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 21 NATIONWIDE MUTUAL INSURANCE  
 22 COMPANY

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA

23 DENE STARKS, on behalf of herself, and  
 24 all others similarly situated,

25 Plaintiff,

26 v.

27 NATIONWIDE MUTUAL INSURANCE  
 28 COMPANY, and Does 1 through 50,  
 inclusive,

Defendant.

Case No. 2:16-cv-02638-JAM-KJN

*JAM*  
 [PROPOSED] ORDER GRANTING  
 PLAINTIFF'S MOTION FOR REMAND

Date: February 7, 2017  
 Time: 1:30 p.m.  
 Ctrm.: 6, 14th Floor  
 Judge: Hon. John A. Mendez

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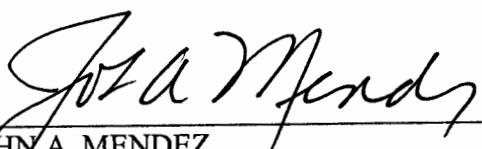
Plaintiff Dene Starks's ("Plaintiff") Motion to Remand (Docket No. 5) came on for hearing before the Honorable John A. Mendez in this Court on February 7, 2017. The court reporter's transcript of that hearing, which contains the parties' oral argument and the Court's ruling, is incorporated herein by reference. Defendant Nationwide Mutual Insurance Company ("Defendant") appeared through its counsel, James Oh and Barbara Blackburn. Plaintiff appeared through her counsel Robin Workman.

Having carefully considered the moving and opposition papers, the arguments of counsel, and relevant legal authority, and good cause appearing, IT IS HEREBY ORDERED that Plaintiff's Motion is GRANTED. The Court finds that Defendant has not demonstrated by a preponderance of the evidence that the amount in controversy exceeds \$5,000,000, exclusive of interest and costs. As such, the Court lacks jurisdiction under 28 U.S.C. § 1332(d). The matter is hereby remanded back to the Superior Court for the County of Sacramento.

The Court did not rule on Defendant's Motion to Dismiss (Docket No. 4), which is moot after the ruling on Plaintiff's Motion to Remand.

**IT IS SO ORDERED.**

Dated: February 27, 2017

  
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JOHN A. MENDEZ  
UNITED STATES DISTRICT JUDGE