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

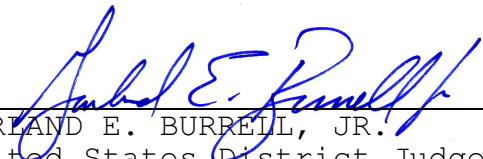
| | | |
|-------------------------------------|---|-----------------------|
| CARLOS RUBIO, an individual; and |) | |
| MARTA RUBIO, an individual, |) | |
| |) | |
| Plaintiffs, |) | 2:09-cv-01743-GEB-EFB |
| |) | |
| v. |) | <u>ORDER</u> * |
| |) | |
| WAUSAU MORTGAGE CORPORATION, a |) | |
| California corporation; GREENPOINT |) | |
| MORTGAGE, INC., a corporation; |) | |
| BROOKSAMERICA MORTGAGE CORPORATION, |) | |
| a California corporation; |) | |
| MORTGAGE-IT, INC., a corporation; |) | |
| AURORA LOAN SERVICES, a |) | |
| corporation; INDYMAC FEDERAL BANK; |) | |
| WELLS FARGO BANK, FSB; WASHINGTON |) | |
| MUTUAL; and DOES 1-50, |) | |
| |) | |
| Defendants. |) | |
| |) | |

On September 17, 2009 Plaintiffs filed a motion for remand of this case to the state court from which it was removed, since the federal claims that were the basis of removal have been dismissed. 28 U.S.C. § 1447(c) prescribes: "If at any time before final judgment it appears that the court lacks subject matter jurisdiction, the case

* This matter was determined to be suitable for decision without oral argument. E.D. Cal. R. 78-230(h).

1 shall be remanded." Therefore, this case is remanded to the Superior
2 Court of California, County of Solano, from which it was removed.

3 Dated: October 16, 2009

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7 GARLAND E. BURRELL, JR.
8 United States District Judge
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