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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADVENTIST HEALTH SYSTEM, et al.,

Plaintiffs,

No. CIV S-06-1465 FCD KJM PS

vs.

BARBARA CLARK,

Defendant.

FINDINGS AND RECOMMENDATIONS

_____ /
and related actions.

No. CIV S-06-1466 FCD KJM PS
No. CIV S-06-1468 FCD KJM PS
No. CIV S-06-1470 FCD KJM PS
No. CIV S-06-1471 FCD KJM PS
No. CIV S-06-1473 FCD KJM PS

_____ /
The above-titled actions were related by order dated July 11, 2006. Findings and recommendations previously issued in case nos. CIV S-06-1467 and CIV S-06-1472, which were also related to these actions.

Defendant has filed a notice of removal of a state court petition of employer for injunction prohibiting violence or threats of violence against employee in which plaintiff seeks a stay away order against defendant. There is no basis for federal subject matter jurisdiction evident in the state court action. Under 28 U.S.C. § 1447(c), this action should therefore be

1 summarily remanded.

2 Accordingly, IT IS HEREBY RECOMMENDED that the above-titled actions be
3 summarily remanded to the Superior Court of California, County of Placer.

4 These findings and recommendations are submitted to the United States District
5 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
6 days after being served with these findings and recommendations, any party may file written
7 objections with the court and serve a copy on all parties. Such a document should be captioned
8 "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections
9 shall be served and filed within ten days after service of the objections. The parties are advised
10 that failure to file objections within the specified time may waive the right to appeal the District
11 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

12 DATED: July 12, 2006.

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15 _____
16 UNITED STATES MAGISTRATE JUDGE
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18 006
19 clark1465.rem
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