1 2 3 4 5 6 7	Stephen C. Tedesco, Bar No. 130325 stedesco@littler.com LITTLER MENDELSON A Professional Corporation 650 California Street, 20th Floor San Francisco, CA 94108.2693 Telephone: 415.433.1940 Facsimile: 415.399.8490  Attorneys for Plaintiff MODIS, INC.	
8	UNITED STATES DISTRICT COURT	
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
10	·	
11	MODIS, INC.,	Case No. 10-CV-05332-MEJ
12	Plaintiff,	CONTRACT A THORA A NO INDODOCEDIA ODDED
13	v.	STIPULATION AND <del>[PROPOSED]</del> ORDER FOR REMAND
14	MATTHEW CHUMMERS, EMBEDDED	
15	RESOURCE GROUP, INC., and DOES 1-100, inclusive,	
16	Defendants.	
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18		
19	Plaintiff MODIS, INC. ("Plaintiff") and Defendants MATTHEW CHUMMERS and	
20	EMBEDDED RESOURCE GROUP, INC. (collectively "Defendants"), by and through their	
21	attorneys of record, hereby stipulate and agree as follows:	
22	WHEREAS Plaintiff commenced this action in the Superior Court of California in	
23	the County of San Francisco ("State Court") as Case Number CGC-10-504777 on October 21, 2010	
24	("State Court Action"); and	
25	WHEREAS Defendant Embedded Resource Group, Inc. was at the time the State	
26	Court Action was commenced and at the time of removal, incorporated in the State of California	
27	with its principal place of business in the State of California; and	
28	WHEREAS Defendant Matthew Chummers was at the time the State Court Action	
LITTLER MENDELSON A Professional Corporation 650 California Street 20th Floor San Francisco, CA 94108 2693	STIPULATION AND [PROPOSED]	Case No. 10-CV-05332-MEJ
415.433 1940	ORDER FOR REMAND	Dockets.Jus

1	was commenced and at the time of removal, a resident and citizen of the State of California; and	
2	WHEREAS Defendants removed this action to this Court on November 24, 2010 on	
3	the basis that diversity jurisdiction existed; and	
4	NOW THEREFORE,	
5	THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:	
6	1. That, the parties agree to remand this case to State Court for further	
7	proceedings; and	
8	2. That any court hearings and pending deadlines are taken off calendar in this	
9	Court.	
10		
11	Dated: December 22, 2010	
12		
13	/s/ Stephen Tedesco STEPHEN C. TEDESCO	
14	LITTLER MENDELSON A Professional Corporation	
15	Attorneys for Plaintiff MODIS, INC.	
16	Dated: December 22, 2010	
17	2 000 1 2 000 1 2 1 2 1 2 0 1 0 1 0 1 0	
18	/s/ Charles Jung CHARLES H. JUNG	
19	NASSIRI & JUNG LLP Attorneys for Defendants	
20	Attorneys for Defendants EMBEDDED RESOURCE GROUP, INC. and MATTHEW CHUMMERS	
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**ORDER** 

IT IS SO ORDERED.

January 7, 2011

Dated: <del>December \_\_\_\_\_, 2010</del>

HON. MARIA-ELEN JAMES UNITED STATES DISTRICT COURT

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