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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MEGHAN SILVA, et al.,

Plaintiffs,

v.

MEDIC AMBULANCE SERVICE, INC.,

Defendant.

No. 2:17-cv-00876-TLN-CKD

ORDER

This matter is before the Court on remand from the Ninth Circuit regarding Plaintiff Meghan Silva's ("Plaintiff") Motion to Remand. (ECF No. 6.) This Court previously denied Plaintiff's motion on the basis that Plaintiff's state claims are preempted by federal law and the Court therefore had jurisdiction over the action. (*See* ECF No. 11.) The Ninth Circuit reversed the Court's denial of Plaintiff's motion and remanded the matter to this Court with instructions to remand the action to the Superior Court of California, County of Solano.¹ *Silva v. Medic Ambulance Service, Inc.*, No. 20-16153 (9th Cir. 2021), ECF No. 38-1.

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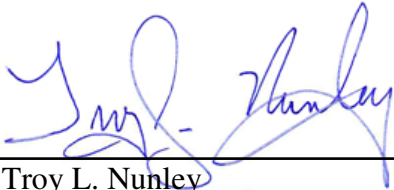
¹ Judge Rawlinson, concurring in the judgment, stated the Ninth Circuit should dismiss the appeal as moot and not address the merits of the remand decision in light of the California Court of Appeal's recent decision in *Calleros v. Rural Metro of San Diego, Inc.*, 58 Cal. App. 5th 660, 667 (2020), that renders Plaintiff's claim unviable.

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In accordance with the Ninth Circuit's instructions, the Court hereby REMANDS this action to the Superior Court of California, County of Solano.

IT IS SO ORDERED.

DATED: May 11, 2021



Troy L. Nunley
United States District Judge