

1 **WILLIAM S. SCOTT, ESQ., #72581**
2 **SCOTT & NICHOLS**
3 120 North Hunter Street
4 Stockton, California 95202
5 Telephone: (209) 942-4300
6 Facsimile: (209) 942-4450

7
8 Attorneys for Plaintiff
9 **EDUARDO MUNOZ**

10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 EDUARDO MUNOZ,)	CASE NO. 2:09-CV-01553-GEB-KJM
13 Plaintiff,)	
14 vs.)	STIPULATION TO DISMISS THE 6TH
15 POWERWORKS, LLC, MICHAEL)	AND 7TH CAUSES OF ACTION WITH
16 LANGELOH and DOES 1 to 20,)	PREJUDICE AND TO REMAND THE
17 inclusive,)	CASE TO STATE COURT, RULE 41(a)(1)
18 Defendants.)	
	/	

19 It is hereby stipulated by and between the parties hereto through their respective
20 attorneys of record that plaintiff may dismiss the 6th and 7th Causes of Action which
21 form the basis of subject matter jurisdiction for Federal Court for claims arising under
22 the U.S. Constitution.

23 It is further stipulated by the parties that the remaining state law claims be
24 remanded to the Superior Court of the County of San Joaquin, State of California under
25 Case No. 39-2009-00210987-CU-WT-STK.

26 Dated: September 3, 2009

SCOTT & NICHOLS
Professional Law Corporation

/s/ William S. Scott

WILLIAM S. SCOTT
Attorney for Plaintiff
EDUARDO MUNOZ

STIPULATION TO DISMISS THE 6TH AND 7TH CAUSES OF ACTION WITH PREJUDICE AND TO REMAND THE CASE TO
STATE COURT, RULE 41(a)(1)

1 Dated: September 3, 2009

PALMER KAZANJIAN WOHL HODSON
LLP

3 /s/ Amanda R. Gimbel

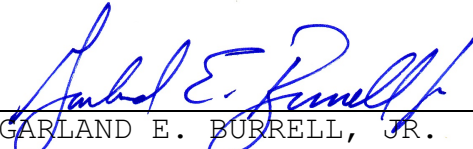
4 AMANDA R. GIMBEL
LARRY M. KAZANJIAN

6 Attorneys for Defendants
POWERWORKS LLC and MICHAEL
LANGELOH

8 **ORDER OF REMAND**

9 Whereas, the Federal Claims have been dismissed, the supplemental state law
10 claims shall be remanded to the County of San Joaquin, State of California under Case
11 No. 39-2009-00210987-CU-WT-STK.

12 Dated: September 3, 2009

13 
14 GARLAND E. BURRELL, JR.
15 United States District Judge