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6 Attorneys for Defendants MP NEXLEVEL OF CALIFORNIA, INC. (erroneously sued as MP  
NEXLEVEL OF CA, INC.) and WESTERN SURETY COMPANY (erroneously sued as  
7 WESTERN SURETY)

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10 FRESNO DIVISION

11 JK Communications Construction, Inc., ) Case No. 1:14-CV -00390-LJO-GSA  
12 )  
Plaintiff, ) **Stipulation and Order to Remand Case**  
13 ) **to the California State Court**  
vs. )  
14 ) Judge: Hon. Gary S. Austin  
MP Nexlevel of CA, Inc.; Western Surety )  
15 Company; CVIN, LLC; and DOES 1 through ) Complaint Filed: February 21, 2014  
20 inclusive, ) Trial Date: None  
16 )  
Defendants. )  
17 )  
18 AND RELATED CROSS-ACTION )  
19 )

20 **Stipulation to Remand Action to State Court**

21 WHEREAS Plaintiff JK Communications Construction, Inc. (“JK Communications”) filed  
22 its complaint in the instant action on February 21, 2014;

23 WHEREAS MP Nexlevel of California, Inc. (“MP Nexlevel”) and Western Surety  
24 Company (“Western Surety”) filed a notice of removal to this Court on March 19, 2014;

25 WHEREAS JK Communications filed a Motion to Remand on April 3, 2014;

26 WHEREAS JK Communications, MP Nexlevel, and Western Surety met and conferred  
27 and now stipulate to remand of the instant matter to the California Superior Court;

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1 As such, THE UNDERSIGNED PARTIES STIPULATE that the instant matter captioned  
2 *JK Communications Construction, Inc. v. MP Nexlevel of CA, Inc., et al.* (Case No. 1:14-CV -  
3 00390-LJO-GSA) be remanded to Superior Court of the State of California, County of Fresno.

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5 **IT IS SO STIPULATED:**

6 Dated: May 16, 2014

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San Francisco, CA 94111

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10 By: /s/ Jessica M. L. Ryland  
11 Steven M. Cvitanovic  
12 Jessica M. Lassere Ryland  
13 Attorneys for Defendants  
MP Nexlevel of California, Inc. and Western  
Surety Company

14 **ROGERS JOSEPH O'DONNELL, a PLC**  
15 311 California Street, 10th floor  
16 San Francisco, CA 94104

17  
18 By: /s/ Joseph McGowan (as authorized on  
19 May 20, 2014  
20 Joseph C. McGowan  
21 Attorneys for Plaintiff  
JK Communications & Construction, Inc.

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**ORDER**

Pursuant to the above stipulation of the parties, this case shall be remanded to the Fresno County Superior Court. After remanding this action, the Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: May 21, 2014

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE