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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**

10  
11 AGCO FINANCE, LLC, a Delaware  
12 limited liability company,

13 Plaintiff,

14 v.

15 MICHAEL LOGOLUSO, an individual  
16 and citizen of the State of California;  
17 RICK LOGOLUSO, an individual and  
18 citizen of the State of California,

19 Defendants.

Case No.: 1:10-cv-01062-AWI-GSA

**STIPULATION TO REMAND  
REMOVED ACTION; ORDER  
THEREON**

20 AGCO FINANCE, LLC (“AGCO” or “Plaintiff”) and MICHAEL  
21 LOGOLUSO and RICK LOGOLUSO (collectively “Defendants”) stipulate as follows:

22 1. On April 5, 2010, AGCO commenced an action in the Superior  
23 Court of the State of California in and for the County of Madera, entitled AGCO  
24 FINANCE, LLC, a limited liability company, Plaintiffs vs. MICHAEL LOGOLUSO,  
25 an individual; RICK LOGOLUSO, an individual; DOES 1 to 10 inclusive, Defendants,  
as Case Number MCV051331 (the “Action”).

26 2. Defendants acknowledged service of the complaint on or about  
27 May 17, 2010.

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3. On June 11, 2010, Defendants filed a notice of removal of the Action pursuant to U.S.C. §1441(b) with the United States District Court for the Eastern District of California.

4. On June 15, 2010, Defendants completed the removal process by filing a conformed copy of the notice of removal with the Madera County Superior Court

5. After some discussion, the parties have agreed that the Action should be remanded to the Madera County Superior Court. To that end, the Parties hereby stipulate that the Action be remanded to Madera County Superior Court.

6. The Parties further stipulate that each party shall bear its own attorneys' fees and costs with respect to the removal and subsequent remand of the Action pursuant to this stipulation and order.

Dated: June \_\_, 2010

MOTSCHIEDLER, MICHAELIDES &  
WISHON LLP

By: \_\_\_\_\_  
Justin D. Harris, Attorneys for  
Defendants

Dated: June \_\_, 2010

THE DUNNING LAW FIRM

By: \_\_\_\_\_  
Donald T. Dunning, Attorneys for  
Plaintiff

**ORDER**

On June 21, 2010, the Parties to the above-referenced action filed a Stipulation to Remand Removed Action. The Court having reviewed that stipulation and good cause appearing, orders as follows:

1. The Parties' stipulation is approved;
2. Eastern District of California case number 1:10-cv-01062-AWI-GSA styled AGCO FINANCE, LLC v. MICHAEL LOGOLUSO, et al. is hereby remanded to Madera County Superior Court.

IT IS SO ORDERED.

Dated: June 23, 2010

  
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CHIEF UNITED STATES DISTRICT JUDGE