

JS-6

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11 Attorneys for Defendants,  
12 LOWE’S HOME CENTERS, LLC

13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION

THARPE & HOWELL, LLP  
15250 Ventura Boulevard, Ninth Floor  
Sherman Oaks, California 91403-3221

16 SHERILYN B. McINTURFF,  
17 Plaintiff,

18 v.

19 LOWE’S HOME CENTERS, INC., A  
20 North Carolina Corporation; and DOES  
21 1 through 100, Inclusive,  
22 Defendants.

Case No.: EDCV 17-2546-GW(SPx)

(Riverside County Superior Court Case No. RIC1719600)

**ORDER: JOINT STIPULATION TO  
REMAND FEDERAL CASE TO THE  
SUPERIOR COURT OF THE STATE  
OF CALIFORNIA-COUNTY OF  
RIVERSIDE**

*Assigned to District Judge George H. Wu;  
and Magistrate Sheri Pym*

**ORDER**

23 The Court, having read the stipulation of the parties, and good cause appearing,  
24 orders that:

- 25 1. Federal Case No. 5:17-cv-02546-GW-SPx, shall be remanded to the Superior  
26 Court of California, County of Riverside;
- 27 2. Riverside County Superior Court Case No. RIC1719600 shall be reinstated,  
28 with trial and all other dates to be set by the state court;

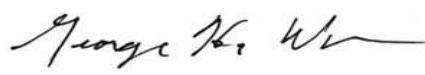
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3. Plaintiff's amount in controversy and thus her potential recovery from this suit is limited to \$75,000.00.

IT IS SO ORDERED.

DATE: January 30, 2018

  
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GEORGE H. WU, U.S. District Judge

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**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

- 1. At the time of service, I was at least 18 years of age and **not a party to this legal action.**
- 2. My business address is 15250 Ventura Boulevard, Ninth Floor, Sherman Oaks, CA 91403.
- 3. I served copies of the following documents (specify the exact title of each document served):

**ORDER: JOINT STIPULATION TO REMAND FEDERAL CASE TO THE SUPERIOR COURT OF THE STATE OF CALIFORNIA-COUNTY OF RIVERSIDE**

- 4. I served the documents listed above in item 3 on the following persons at the addresses listed:

Richard G. Anderson, Esq. ANDERSON & LEBLANC, A.P.L.C. 1365 West Foothill Boulevard, Suite 2 Upland, CA 91786 (909) 949-2226; (909) 985-7553 - Fax	Attorneys for Plaintiff, SHERILYN B. McINTURFF
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- 5. a.      **By personal service.** I personally delivered the documents on the date shown below to the persons at the addresses listed above in item 4. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party delivery was made to the party or by leaving the documents at the party's residence between the hours of eight in the morning and six in the evening with some person not less than 18 years of age.
- b.   X   **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 4 and (*specify one*):
  - (1)      deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid on the date shown below, or
  - (2)   X   placed the envelope for collection and mailing on the date shown below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Sherman Oaks, California.
- c.      **By overnight delivery.** I enclosed the documents on the date shown below in an envelope or package provided by an overnight delivery carrier and addressed to the person at the addresses in item 4. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

- 1 d.        **By messenger service.** I served the documents on the date shown below by placing
- 2 them in an envelope or package addressed to the person on the addresses listed in
- 3 item 4 and providing them to a professional messenger service for service.
- 4 e.        **By fax transmission.** Based on an agreement of the parties to accept service by fax
- 5 transmission, I faxed the documents on the date shown below to the fax numbers of
- 6 the persons listed in item 4. No error was reported by the fax machine that I used. A
- 7 copy of the fax transmission, which I printed out, is attached to my file copy.
- 8 f.        **By e-mail or electronic transmission.** Based on an agreement of the parties to
- 9 accept service by e-mail or electronic transmission, I caused the documents to be sent
- 10 on the date shown below to the e-mail addresses of the persons listed in item 4. I did
- 11 not receive within a reasonable time after the transmission any electronic message or
- 12 other indication that the transmission was unsuccessful.
- 13 6. I served the documents by the means described in item 5 on *(date)*: \*\*\*\*\*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

	Michele Schee	
DATE	(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)

**DECLARATION OF MESSENGER**

       **By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 4. I delivered the documents on the date shown below to the persons at the addresses listed in item 4. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence between the hours of eight in the morning and six in the evening with some person not less than 18 years of age.

At the time of service, I was at least 18 years of age. I am not a party to the above referenced legal proceeding.

I served the envelope or package, as stated above, on *(date)*:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE	(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)