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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARINA PERLS,

Plaintiff,

No. C 08-03200 JSW

v.

CITI PROPERTIES I, LLC, et al.,

Defendants.

**AMENDED ORDER GRANTING  
MOTION TO REMAND**

Now before the Court is the motion to remand filed by Marina Perls (“Plaintiff”).

Despite the Court issuing an order to show cause, Defendants failed to file an opposition or statement of non-opposition to Plaintiff’s motion to remand. Having carefully reviewed the Plaintiff’s papers and the relevant legal authority, and good cause appearing, the Court GRANTS Plaintiff’s motion to remand. The Court further finds that, pursuant to 28 U.S.C. Section 1447(c), an award of attorney’s fees and costs incurred as a result of the removal is warranted. To determine whether to award costs and fees under Section 1447(c), this Court has a “great deal of discretion.” *Morris v. Bridgestone/Firestone, Inc.*, 985 F.2d 238, 240 (9th Cir. 1993). Plaintiff’s complaint is entirely grounded on state law. In light of Defendants’ failure to even present an argument in opposition to the motion to remand, the Court finds that

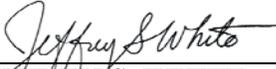
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Defendants' removal was frivolous. Therefore, the Court awards Plaintiff attorneys' fees and costs in the amount of \$6,746.34 to be paid by Defendants within ten days.

**IT IS SO ORDERED.**

Dated: November 14, 2008

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE