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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT MCCARTHY,)
)
Plaintiff(s),)
)
v.)
)
CHAN GON KIM dba FOSTER)
FREEZE; SOON HEE KIMLEE,)
dba FOSTER FREEZE; and DOES)
1 through 10, Inclusive,)
)
Defendant(s).)
)

CHAN GON KIM and SOON HEE)
LEE,)
Cross-Complainants,)
)
v.)
)
EUGENE & JAN SUE SETO)
FAMILY TRUST; EUGENE FUEY)
SUE, Trustee; LYNN SETO;)
BING SETO; et al.)
)
Cross-Defendants.)
_____)

No. C09-3923 BZ
**ORDER GRANTING PLAINTIFF'S
MOTION TO REMAND**

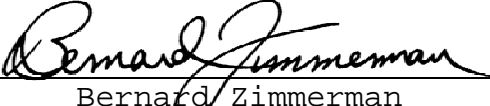
Before the court is plaintiff's motion to remand this matter back to state court.

Cross-defendants, who removed this action, filed a statement of non-opposition to this motion. Defendants have

1 filed no opposition. Good cause appearing, **IT IS THEREFORE**
2 **ORDERED** as follows:

- 3 1. The motion is **GRANTED**.
4 2. This matter is **REMANDED** to the Alameda County
5 Superior Court and the clerk is directed to transfer this
6 matter to that court for further proceedings. The hearing
7 scheduled for November 4, 2009 is **VACATED**.

8 Dated: October 21, 2009

9 
10 _____
11 Bernard Zimmerman
12 United States Magistrate Judge

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