

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

JS-6

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA - WESTERN  
DIVISION**

A. R., a Minor, by and through her  
guardian ad litem, Kimberly Cady;  
  
Plaintiff,  
  
vs.  
  
SAN MARINO UNIFIED SCHOOL  
DISTRICT, a governmental entity;  
and, DOES 1 through 50, inclusive,  
  
Defendants.

**Case No: 2:17-cv-05185-FMO-AFM  
Superior Court Case No: BC663636  
  
ORDER RE STIPULATION [14]  
REMANDING CASE TO STATE  
COURT**

TO ALL PARTIES AND TO THEIR ATTORNEYS:  
  
The Court having read and considered the STIPULATION RE DISMISSAL  
OF PLAINTIFF’S THIRD CAUSE OF ACTION FOR VIOLATION OF  
SECTION 504 OF THE REHABILITATION ACT OF 1973 AND  
REQUEST CASE BE REMANDED TO STATE COURT and good cause existing,  
the Court hereby orders the following:

----- 1 -----  
**ORDER RE: DISMISSAL OF PLAINTIFF’S THIRD CAUSE OF ACTION FOR  
VIOLATION OF SECTION 504 OF THE REHABILITATION ACT OF 1973; AND  
REQUEST CASE BE REMANDED TO STATE COURT**

1 **ORDER**

2 1. Pursuant to the Stipulation and agreement between the parties,  
3 plaintiff, A.R., a minor, by and through her guardian ad litem, Kimberly Cady,  
4 shall dismiss and withdraw Plaintiff’s Third Cause of Action for Violation of  
5 Section 504 of the Rehabilitation Act of 1973.

6 2. This case with its two (2) remaining state law causes of action shall be  
7 and is hereby remanded to State Court (Superior Court of the State of California  
8 for the County of Los Angeles, Case No. BC663636) for resolution, i.e., Plaintiff’s  
9 First Cause of Action for Dangerous Condition of Public Property and the Second  
10 Cause of Action for Negligence shall be resolved in State Court.

11 3. After this case is remanded to State Court, Plaintiff, A.R., a minor, by  
12 and through her guardian ad litem, Kimberly Cady, and based on the Stipulation of  
13 the parties shall not thereafter reassert or allege a Cause of Action for Violation of  
14 Section 504 of the Rehabilitation Act of 1973.

15  
16 DATED: August 9, 2017

17 /s/ Fernando M. Olguin  
18 JUDGE OF THE UNITED STATES  
19 DISTRICT COURT, CENTRAL DISTRICT  
20 OF CALIFORNIA