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ORDER

This motion was noticed for hearing on February 9, 2017. Having reviewed the parties' papers and arguments in this matter, the Court finds the matter suitable for decision on the papers pursuant to Local Rule 230(g).

The Court hereby GRANTS Plaintiffs' motion to remand this case to the Superior Court for the State of California, County of Kern, pursuant to 28 U.S.C. §1447(c). The Court finds that Defendants have failed to comply with the "rule of unanimity" under 28 U.S.C. §1446(b)(2)(A), which requires that all served defendants join in or consent to removal, and that Defendant Pena has failed to comply with the required timelines under 28 U.S.C. §1446(b)(2)(B) for filing his own notice of removal. In addition, all Defendants, including Defendant Pena, were served with the motion and failed to file any opposition.

This case is hereby ordered remanded to the Superior Court for the State of California, County of Kern.

The February 9, 2017 hearing is VACATED.

The Clerk of Court is directed to CLOSE THIS CASE.

IT IS SO ORDERED.

Dated: February 3, 2017

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE