

1 WILLIAM H. COLLIER, JR., CASB No. 97491

2 william.collier@kyl.com

3 MOMO E. TAKAHASHI, CASB No. 238965

4 momo.takahashi@kyl.com

5 KEESAL, YOUNG & LOGAN

6 A Professional Corporation

7 400 Oceangate, P.O. Box 1730

8 Long Beach, California 90801-1730

9 Telephone: (562) 436-2000

10 Facsimile: (562) 436-7416

11 Attorneys for Defendant

12 BAKER HUGHES INCORPORATED

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 PETROMINERALS
16 CORPORATION, A Delaware
17 Corporation doing business in
18 California; CALIFORNIA OIL
19 INDEPENDENTS, INC., a
20 California Corporation,

21 Plaintiffs,

22 vs.

23 BAKER HUGHES
24 INCORPORATED, a California
25 Corporation and DOES 1
26 through 50, Inclusive,

27 Defendants.

) Case No. 2:06-CV-2244

) STIPULATION FOR REMAND
) TO SUPERIOR COURT AND
) FOR FURTHER PROCEEDINGS
) THEREON; [PROPOSED]
) ORDER

28 Plaintiffs PETROMINERALS CORPORATION and
CALIFORNIA OIL INDEPENDENTS, INC. (“Plaintiffs”) and
Defendant BAKER HUGHES INCORPORATED (“Defendant”), by
and through their respective counsel of record, hereby submit the

**1 following Stipulation for Remand to Superior Court and Further
2 Proceedings Thereon:**

**3 1. WHEREAS, Defendant's counsel misconstrued
4 information provided by the client in seeking removal of this action
5 to the Court and consequently asserted existence of diversity
6 jurisdiction where diversity does not in fact exist, and;**

**7 2. WHEREAS, Defendant discovered its error and
8 promptly apprised Plaintiffs' counsel of its error in seeking
9 removal of this action; and;**

**10 3. WHEREAS, the parties now desire to seek remand of
11 the case to the Superior Court for Kern County from which this
12 case was erroneously removed; and**

**13 4. NOW THEREFORE, the parties hereby stipulate to
14 remand this matter to the Superior Court of California, County of
15 Kern, as initially filed – i.e., Petrominerals Corporation, a Delaware
16 corporation doing business in California; California Oil
17 Independents, Inc., a California corporation v. Baker Hughes
18 Incorporated, a Delaware corporation and DOES 1 through 50,
19 inclusive, No. S-1500-CV 259006. The address of the courthouse
20 from which this case was removed and to which it should be
21 remanded is as follows:**

**22 Kern County Superior Court
23 1415 Truxtun Ave.
24 Bakersfield, California 93301**

25 ///

26 ///

27 ///

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. The parties further stipulate that all pleadings filed in the Federal Eastern District Court be deemed filed in the Superior Court of California, County of Kern as well.

IT IS SO STIPULATED.

DATED: October 18, 2006

/s/
**WILLIAM H. COLLIER, JR.
MOMO E. TAKAHASHI
KEESAL, YOUNG & LOGAN
Attorneys for Defendant
BAKER HUGHES
INCORPORATED**

DATED: October 18, 2006

/s/
**GERALD M. LEVERETT
Attorneys for Plaintiffs
PETROMINERALS
CORPORATION
CALIFORNIA OIL
INDEPENDENTS, INC.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Good cause appearing, IT IS HEREBY ORDERED that the case is hereby remanded to the Kern County Superior Court for further proceedings.

DATED: October 18, 2006



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE