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Based on the Stipulation of the parties, the Court **ORDERS**:

1. Plaintiff's Fourth and Fifth Causes of Action for Fraud and UCL are **DISMISSED** without further leave to amend, pursuant to this Court's order.
2. Plaintiff's total recovery of any and all damages **SHALL** be capped at \$75,000.
3. This action is **REMANDED** to Kern County Superior Court, Case No.: BCV-23-104011.
4. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: September 25, 2024


UNITED STATES DISTRICT JUDGE