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5 Attorneys for Defendant
 6 WELLS FARGO BANK, N.A.

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

10 PEDRO MARTINEZ-AVALOS, an
 11 individual,

12 Plaintiff,

13 vs.

14 WELLS FARGO BANK, N.A.; REGIONAL
 SERVICE CORPORATION, a California
 15 corporation; and DOES 1 through 20 Inclusive,

16 Defendants.

Case No.: 3:11-cv-06620-JES SC

**STIPULATION AND ORDER FOR
 REMAND TO ALAMEDA COUNTY
 SUPERIOR COURT**

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 18 Plaintiff Pedro Martinez-Avalos and defendants Wells Fargo Bank, N.A. (“Wells Fargo”) and Regional Service Corporation, through their respective counsel, stipulate as follows:

20 1. Wells Fargo removed this action by filing and serving a notice of removal on
 21 December 22, 2011.

22 2. On January 23, 2012, plaintiff filed his First Amended Complaint, in which he
 23 alleged that the amount is controversy was \$65,000.

24 3. Also on January 23, 2012, plaintiff filed a motion to remand the case to state court
 25 on the ground that, as amended, the complaint does not satisfy the amount in controversy
 26 requirement for diversity jurisdiction, among other reasons.

1 4. Without conceding that its removal of the action was unjustified or that diversity
2 jurisdiction is lacking, Wells Fargo consents to remand to avoid further expense with regard to
3 procedural issues not addressed to the merits of plaintiffs' claims.

4 5. Regional Service Corporation does not oppose the remand.

5 6. For these reasons, the parties agree that the case should be remanded to the
6 Superior Court of the State of California for the County of Alameda, where it was originally filed.

7 7. Wells Fargo and Regional Service Corporation shall have 30 days from the date of
8 the entry of the attached Order to respond to the First Amended Complaint.

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10 DATED: February 6, 2012

NICK PACHECO LAW GROUP

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By: /s/ Nick Pacheco
Nick Pacheco, Esq.

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Attorneys for Plaintiff
PEDRO MARTINEZ-AVALOS

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DATED: February 6, 2012

SEVERSON & WERSON
A Professional Corporation

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By: /s/ Michelle McGuinness
Michelle McGuinness

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Attorneys for Defendant
WELLS FARGO BANK, N.A.

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DATED: February 6, 2012

ROBINSON TAIT, PS

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By: /s/ Nicolas A. Daluiso
Nicolas A. Daluiso

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Attorneys for Defendant
REGIONAL SERVICE CORPORATION

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ORDER

On the basis of the foregoing stipulation, and good cause appearing,
IT IS HEREBY ORDERED that:

1. This action be, and it hereby is, remanded to the Superior Court of the State of California for the County of Alameda.

2. Each party shall bear its own costs and attorneys' fees in connection with the removal and remand of this action. No award of costs or fees is made pursuant to 28 U.S.C. § 1447(c).

DATED: 2/6/12, 2012

