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Attorneys for Plaintiffs

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN FRANCISCO DIVISION**

13 MONTY ZAROGOZA and JUDITH
 14 ZAROGOZA

Plaintiffs,

vs.

18 A.W. CHESTERTON COMPANY, et. al.,

Defendants.

) Case No. 3:08-CV-03841 SI
)
) **STIPULATION AND PROPOSED**
) **ORDER TO REMAND CASE TO SAN**
) **FRANCISCO COUNTY SUPERIOR**
) **COURT**
)
) Courtroom: Courtroom 10, 19th Floor
) San Francisco, California
)
) The Honorable Susan Illston

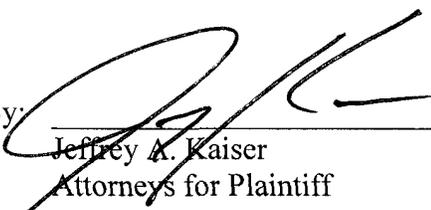
STIPULATION

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2 Plaintiffs Monty and Judith Zaragoza, and Defendant Foster Wheeler LLC, by and through their
3 respective counsel, hereby stipulate to Foster Wheeler LLC's withdrawal of its notice of removal. By
4 such stipulation, Plaintiffs and Defendant Foster Wheeler LLC respectfully request this court to
5 immediately remand this case to state court.

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7 IT SO STIPULATED:

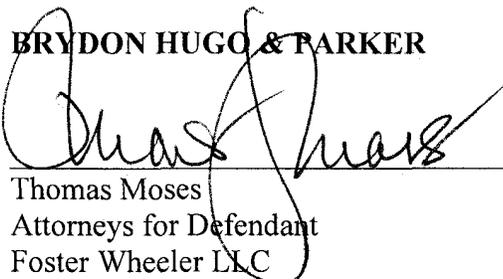
8 Dated: October 8, 2008

LEVIN SIMES KAISER & GORNICK LLP

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11 By: 
12 Jeffrey A. Kaiser
Attorneys for Plaintiff

13
14 Dated: October 8, 2007

BRYDON HUGO & PARKER

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16 By: 
17 Thomas Moses
18 Attorneys for Defendant
19 Foster Wheeler LLC
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[PROPOSED] ORDER

Good cause appearing from Foster Wheeler LLC's stipulated withdrawal of its notice of removal, this court hereby orders this case immediately remanded to state court.



Dated October __, 2008

Hon. Susan Illston

Parties are to cooperate re: prompt discovery. Oder dated 10/8/08 is vacated.

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