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

HUGO RAMIREZ-DUENAS, as an individual and on behalf of all others similarly situated,

Plaintiff,

v.

VF OUTDOOR, LLC, a Delaware limited liability company; and DOES 1 through 100,

Defendant.

**CASE NO. 1:17-CV-0161-AWI-SAB**

**ORDER GRANTING PLAINTIFF'S MOTION TO REMAND**

**(Doc. 8).**

19           On April 24, 2017, this Court found that Defendant VF Outdoor, LLC (“Defendant”) had  
20 not made an adequate showing of amount in controversy to establish subject matter jurisdiction  
21 pursuant to the Class Action Fairness Act (“CAFA”). The Court explained that Defendant’s  
22 assumed violation rate was without evidentiary support and afforded Defendant an opportunity to  
23 make the requisite showing. The Court required Defendant to give “notice of intent to file  
24 supplemental briefing and evidence or notice of intent not to do so within fourteen days of the  
25 date of th[at] order.” Doc. 14 at 11. The Court indicated that it would allow sixty days from the  
26 date of the order for additional briefing and submission of evidence if Defendant indicated its  
27 intent to file such additional briefing and evidence. *Id.* Otherwise, the action would be remanded.  
28 *Id.* Defendant, represented by Ogletree, Deakins, Nash, Smoak & Steward, PC, gave “notice of

1 ... intent to submit such additional briefing.” Doc. 15 at 2. The court day after that the additional  
2 briefing was due, Defendant gave notice that it did not intend to submit additional briefing or  
3 evidence. Doc. 19.

4 In light of Defendant’s failure to make the requisite showing to establish subject matter  
5 jurisdiction, this action is REMANDED to the Tulare County Superior Court.

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7 IT IS SO ORDERED.

8 Dated: June 27, 2017

  
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SENIOR DISTRICT JUDGE

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