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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ROY RIOS,  
Plaintiff,  
v.  
CWGS ENTERPRISES, LLC, a  
Delaware limited liability  
company; and DOES 1-10  
inclusive,  
Defendant.

CV 17-03614 RSWL-AFMx  
**ORDER Re: PLAINTIFF'S  
MOTION TO REMAND [10];  
DEFENDANT'S MOTION TO  
CHANGE VENUE [13]**

**I. INTRODUCTION**

Plaintiff Roy Rios ("Plaintiff") filed this Action in the Superior Court of California for the County of Los Angeles on April 10, 2017. Compl., ECF No. 1-1. Plaintiff alleged that Defendant CWGS Enterprises, LLC's ("Defendant") website, www.campingworld.com, violates California's Unruh Civil Rights Act because it imposes barriers to access for blind and other visually-impaired individuals. Id. at ¶ 1. Currently before the Court is Plaintiff's Motion to Remand

1 ("Motion" or "Motion to Remand") this Action back to  
2 Los Angeles Superior Court, and Defendant's Motion to  
3 Change Venue to the Northern District of California  
4 ("Motion to Change Venue"). See Pl.'s Mot. to Remand  
5 ("Mot."), ECF No. 10; Def.'s Mot. to Change Venue  
6 ("Mot. to Change Venue"), ECF No. 13. The Court,  
7 having reviewed all papers and arguments submitted  
8 pertaining to both Plaintiff's Motion to Remand and  
9 Defendant's Motion to Change Venue, **NOW FINDS AND RULES**  
10 **AS FOLLOWS:** the Court **GRANTS** Plaintiff's Motion to  
11 Remand and **DENIES as MOOT** Defendant's Motion to Change  
12 Venue.

## 13 **II. BACKGROUND**

### 14 **A. Factual Background**

15 Plaintiff is permanently blind and uses a screen  
16 reader to access the internet and read website content.  
17 Compl. ¶ 4. Blind individuals can only access websites  
18 by using keyboards with screen-reading software that  
19 vocalizes the information. Id. at ¶ 9. However,  
20 unless a website is designed to be read by screen-  
21 reading software, visually-impaired individuals cannot  
22 access its information. Id.

23 Defendant owns and operates retail store locations  
24 around the world, including in California. Id. at ¶ 5.  
25 These locations are public accommodations within the  
26 definition of Title III of the 1990 Americans with  
27 Disabilities Act ("ADA") and are business  
28 establishments within the definition of California

1 Civil Code §§ 51 *et seq.* Id. Defendant's website,  
2 www.campingworld.com, provides access to an array of  
3 services such as store locators and product  
4 descriptions. Id.

5 Plaintiff alleges that Defendant has denied him and  
6 other blind and visually-impaired individuals access to  
7 the services and information made available through  
8 www.campingworld.com. Id. at ¶ 12. Plaintiff alleges  
9 Defendant's website lacks alternative text, an  
10 invisible code embedded beneath a graphic image. Id.  
11 at ¶ 14. Without this code, screen readers cannot  
12 accurately vocalize a description of the graphic. Id.  
13 Additionally, Defendant's website is riddled with  
14 redundant links that go to the same URL address, which  
15 result in additional navigation and repetition for  
16 keyboard and screen-reader users. Id. Finally,  
17 Defendant's website includes missing form labels. Id.  
18 If a form control does not have a proper text label,  
19 the function of that form control may not be presented  
20 to screen-reader users. Id.

21 Plaintiff filed a lawsuit against Defendant in  
22 state court alleging a violation of the Unruh Civil  
23 Rights Act, California Civil Code § 51. Id. at ¶¶ 17-  
24 18. In his Complaint, Plaintiff seeks a preliminary  
25 and permanent injunction requiring Defendant to take  
26 the necessary steps to make its website readily  
27 accessible to visually-impaired individuals and  
28 statutory damages as set forth by California Civil Code

1 § 52(a). Id. at 6:11-18.

2 **B. Procedural Background**

3 On May 5, 2017, Plaintiff filed this Action in the  
4 Superior Court of California for the County of Los  
5 Angeles [1-1]. On May 12, 2017, Defendant removed the  
6 case to this Court on the basis of federal question  
7 jurisdiction. Def.'s Ntc. of Removal [1]. On June 12,  
8 2017, Plaintiff filed the instant Motion to Remand  
9 [10]. Defendant filed its Opposition on June 20, 2017  
10 [11] and Plaintiff's Reply followed on June 27, 2017  
11 [12]. On June 30, 2017, Defendant filed a Motion to  
12 Change Venue to the Northern District of California  
13 [13]. On July 18, 2017 Plaintiff filed his Opposition  
14 to Defendant's Motion to Change Venue [20] and  
15 Defendant's Reply followed on July 25, 2017 [21].

16 **III. DISCUSSION**

17 **A. Legal Standard**

18 Federal courts are of limited jurisdiction, and  
19 therefore, a federal court can only adjudicate cases  
20 that create a federal question because they "arise  
21 under the Constitution, laws, or treaties of the United  
22 States," or those in which the parties have diversity  
23 of citizenship. 28 U.S.C. §§ 1331, 1332.

24 Federal question jurisdiction exists only where  
25 federal law creates the cause of action asserted, where  
26 under the artful pleading doctrine one or more state  
27 law claims should be re-characterized as federal  
28 claims, or where state law claims necessarily turn on

1 the construction of a substantial, disputed federal  
2 question. Rains v. Criterion Sys., Inc., 80 F.3d 339,  
3 343 (9th Cir. 1996)(citing Merrell Dow Pharms. v.  
4 Thompson, 478 U.S. 804, 807-10 (1968)).

5 However, the "mere presence of a federal issue in a  
6 state cause of action does not automatically confer  
7 federal-question jurisdiction." Wander v. Kaus, 304  
8 F.3d 856, 858 (9th Cir. 2002)(citing Merrell Dow, 478  
9 U.S. at 808). The federal issue must be a "necessary  
10 element" of one of the state law claims. Id. The  
11 federal issue must also be "actually disputed and  
12 substantial." Grable & Sons Metal Prods., Inc. v.  
13 Darue Eng'g & Mfg, 545 U.S. 308, 314 (2005).

14 Generally, the plaintiff "decide[s] what law he  
15 will rely upon . . . and, if he can maintain his claim  
16 on both state and federal grounds, he may ignore the  
17 federal question and assert only a state law claim and  
18 defeat removal." Sullivan v. First Affiliated Sec.,  
19 Inc., 813 F.2d 1368, 1373 (9th Cir. 1987)(internal  
20 quotation marks and citations omitted). The "burden of  
21 establishing jurisdiction falls on the party invoking  
22 the removal statute . . . which is strictly construed  
23 against removal." Id. at 1371 (citing Hunter v. United  
24 Van Lines, 746 F.2d 635, 639 (9th Cir. 1984), cert.  
25 denied, 474 U.S. 863 (1985)(citation omitted)). Courts  
26 resolve all ambiguities in favor of remand to state  
27 court. Hunter v. Philip Morris USA, 582 F.3d 1039,  
28 1042 (9th Cir. 2009).

1 **B. Analysis**

2 There is a presumption against removal and  
3 Defendant bears the burden of proving federal question  
4 jurisdiction. There are three bases for federal  
5 question jurisdiction: (1) where federal law creates  
6 the cause of action, (2) where under the artful  
7 pleading doctrine a plaintiff's state law claims should  
8 be re-characterized as federal claims, or (3) where one  
9 or more state law claims necessarily turn on the  
10 construction of a disputed, substantial federal  
11 question. Rains, 80 F.3d at 343.

12 1. Plaintiff's Request for Judicial Notice is

13 **DENIED**

14 Plaintiff requests the Court take judicial notice  
15 of five Central District of California orders by Judges  
16 Kronstadt, Hatter, Carney, and Fitzgerald pursuant to  
17 Federal Rules of Evidence 201. Pl.'s Req. for Jud.  
18 Ntc., ECF No. 10-1.<sup>1</sup> It is unnecessary to take judicial  
19 notice of opinions from other courts because this Court  
20 can consider other legal authorities without judicially  
21 noticing the opinions. McVey v. McVey, 26 F. Supp. 3d

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22  
23 <sup>1</sup> Plaintiff requests judicial notice be taken of orders from  
24 the following cases: (1) Cheryl Thurston v. Toys R Us, Inc., No.  
25 5:16-cv-02672-JAK-AGR (C.D. Cal. Feb. 23, 2017), ECF No. 14; (2)  
26 Thurston v. Omni Hotels Mgmt. Corp., No. 5:16-cv-02596-TJH-KK  
27 (C.D. Cal. May, 19, 2017), ECF No. 15; (3) James Patrick Brown v.  
28 BPS Direct, LLC, et al., No. LACV 14-04622 JAK (JEMx)(C.D. Cal.  
Oct. 6, 2014), ECF No. 30; (4) Penney v. Kohl's Dep't Stores,  
Inc., et al., No. SACV 14-01100-CJC (DFMx)(C.D. Cal. Sept. 23,  
2014), ECF No. 12; and (5) Edward Davis v. Orlando Wilshire  
Invs., Ltd., No. 5:15-cv-01738-MFW-KK (C.D. Cal. Nov. 2, 2015),  
ECF No. 17.

1 980, 984-85 (C.D. Cal. 2014). "Judicial notice of law  
2 is outside the scope of Rule 201, and derives from  
3 practical considerations and case law that do not rely  
4 on Rule 201 or principles of evidence." Id. at 985  
5 (internal quotation marks and citation omitted). While  
6 the Court can consider these decisions as non-binding  
7 precedent, the Court **DENIES** Plaintiff's request for  
8 judicial notice of the decisions. BP West Coast Prods.  
9 LLC v. May, 347 F. Supp. 2d 898, 901 (D. Nev. 2004).

10 2. Whether Federal Law Creates the Cause of Action

11 "The district courts shall have original  
12 jurisdiction of all civil actions arising under the  
13 Constitution, laws, or treaties of the United States."  
14 28 U.S.C. § 1331. Defendant first argues that  
15 Plaintiff directly alleges a claim under the ADA,  
16 giving this Court federal question jurisdiction.  
17 Def.'s Opp'n to Pl.'s Mot. to Remand ("Opp'n") 3:1-5.  
18 Defendant argues that because Plaintiff's Complaint  
19 alleges that Defendant's actions also violate  
20 provisions of the ADA, Plaintiff explicitly invokes  
21 federal question jurisdiction. Id. Plaintiff argues  
22 that he did not allege a violation of the ADA in his  
23 Complaint and just because he pointed to the fact that  
24 a violation of California's Unruh Civil Rights Act also  
25 constitutes a violation of the ADA, that does not  
26 invoke federal question jurisdiction. Mot. 1:6-12,  
27 5:5-6.

28 The Ninth Circuit has held that the "mere presence

1 of a federal issue in a state cause of action does not  
2 automatically confer federal-question jurisdiction."  
3 Wander, 304 F.3d at 858 (quoting Merrell Dow, 478 U.S.  
4 at 813). While Defendant is correct that Plaintiff is  
5 seeking both injunctive relief and damages, Defendant  
6 is incorrect in stating that fact necessarily invokes  
7 federal question jurisdiction. Opp'n 8:6-15; see Toys  
8 R Us, Inc., No. 5:16-cv-02672-JAK-AGR (finding that the  
9 plaintiff's request for injunctive relief and damages  
10 did not necessitate a finding of federal question  
11 jurisdiction because "[w]hen a claim can be supported  
12 by alternative and independent theories—one of which is  
13 a state law theory and one of which is a federal law  
14 theory—federal question jurisdiction does not attach  
15 because federal law is not a necessary element of the  
16 claim")(internal quotation marks and citations  
17 omitted).

18 Plaintiff alleges an ADA claim only so far as it  
19 independently constitutes a violation of the California  
20 Unruh Civil Rights Act. A reading of Plaintiff's  
21 Complaint and California Civil Code § 51(f) makes this  
22 clear.<sup>2</sup> This does not constitute an independent claim  
23 for relief under the ADA. Plaintiff's "state law cause  
24 of action claim does not 'arise under federal law' even  
25 though it is premised on a violation of federal law."

26 \_\_\_\_\_

27 <sup>2</sup> California Civil Code § 51(f) states: "[a] violation of  
28 the right of any individual under the federal Americans with  
Disabilities Act of 1990 (Public Law 101-336) shall also  
constitute a violation of this section."

1 Wander, 304 F.3d at 859. Therefore, Defendant's  
2 manipulation of the language of Plaintiff's Complaint  
3 is not sufficient to support federal question  
4 jurisdiction.

5 While not binding precedent, the ruling in Thurston  
6 v. Container Store, Inc., No. 5:16-cv-02658-SVW-DTB,  
7 2017 WL 658806 (C.D. Cal. Feb. 16, 2017) mirrors the  
8 facts and allegations in this case and this Court finds  
9 it persuasive. In Container Store, the plaintiff  
10 brought a similar claim regarding website accessibility  
11 for visually-impaired individuals, alleged a violation  
12 of the Unruh Civil Rights Act, and requested both  
13 damages and injunctive relief. Id. at \*1-2. The court  
14 remanded the action back to state court after  
15 concluding that the question of whether there was  
16 federal question jurisdiction was ambiguous and all  
17 ambiguities should be resolved in favor of remand. Id.  
18 at \*3.

19 The court similarly remanded an action regarding  
20 website accessibility where a plaintiff alleged a  
21 violation of the Unruh Civil Rights Act and requested  
22 both injunctive relief and damages. Toys R Us, Inc.,  
23 5:16-cv-02672-JAK-AGR (holding the plaintiff's claim  
24 was not solely based on alleged violations of the ADA  
25 because the relief sought is available under California  
26 Civil Code § 51(b)). It is clear that Plaintiff did  
27 not directly allege a federal cause of action and  
28 federal law does not create the cause of action in the

1 instant case. Therefore, federal question jurisdiction  
2 is not appropriate on this basis.

3 3. Whether the Artful Pleading Doctrine Applies

4 Under the artful pleading doctrine, federal  
5 question jurisdiction is also proper when a plaintiff's  
6 state law claims should be re-characterized as federal  
7 claims. Rains, 80 F.3d at 344. A plaintiff "may not  
8 defeat removal by omitting to plead necessary federal  
9 questions in a complaint." JustMed, Inc. v. Bryce, 600  
10 F.3d 1118, 1125 (9th Cir. 2010)(internal quotation  
11 marks and citations omitted). Courts most frequently  
12 deal with artful pleading where state law claims are  
13 preempted, or even precluded by federal law, or  
14 alternatively, where federal issues are embedded in  
15 state law claims. Removal Based on Federal Question  
16 Jurisdiction-Removal Based on Artful Pleading, 14B Fed.  
17 Prac. & Proc. Juris. § 3722.1 (4th ed.).

18 Here, Defendant does not assert preemption of  
19 federal law. This is because it is established that  
20 the ADA's anti-discrimination provision does not  
21 preempt California state claims. See City of Los  
22 Angeles v. AECOM Servs., Inc., 854 F.3d 1149, 1156 (9th  
23 Cir. 2017)("[t]he ADA expressly disavows preemptive  
24 federal occupation of the disability-rights field").

25 Instead, Defendant argues the Court has  
26 jurisdiction under the artful pleading doctrine because  
27 Plaintiff has engaged in forum shopping by alleging a  
28 violation of the ADA but only naming the Unruh Civil

1 Rights Act as a cause of action. Opp'n 6:1-8.  
2 Defendant alleges Plaintiff is forum shopping to avoid  
3 this District's ruling in Robles v. Dominos Pizza LLC,  
4 No. CV-1606599-SJO-SPX, 2017 WL 1330216 (C.D. Cal. Mar.  
5 20, 2017). Id. at 6:10-12. Defendant also points to  
6 Plaintiff's decision not to remand nearly identical  
7 actions as evidence that Plaintiff is engaging in forum  
8 shopping and declining to remand cases where he prefers  
9 the assigned federal judge over the state judge. Id.  
10 at 6:20-7:5. These frivolous allegations are  
11 inappropriate in the instant Motion and do nothing to  
12 convince the Court or bolster Defendant's contention  
13 that there is a basis to find federal question  
14 jurisdiction.

15 While Defendant raises the artful pleading  
16 doctrine, Defendant fails to provide any evidence or  
17 factual support to bolster this contention. "Courts  
18 should invoke the doctrine only in limited  
19 circumstances as it raises difficult issues of state  
20 and federal relationships and often yields  
21 unsatisfactory results." Lippitt v. Raymond James Fin.  
22 Servs., Inc., 340 F.3d 1033, 1041 (9th Cir. 2003)  
23 (internal quotation marks and citations omitted). The  
24 artful pleading doctrine has been used in: (1) complete  
25 preemption cases and (2) substantial federal questions  
26 cases. Id. Within this second category are cases  
27 "where the claim is necessarily federal in character .  
28 . . or where the right to relief depends on the

1 resolution of a substantial, disputed federal  
2 question." Id. at 1042 (internal citations omitted).

3 As stated above, the ADA does not preempt state law  
4 claims regarding discrimination based on a disability.  
5 Accordingly, Defendant must prove that Plaintiff's  
6 federal question is necessary, disputed, and  
7 substantial to confer federal question jurisdiction.  
8 As this is a separate basis to confer federal question  
9 jurisdiction, the Court answers this question below.

10 4. Whether One or More State Law Claims  
11 Necessarily Turn on a Disputed, Substantial  
12 Federal Question

13 Federal question jurisdiction may also be invoked  
14 where one or more state law claims necessarily turn on  
15 the construction of a disputed, substantial federal  
16 question. Rains, 80 F.3d at 343.

17 a. *Disputed and Substantial Federal Question*

18 Federal question jurisdiction may be proper where a  
19 "state-law claim necessarily state[s] a federal issue,  
20 actually disputed and substantial, which a federal  
21 forum may entertain without disturbing a  
22 congressionally approved balance of federal and state  
23 judicial responsibilities." Grable & Sons, 545 U.S. at  
24 315.

25 Defendant claims that website accessibility is a  
26 disputed area of federal law under the ADA and thus any  
27 claims arising under website accessibility need to be  
28 adjudicated in federal court. Opp'n 3:18-27.

1 Defendant also notes that the Department of Justice  
2 ("DOJ"), the federal agency responsible for  
3 promulgating regulations under the ADA, has issued  
4 opinions requiring certain institutions make their  
5 websites compliant, but it has stopped short of  
6 promulgating formal regulations. Id. at 4:1-3.  
7 Defendant asserts that jurisdiction exists because this  
8 federal question is both disputed and substantial and  
9 the recent ruling in Dominos Pizza makes clear that the  
10 issue of website accessibility is an unresolved issue  
11 of federal law. Id. at 5:3-23. Plaintiff argues that  
12 the fact that the DOJ or any other federal entity has  
13 not laid out specific guidelines regarding website  
14 accessibility does not transform all claims under the  
15 Unruh Civil Rights Act regarding websites into federal  
16 cases. Mot. 10:14-18.

17 Because the DOJ has yet to issue formal  
18 regulations, federal courts have interpreted the ADA in  
19 different ways regarding website accessibility.  
20 Defendant suggests that the ruling in Dominos Pizza  
21 mandates this Court's analysis. It does not. In  
22 Dominos Pizza, the plaintiff brought two causes of  
23 action under the ADA and two causes of action under  
24 California state law claims regarding website  
25 accessibility, whereas here, Plaintiff did not allege a  
26 federal cause of action. 2017 WL 1330216, at \*1. The  
27 court there granted the defendant's motion to dismiss  
28 pursuant to the primary jurisdiction doctrine after

1 finding that the lack of formal guidance by the DOJ in  
2 regards to website accessibility made it difficult to  
3 determine what criteria websites and mobile  
4 applications must meet. Id. at \*7. Dominos Pizza is  
5 easily distinguishable from the case at bar. There,  
6 the plaintiff filed the case in federal court, directly  
7 alleging claims under the ADA. 2017 WL 1330216 at \*3.  
8 This is vastly different from this case, where  
9 Plaintiff filed in state court and only alleged a state  
10 cause of action under the Unruh Civil Rights Act.  
11 Although certain points of the court's legal analysis  
12 in the Dominos Pizza opinion may be helpful in the  
13 determination of this case on the merits, the ruling is  
14 not factually similar for the purposes of establishing  
15 federal question jurisdiction.

16 Moreover, Dominos Pizza was distinguished by  
17 Gorecki v. Hobby Lobby Stores, Inc., CV 17-1131-JFW  
18 (SKx), 2017 WL 2957736, at \*7 (C.D. Cal. June 15,  
19 2017), where the court denied the defendant's motion to  
20 dismiss finding the plaintiff was not seeking a "remedy  
21 that adopts a specific rule. Instead, he requests an  
22 order requiring [the defendant] to comply with the  
23 DOJ's directive to ensure disabled individuals have as  
24 full and equal enjoyment of its website as non-disabled  
25 individuals." The court also found that the DOJ has  
26 "repeatedly affirmed that Title III applies to websites  
27 that meet the definition of a public accommodation,"  
28 thereby calling into question the Dominos Pizza finding

1 that this is an unsettled area of federal law. Id. at  
2 \*4. Defendant relies too heavily on a case that is  
3 both factually and legally distinguishable. Moreover,  
4 based on the ruling in Gorecki, Defendant has failed to  
5 show that website accessibility is a disputed and  
6 substantial federal question.

