

1
2
3
4
5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
7

8 **CATRELL BAKARI,**

9 **Plaintiff**

10 **v.**

11 **FOSTER POULTRY FARMS, INC.,**

12 **Defendant**
13

CASE NO. 1:13-CV-1814 AWI SAB

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

14 This action was removed to federal court by Defendant Foster Poultry Farms. Plaintiff
15 Catrell Bakari made a motion to remand on the basis that the removal was untimely. Plaintiff also
16 asked for attorney's fees incurred as a result of removal. In the alternative, Plaintiff sought leave
17 to amend to eliminate all federal causes of action. In response, Defendant stated that it did not
18 oppose remand to state court. Defendant did oppose an award of attorney's fees.

19 On January 7, 2014, Magistrate Judge Boone issued Findings and Recommendations to
20 remand the case and award attorney's fees in an amount less than requested by Plaintiff. The
21 Findings and Recommendations was served on the parties and contained a notice that any
22 objections were to be filed within fourteen days. Neither party has filed any objections.

23 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a
24 de novo review of this case. Having carefully reviewed the entire file, the Court finds the
25 Findings and Recommendations to be supported by the record and by proper analysis.

26 Accordingly, IT IS HEREBY ORDERED that:

- 27 1. The Findings and Recommendations, filed January 7, 2014, is adopted in full.
28 2. This action is REMANDED to state court.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. Plaintiff is awarded \$3,787.50 in attorney's fees.

4. Plaintiff's motion to amend is DENIED as moot.

IT IS SO ORDERED.

Dated: September 8, 2014



SENIOR DISTRICT JUDGE