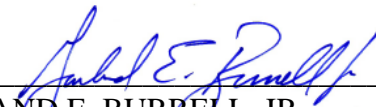


1 N.A., No. 2:12-cv-2024 GEB CKD, 2012 WL 4961696, at *2 (E.D. Cal. Oct. 15, 2012), in which
2 I determined that the interpretation in American Surety Co. v. Bank of California, 133 F.2d 160,
3 162 (9th Cir.1943), of “the predecessor statute to 28 U.S.C. § 1348,” should be followed; and
4 therefore, “a national bank is [also] located in the State where it maintains its ‘principal place of
5 business.’”

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations filed June 24, 2013 (Doc No. 18) are
8 adopted with the stated modification;
- 9 2. Defendant’s May 16, 2013 motion to dismiss (Doc. No. 5) is denied as moot;
10 and
- 11 3. This action is remanded to the Placer County Superior Court.

12 **Date: 7/18/2013**

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16 GARLAND E. BURRELL, JR.
17 Senior United States District Judge
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