanded to Los Angeles Superior Court, Case No. BC651043.

IT IS SO ORDERED.