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19 Attorneys for Defendant GREYHOUND LINES, INC.

20 **UNITED STATES DISTRICT COURT**
 21 **EASTERN DISTRICT OF CALIFORNIA**

22 _____)
 23 JUSTIN SMITH, individually and on behalf)
 24 of all others similarly situated,)
 25)
 26 Plaintiffs,)
 27)
 28 vs.)
 29)
 30 GREYHOUND LINES, INC., a Delaware)
 31 Corporation; and DOES 1 to 100, inclusive,)
 32)
 33 Defendants.)
 34)
 35 _____)

36 **Case No. 2:17-CV-02238-TLN-AC**
 37 **STIPULATION AND ORDER TO**
 38 **REMAND THIS ACTION TO STATE**
 39 **COURT**

40 Complaint Filed: September 15, 2017

1 This Stipulation and proposed Order is entered into between Plaintiff JUSTIN SMITH
2 (“Plaintiff”) and Defendant GREYHOUND LINES, INC. (“Defendant”) (Plaintiff and Defendant all
3 collectively, the “Parties”), by and through their counsel of record, as follows:

4 WHEREAS Plaintiff filed a Class Action against Defendant in the Superior Court of California
5 for the County of Sacramento, Case No. 34-2017-00219188 on September 15, 2017;

6 WHEREAS Defendant removed Plaintiff’s Action to the United States District Court for the
7 Eastern District of California and filed a Notice of Removal on October 25, 2017 pursuant to the Class
8 Action Fairness Act of 2005;

9 WHEREAS Plaintiff filed a Motion to Remand on November 21, 2017 and the Hearing for that
10 Motion is currently scheduled for November 15, 2018;

11 WHEREAS Defendant filed a Motion to Stay Proceedings on November 21, 2017 and the
12 Hearing for that Motion is currently scheduled for November 15, 2018;

13 WHEREAS Defendant has not filed an opposition to Plaintiff’s Motion to Remand and Plaintiff
14 has not filed an opposition to Defendant’s Motion to Stay Proceedings;

15 WHEREAS the Parties met and conferred regarding the matters at issue in these Motions and
16 stipulate that good cause exists to remand this case back to state court, Sacramento County Superior
17 Court, Case No. 34-2017-00219188;

18 WHEREAS the Parties wish to vacate the Motion to Remand and Motion to Stay Hearings
19 scheduled for 2:00 p.m. on November 15, 2018;

20 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
21 Parties, subject to the approval of the Court, as follows:

22 1. That this case will be remanded to state court, Sacramento County Superior Court, Case
23 No. 34-2017-00219188.

24 2. That the Court will vacate Plaintiff’s Motion to Remand Hearing currently set 2:00 p.m.
25 on November 15, 2018;

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ORDER

The COURT, having considered the above stipulation and finding good cause, HEREBY ORDERS that:

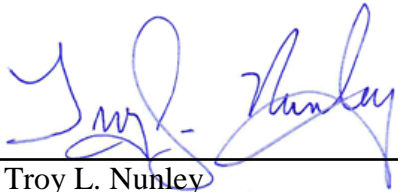
1. This case will be remanded to state court, Sacramento County Superior Court, Case No. 34-2017- 00219188. A certified copy of this Order shall be mailed by the clerk to the clerk of the Sacramento County Superior Court pursuant to 28 U.S.C. § 1447(c);

2. Plaintiff's Motion to Remand Hearing currently set for 2:00 p.m. on November 15, 2018 is vacated; and

3. Defendant's Motion to Stay Hearing currently set for 2:00 p.m. on November 15, 2018 is vacated;

IT IS SO ORDERED.

Dated: November 2, 2018



Troy L. Nunley
United States District Judge