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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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MICHELLE SHACKELFORD,
Plaintiff,

NO. 2:10-cv-2894 FCD KJN

v.

ORDER

DONALD L. SHIELDS; MARTEN
TRANSPORT, LTD., a Delaware
corporation, and DOES 1-100,
inclusive,
Defendant.

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The court has reviewed defendants' notice of removal to the United States District Court for the Eastern District of California under 28 U.S.C. §§ 1441(b) based on diversity jurisdiction. It is well established that the basic requirement of diversity cases is that all plaintiffs must be of different citizenship than all defendants. Strawbridge v. Curtiss, 7 U.S. 267 (1806). In their Notice of Removal, defendants assert that, on information and belief, plaintiff is a citizen of California. Defendants also assert that defendant Donald L. Shields is a

1 citizen of California. Accordingly, based upon defendants' own
2 representations, there is not complete diversity between the
3 parties. Therefore, this action is improperly before this court.
4 Accordingly, the court REMANDS this action back to the Superior
5 Court of California, County of Sacramento.

6 IT IS SO ORDERED.

7 DATED: October 29, 2010



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10 FRANK C. DAMRELL, JR.
11 UNITED STATES DISTRICT JUDGE
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