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14 Attorneys for Defendants
 15 PINNACLE PROPERTY MANAGEMENT
 SERVICES, LLC and PINNACLE PROPERTY
 16 MANAGEMENT SERVICES PIER 70

17 **UNITED STATES DISTRICT COURT**
 18 **EASTERN DISTRICT OF CALIFORNIA**

20 BRENNA CALLAHAN,
 21 Plaintiff,

22 vs.

23 PINNACLE PROPERTY MANAGEMENT
 24 SERVICES, LLC, a Delaware Limited
 Liability Company; PINNACLE PROPERTY
 25 MANAGEMENT SERVICES PIER 70, a
 26 business organization, form unknown; and
 DOES 1 to 100, inclusive,
 27 Defendants.
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Case No. 2:16-cv-01862-MCE-EFB

STIPULATION REGARDING MOTION TO REMAND; ORDER

1 WHEREAS, PINNACLE PROPERTY MANAGEMENT SERVICES, LLC and PINNACLE
2 PROPERTY MANAGEMENT SERVICES PIER 70 (collectively referred to as Defendants) filed its
3 Notice of Removal in this Court on August 5, 2016;

4 WHEREAS, Plaintiff filed her Motion to Remand with the Court on August 23, 2016, and
5 scheduled a hearing on September 22, 2016, based on Plaintiff's belief there was a procedural defect of
6 Defendants' Notice of Removal;

7 WHEREAS, the Parties recognize that Plaintiff filed its Motion to Remand within 30 days of the
8 Notice of Removal, thus its motion being timely under federal procedural law;

9 WHEREAS, the Parties seek to resolve their differences and attempt settlement of this case
10 without incurring additional fees and costs; and

11 WHEREAS, the Parties agree to withdraw Plaintiff's Motion to Remand so that further
12 settlement discussions can occur.

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1 THEREFORE, the parties hereby stipulate that the Motion to Remand the Action to State Court
2 be removed from calendar; and that Plaintiff's right to file a Motion to Remand, again, will not be
3 prejudiced in any way if they are unable to resolve this case. The withdrawal of the Motion to Remand
4 will not waive Plaintiff's right to bring this motion under federal procedural law and Defendant will be
5 estopped from arguing untimeliness of the Motion to Remand should it be filed again.

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7 Dated: September 12, 2016

Shimoda Law Corp.

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9 By: /s/ Galen T. Shimoda
10 Galen T. Shimoda
11 Erika R. C. Sembrano
Attorneys for Plaintiffs

12 Dated: September 12, 2016


JACKSON LEWIS P.C.

13
14 By: /s/ James T. Jones
15 JAMES T. JONES
16 (approved on 9/6/2016)
17 JOHNNY A. COLÓN
18 Attorneys for Defendants
19 PINNACLE PROPERTY MANAGEMENT
SERVICES, LLC and PINNACLE PROPERTY
MANAGEMENT SERVICES PIER 70

20 Based on the foregoing stipulation and in order to facilitate settlement between the parties,
21 Plaintiff's Motion to Remand (ECF No. 6), previously scheduled to be heard on September 22, 2016,
22 will be removed from calendar.

23 **IT IS SO ORDERED.**

24 Dated: September 12, 2016

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27 MORRISON C. ENGLAND, JR.
28 UNITED STATES DISTRICT JUDGE