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9 Attorneys for Plaintiffs

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 LORETTA GOODENBOUR, individually and  
13 on Behalf of the Estate of JOHN  
14 GOODENBOUR, Decedent; GREGORY  
15 GOODENBOUR; JEFFREY GOODENBOUR  
16 AND DOES ONE through TEN, inclusive

17 Plaintiffs,

18 vs.

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

20 Defendants.

) Case No. CV 08-04028 WHA  
)  
) **STIPULATION AND PROPOSED**  
) **ORDER TO REMAND CASE TO**  
) **ALAMEDA COUNTY SUPERIOR**  
) **COURT**  
)  
) Courtroom: Courtroom 9  
) San Francisco, California  
)  
) The Honorable William H. Alsup

**STIPULATION**

1  
2 Plaintiffs Loretta Goodenbour, Gregory Goodenbour and Jeffrey Goodenbour, and Defendant Foster  
3 Wheeler LLC, by and through their respective counsel, hereby stipulate to Foster Wheeler LLC's  
4 withdrawal of its notice of removal. By such stipulation, Plaintiffs and Defendant Foster Wheeler LLC  
5 respectfully request this court to immediately remand this case to state court.

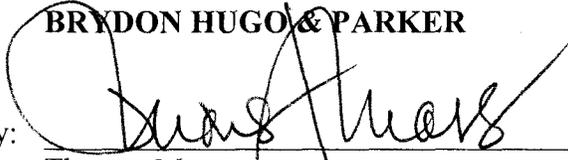
6  
7 IT SO STIPULATED:

8 Dated: October 8, 2008

**LEVIN SIMES KAISER & GORNICK LLP**

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10  
11 By:   
12 Jeffrey A. Kaiser  
Attorneys for Plaintiff

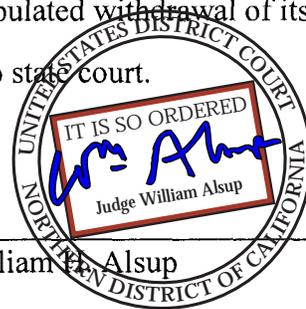
13  
14 Dated: October 8, 2007

**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 14, 2008

Hon. William Alsup