

United States District Court
For the Northern District of California

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

DEREK HARA,
Plaintiff,

No. C 11-00593 CRB

ORDER REMANDING CASE

v.

GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA,
Defendant.

The Court finds that Defendant has failed to show “that there is no possibility that the plaintiff will be able to establish a cause of action in State court against the alleged sham defendant.” Good v. Prudential Ins. Co., 5 F. Supp. 2d 804, 807 (N.D. Cal. 1998). Accordingly, this Court lacks jurisdiction, and REMANDS the case to State court. No fees and costs will be awarded.

IT IS SO ORDERED.

Dated: April 15, 2011



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE