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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES – GENERAL**

Case No. 8:21-CV-01675-DOC-KES

Date: November 18, 2021

Title: MIRNA FLAMENCO V. MERCEDES BENZ USA LLC ET AL.

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PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Karlen Dubon  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR  
DEFENDANT:  
None Present

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**PROCEEDINGS (IN CHAMBERS): ORDER GRANTING PLAINTIFF’S  
MOTION TO REMAND [18]**

Before the Court is a Motion to Remand (Dkt. 18) (“Motion” or “Mot.”) brought by Plaintiff Mirna Flamenco (“Plaintiff”). The Court finds the matter appropriate for resolution without oral argument. Fed. R. Civ. P. 78; C.D. Cal. R. 715. The Court now **GRANTS** Plaintiff’s Motion.

Plaintiff filed her original Complaint in the Orange County Superior Court on August 13, 2021. Notice of Removal (Dkt. 1-1). On October 7, 2021, Defendant Mercedes Benz USA LLC (“Defendant”) removed the case to this Court. Notice of Removal. Plaintiff filed her First Amended Complaint (“FAC”) (Dkt. 15) on October 28, 2021. Plaintiff filed the instant Motion on November 8, 2021, which was set for hearing on December 6, 2021.

Per Local Rule 7-9, Defendant was required to file its opposition papers, if any, at least twenty-one days before the hearing date. *See* C.D. Cal. R. 7-9. Although Defendant did not file its Opposition, it did file a Notice Regarding Plaintiff’s Pending Motion to Remand (Dkt. 23). In that Notice, Defendant stated that it had been prepared to stipulate to the remand, but Plaintiff was unresponsive. *Id.* ¶ 5-9.

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Given that both parties agree to the case's remand, the Court hereby GRANTS the Motion and REMANDS the case back to the Orange County Superior Court.

The Clerk shall serve this minute order on the parties.

Initials of Clerk: kdu