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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DELIA GHIOTTO,	)	Case No. CV 21-5792 FMO (MAAx)
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
ENRIQUE MONTEMAYOR PRIMICIAS,	)	
<u>et al.</u> ,	)	
	)	
Defendants.	)	

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On August 13, 2021, Delia Ghiotto (“plaintiff”) filed a Motion to Remand on the Basis of Lack of Diversity (“Motion”). (Dkt. 10). The Motion was set for oral argument on September 23, 2021. (See id.). The September 23, 2021, hearing date required Enrique Montemayor Primicias and Laboratory Corporation of America Holdings (collectively, “defendants”) to file their Opposition to the Motion no later than September 2, 2021. See Local Rule 7-9. As of the filing date of this Order, defendants have not filed any opposition to plaintiff’s Motion. Accordingly, the court will vacate the hearing date and grant plaintiff’s Motion. See Local Rule 7-12.

Based on the foregoing, IT IS ORDERED THAT:

1. The hearing set for September 23, 2021, is hereby **vacated**.
2. Plaintiff’s Motion (**Document No. 10**) is **granted**.

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3. The above-captioned action shall be **remanded** to the Superior Court of the State of California for the County of Los Angeles, 111 North Hill Street, Los Angeles, CA 90012, for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1441.

4. The Clerk shall send a certified copy of this Order to the state court.

Dated this 7th day of September, 2021.

\_\_\_\_\_  
/s/  
Fernando M. Olguin  
United States District Judge