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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANDREW MESSER, as an individual,

Plaintiff,

v.

ANHEUSER-BUSCH, LLC, a Missouri
Limited Liability Company,

Defendant.

No. 2:17-cv-02035-TLN-CKD

**ORDER GRANTING PLAINTIFF'S
MOTION TO REMAND**

This matter is before the Court on Plaintiff Andrew Messer's Motion to Remand. (ECF No. 5.) Defendant Anheuser-Busch, LLC does not oppose this motion (ECF No. 7.) Plaintiff argues remand is proper because Defendant failed to demonstrate the amount in controversy is satisfied. (ECF No. 5-1 at 3.) Plaintiff argues that Defendant's use of his current hourly rate was improper because he is only seeking statutory *minimum wages* for the unpaid time. (ECF No. 5-1 at 5.) As a result, Plaintiff contends Defendant failed to demonstrate the amount in controversy was satisfied. (ECF No. 5-1 at 5.) Defendant concedes that based on Plaintiff's argument, the statutory minimum has not been met. (ECF No. 7.)

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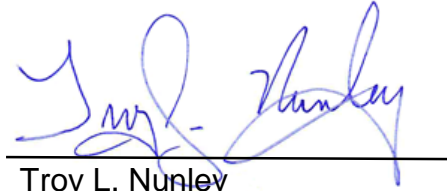
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Accordingly, the Court REMANDS this action back to the Superior Court of California,
County of Solano.

IT IS SO ORDERED.

Dated: December 31, 2017



Troy L. Nunley
United States District Judge