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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 31, 2017, are adopted in full;

2. Plaintiff's motion to remand (ECF No. 15) is granted;

3. This action is remanded to the Amador County Superior Court for lack of subject matter jurisdiction; and

4. The Clerk of the Court is directed to serve a copy of this order on the Amador County Superior Court.

DATED: 12/19/2017

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE