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United States District Court
For the Northern District of California

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

US BANK NATIONAL ASSOCIATION,

Plaintiff,

No. C 13-04416 JSW

v.

CAROLINA G BILBAENO,

Defendant.

**ORDER ADOPTING REPORT
AND RECOMMENDATION AND
REMANDING ACTION**

_____ /

This matter comes before the Court upon consideration of the Report and Recommendation issued by Magistrate Judge Jacqueline Scott Corley , in which she recommends that the Court remand this action. The Court has considered the Report, finds it well-reasoned and thorough, and adopts it in every respect. Defendant, as the party seeking removal, bears the burden of demonstrating subject matter jurisdiction. Defendant was given an opportunity to demonstrate the existence of subject matter jurisdiction, but has failed to do so. According, the Court ADOPTS the Report and Recommendation and REMANDS this case to Superior Court of the State of California for the County of San Mateo. The Clerk shall transfer the file forthwith.

IT IS SO ORDERED.

Dated: March 25, 2014



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

US BANK NATIONAL ASSO,
Plaintiff,

Case Number: CV13-04416 JSW
CERTIFICATE OF SERVICE

v.

CAROLINA G BILBAENO et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 25, 2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Carolina G. Bilbaeno
393 Barbara Lane
Daly City, CA 94015

Dated: March 25, 2014


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk