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E-Filed: 10/11/17  
JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

JANET O'BRIEN;  
Plaintiff,  
v.  
TARGET CORPORATION and DOES 1  
TO 100.  
Defendants.

Case No.: 2:17-cv-04233-VAP-JC  
**[PROPOSED] ORDER REMANDING  
CASE TO VENUTRA COUNTY  
SUPERIOR COURT**

Having considered the stipulation between Plaintiff JANET O'BRIEN and Defendant, TARGET CORPORATION, and good cause appearing therefor:

**IT IS HEREBY ORDERED** that Plaintiff JANET O'BRIEN, as a result of the alleged incident and subsequent claim all described more fully in the Complaint in the matter entitled Janet O'Brien v. Target Corporation, State Case No. 56-2017-00494711-CU-PO-VTA and Federal Case No. 2:17-cv-04233-VAP-JC, has incurred total damages, if any, that do not, and will never be claimed to, exceed \$75,000.00. Accordingly, this case does not meet the jurisdictional requirements for removal as defined in 28 U.S.C. §1332(a), and this matter is hereby remanded  
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2 to the Superior Court of California, County of Ventura.

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*Virginia A. Phillips*

4 Dated: October 11, 2017

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Hon. Virginia A. Phillips  
U.S. District Judge

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**PROOF OF SERVICE**

I am a citizen of the United States. My business address is Nicolson Law Group, 1400 N. Providence Road, Suite 6035, Media, Pennsylvania 19063. I am employed in the County of Los Angeles where this service occurs. I am over the age of 18 years, and not a party to the within cause.

On the date set forth below, according to ordinary business practice, I served the foregoing document(s) described as:

**[PROPOSED] ORDER REMANDING CASE TO VENTURA COUNTY SUPERIOR COURT**

(BY CM/ECF) I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail notice list, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants (if any) indicated on the Manual Notice list.

(BY FAX) I transmitted via facsimile, from facsimile number 818.858.1124, the document(s) to the person(s) on the attached service list at the fax number(s) set forth therein, on this date before 5:00 p.m. A statement that this transmission was reported as complete and properly issued by the sending fax machine without error is attached to this Proof of Service.

(BY E-MAIL) On this date, I personally transmitted the foregoing document(s) via electronic mail to the e-mail address(es) of the person(s) on the attached service list.

(BY MAIL) I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same day as the day of collection in the ordinary course of business. On this date, I placed the document(s) in envelopes addressed to the person(s) on the attached service list and sealed and placed the envelopes for collection and mailing following ordinary business practices.

Kevin P. Flahavan, Esq.  
Flahavan Law Offices  
960 S. Westlake Blvd., Suite 202  
Westlake Village, California 91361  
Telephone No: (805) 230-9973  
Facsimile No: (805) 230-9972  
Attorney for Plaintiff  
JANET O'BRIEN

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- (BY PERSONAL SERVICE) On this date, I delivered by hand envelope(s) containing the document(s) to the persons(s) on the attached service list.
- (BY OVERNIGHT DELIVERY) On this date, I placed the documents in envelope(s) addressed to the person(s) on the attached service list, and caused those envelopes to be delivered to an overnight delivery carrier, with delivery fees provided for, for next-business-day delivery to whom it is to be served.
- (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 6, 2017, 2017 at Media, Pennsylvania.

/s/ Gina Marie Fusaro  
Gina Marie Fusaro