

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 11-502-JST (RNBx)

Date: January 30, 2013

Title: Paul Sandford, et al. v. Wells Fargo & Co., et al.

Present: **Honorable JOSEPHINE STATON TUCKER, UNITED STATES DISTRICT JUDGE**

Ellen Matheson
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER REMANDING CASE TO ORANGE
COUNTY SUPERIOR COURT, CASE NO. 30-2011-00455425**

On December 21, 2012, the Court ordered Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) to show cause why this case should not be remanded for lack of subject matter jurisdiction. (Doc. 119.) The Court noted that it had previously concluded that Wells Fargo is a citizen of California, and therefore, the requirement of complete diversity is not met. (*Id.*) The Court also noted that Plaintiff’s Complaint did not assert a federal claim. (*Id.*) Wells Fargo, in its response to the OSC, concedes that Plaintiff did not assert a federal claim but contends that Wells Fargo was a diverse party. (Doc. 128 at 1-2.) For the reasons set forth in the Court’s OSC and the previous Order of the Court referenced in the OSC, the Court rejects Wells Fargo’s argument. Accordingly, the Court concludes that it lacks subject matter jurisdiction, and REMANDS this case to Orange County Superior Court, Case No. 30-2011-00455425.

All funds deposited in the registry of this Court shall be transferred to the Orange County Superior Court, Central Justice Center, Attention: Fiscal Services, 700 Civic Center Drive West, Santa Ana, California 92701.

cc: **FISCAL**

Initials of Preparer: enm