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 11 WHIRLPOOL CORPORATION

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16 Attorneys for Defendant
 BANK OF AMERICA N.A. erroneously sued herein as
 17 DOE 1

18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**

| | | | |
|----|--|---|--------------------------------------|
| 20 | RONNE P. MATIAS, |) | CASE NO.: C 14-02646 VC |
| 21 | |) | |
| 22 | Plaintiffs, |) | STIPULATION TO REMAND CASE TO |
| 23 | vs. |) | SAN FRANCISCO SUPERIOR COURT; |
| 24 | |) | [PROPOSED] ORDER |
| 25 | WHIRLPOOL CORPORATION, a |) | |
| 26 | corporation; BANK OF AMERICA |) | Judge: Hon. Vince Chhabria |
| 27 | CORPORATION, a corporation; and DOES 1 |) | |
| 28 | to 10, |) | |
| | Defendants. |) | |

1 The parties to this action, through their respective counsel, stipulate and agree as follows:

2 1. WHEREAS Plaintiff Ronne P. Matias (“Matias”) originally filed this action on April
3 11, 2014 in the Superior Court of California, County of San Francisco, Case No. CGC-14-538664.

4 2. WHEREAS Defendant Whirlpool Corporation (“Whirlpool”) removed the case to
5 the Northern District on June 6, 2014 based on diversity jurisdiction.

6 3. WHEREAS on September 26, 2014 Whirlpool filed and served a cross-complaint
7 against non-party Horaci Villar (“Villar”), a dual citizen of California and Brazil.

8 4. WHEREAS the aforementioned cross-complaint destroys complete diversity because
9 both Matias and Villar are citizens of California.

10 STIPULATION

11 IT IS THEREFORE AGREED AND STIPULATED by the parties (through their respective
12 counsel of record) to request that the Court remand this action to the Superior Court of California,
13 County of San Francisco for all further proceedings.

14
15 Dated: September 29, 2014

ALEXANDER LAW GROUP, LLP

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By: /s/ Annie C. Wu

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RICHARD ALEXANDER

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ANNIE C. WU

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Attorneys for Plaintiff

RONNE P. MATIAS

21 Dated: September 29, 2014

BARGER & WOLEN LLP

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By: /s/ Peter J. Felsenfeld

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THOMAS R. BEER

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PETER J. FELSENFELD

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Attorneys for Defendant

WHIRLPOOL CORPORATION

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1 Dated: September 29, 2014

VOGL MEREDITH BURKE LLP

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By: /s/ E. Forrest Shryock, Jr.
E. FORREST SHRYOCK, JR.
CORIE A. EDWARDS
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BANK OF AMERICA N.A. erroneously
sued herein as DOE 1

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ORDER

Based upon the foregoing Stipulation, and good cause appearing therefore, the instant action is hereby remanded to the Superior Court of California, County of San Francisco for all further proceedings.

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: September 30, 2014



UNITED STATES DISTRICT COURT JUDGE
VINCE CHHABRIA