7           b. *Necessity*

8           While the Court finds that Defendant has failed to  
9 show there is a disputed and substantial federal  
10 question, the Court nevertheless briefly analyzes the  
11 necessity requirement for federal question  
12 jurisdiction. To invoke federal question jurisdiction,  
13 the federal issue must be disputed and substantial, but  
14 a plaintiff's claim must also "necessarily turn[] on  
15 the construction" of a federal issue. Rains, 80 F.3d  
16 at 343. A federal issue does not confer federal  
17 jurisdiction where it is "*merely collateral*" to a state  
18 claim. Jackson v. Yoshinoya America Inc., No. 12-08518  
19 MMM (EX), 2013 WL 865596, at \*3 (C.D. Cal. Mar. 7,  
20 2013)(emphasis in original). Rather, the "question of  
21 federal law [must be] a necessary element of one of the  
22 well-pleaded state claims." Rains, 80 F.3d at 345.

23           "When a claim can be supported by alternative and  
24 independent theories—one of which is a state law theory  
25 and one of which is a federal law theory—federal  
26 question jurisdiction does not attach because federal  
27 law is not a necessary element of the claim." Id. at  
28 346. Defendant does not argue or address the necessity

1 of the ADA claim under the Unruh Civil Rights Act. In  
2 Container Store, which has factually similar claims and  
3 legal theories as the present case, the court found  
4 that the defendant's possible ADA violation "is only  
5 one of two theories of liability presented by the  
6 Plaintiff, meaning that the ADA may not be involved at  
7 all in the litigation. This would suggest that  
8 resolving the federal question is not a necessary  
9 element of the Plaintiff's claim." 2017 WL 658806, at  
10 \*3. Similarly, Defendant has not shown that  
11 Plaintiff's cause of action necessarily requires  
12 answering a federal question, or that Plaintiff's  
13 claims for relief are solely based on the ADA to  
14 satisfy the necessity requirement. Toys R Us, Inc.,  
15 5:16-cv-02672-JAK-AGR, at 4. Plaintiff has alleged  
16 that Defendant's conduct constitutes a violation of the  
17 ADA as well as California's Unruh Civil Rights Act.  
18 However, on its own, that is not sufficient for this  
19 Court to conclude that determining whether there is a  
20 violation of the ADA is a necessary question to support  
21 a finding that there is federal question jurisdiction.

22 Finally, Defendant argues this Court has subject  
23 matter jurisdiction based on a separate case involving  
24 Defendant in the Northern District of California, Son  
25 Kim v. CWI, Inc., et al., No. 4:16-cv-01913-JSW (N.D.  
26 Cal. Dec. 12, 2016). The parties entered into a  
27 settlement agreement and the court there retained  
28 jurisdiction over the parties to enforce the settlement

1 agreement. As an initial matter, the Son Kim case does  
2 not involve Plaintiff and was not a class-action  
3 settlement or a case that is binding on Plaintiff or  
4 other individuals not parties to the suit. While the  
5 court there retained jurisdiction over the parties, it  
6 was only as to those parties and as to that lawsuit.  
7 Defendant appears to assert that federal question  
8 jurisdiction is appropriate in this case because the  
9 court in Son Kim has federal question jurisdiction.  
10 However, in Son Kim the plaintiff directly alleged a  
11 violation of the ADA. This is distinguishable from  
12 this case, and Son Kim has no bearing on this Court's  
13 duty to independently determine whether it has subject  
14 matter jurisdiction, which the Court finds it does not.

#### 15 **IV. CONCLUSION**

16 For the reasons set forth above, and because the  
17 Court must resolve all ambiguities in favor of remand,  
18 the Court **GRANTS** Plaintiff's Motion to Remand and  
19 Remands this Action back to the Superior Court of  
20 California for the County of Los Angeles, Central  
21 District, Case No. **BC657201**. The Court **DENIES as MOOT**  
22 Defendant's Motion to Change Venue.

23 **IT IS SO ORDERED.**

24 DATED: August 11, 2017

s/ RONALD S.W. LEW

**HONORABLE RONALD S.W. LEW**

Senior U.S. District Judge