

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

This case was removed from the Stanislaus County Superior Court on the basis of federal question jurisdiction. Currently pending before the Court are Defendants' motion to dismiss (hearing set for September 21, 2009) and Plaintiffs' motion to remand (hearing set for October 23, 2009). On September 8, 2009, the parties filed a stipulation to remand the case to state court. See Court's Docket Doc. No. 13. The stipulation recites that the case was removed based on federal question jurisdiction, a remand motion was filed on the basis that Plaintiffs do not raise federal claims under the federal Truth In Lending Act, and the parties have engaged in discussions and reached a resolution of the remand issue. See id. The stipulation states that Defendants agree to a remand and to take their motion to dismiss off calendar, and that both sides are to waive attorney's fees. See id. The Court will give effect to the stipulation.

Accordingly, IT IS HEREBY ORDERED, as per the parties' stipulation, that:

1. Plaintiffs' motion to remand is GRANTED and this case is REMANDED forthwith to the Stanislaus County Superior Court;
2. The parties shall bear their own costs;
3. Defendants' motion to dismiss is DENIED as moot;
4. The September 21, 2009, and October 23, 2009, hearing dates are VACATED; and
5. The Clerk shall CLOSE this case.

IT IS SO ORDERED.

Dated: September 10, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE