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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

STEPHEN BURCHAM, on behalf of himself, and all others similarly situated, and the general public, Plaintiffs, v. AT&T SERVICES, INC., a Delaware corporation; SBC INTERNET SERVICES, INC., a California corporation, PACIFIC BELL TELEPHONE COMPANY, a California corporation; and DOES 1-50, inclusive, Defendants,	1:10-cv-02223 AWI GSA ORDER GRANTING PLAINTIFF LEAVE TO FILE FIRST AMENDED COMPLAINT ORDER GRANTING PLAINTIFFS' MOTION TO REMAND (Document 15)

Having considered the Stipulation to Grant Plaintiff Leave to File a First Amended Complaint this Court hereby orders as follows:

1. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, Plaintiff's First Amended Complaint is hereby filed;

2. Defendants shall not be required to answer the amendment, and all denials, responses and affirmative defenses contained in the Defendants' Answer and Defenses to Plaintiff Stephen Burcham's Complaint filed November 24, 2010 in the Superior Court of California for the County of Fresno shall be responsive to the First Amended Complaint;

3. Each Party is to bear its own attorneys' fees and costs with respect to the dismissed claims in this action; and

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4. Based on the First Amended Complaint and the dismissal of claims as set forth in the Parties' stipulation, as well as the Non-opposition to Plaintiff's Motion to Remand, the Court remands this case to the Superior Court of California for the County of Fresno.

IT IS SO ORDERED.

Dated: **April 6, 2011** **/s/ Gary S. Austin**
UNITED STATES MAGISTRATE JUDGE