

1 MICHAEL A. LAURENSEN (SBN: 190023)  
 MOLLIE M. BURKS (SBN: 222112)  
 2 HIEU TRAN (SBN: 280585)  
 GORDON & REES LLP  
 3 275 Battery Street, Suite 2000  
 San Francisco, CA 94111  
 4 Telephone: (415) 986-5900  
 Facsimile: (415) 986-8054  
 5 [mLaurenson@gordonrees.com](mailto:m Laurenson@gordonrees.com)  
[mBurks@gordonrees.com](mailto:m burks@gordonrees.com)  
 6 [hTran@gordonrees.com](mailto:h tran@gordonrees.com)

7 Attorneys for Defendant  
 THE WHITESTONE GROUP, INC.

8 BRYAN SCHWARTZ (SBN: 209903)  
 9 ADETUNJI OLUDE (SBN: 264873)  
 BRYAN SCHWARTZ LAW  
 10 1330 Broadway Suite 1630  
 Oakland, CA 94612  
 11 Telephone: (510) 444-9300  
 Facsimile: (510) 444-9301  
 12 [bryan@bryanschwarzlaw.com](mailto:bryan@bryanschwarzlaw.com)  
[adetunji@bryanschwarzlaw.com](mailto:adetunji@bryanschwarzlaw.com)

13 MATTHEW HELLAND (SBN 250451)  
 14 DANIEL BROME (SBN 278915)  
 NICHOLAS KASTER LLP  
 15 One Embarcadero Center, Suite 720  
 San Francisco, CA 94111  
 16 Telephone: (877) 488-0492  
 Facsimile: (415) 277-7238  
 17 [helland@nka.com](mailto:helland@nka.com)  
[dbrome@nka.com](mailto:dbrome@nka.com)

18 Attorneys for Plaintiffs  
 19 Individually and all others similarly situated

20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA

22 GARRETT JENKINS, BUFORD BROWN,  
 23 CRUZ CASTILLO, and GERMAINE  
 VAUGHN, individually, and on behalf of all  
 24 others similarly situated,

25 Plaintiffs,

26 vs.

27 THE WHITESTONE GROUP, INC., and  
 DOES 1 through 50 inclusive,

28 Defendants.

) CASE NO. 14-CV-04920-RS  
 )  
 ) PROPOSED CLASS ACTION  
 )  
 ) [Honorable Richard Seeborg]

) **STIPULATION TO REMAND**  
 ) **REMOVED ACTION AND**  
 ) **[~~PROPOSED~~] ORDER**

1 Plaintiffs Garrett Jenkins, Buford Brown, Cruz Castillo, and Germaine Vaughn  
2 (“Plaintiffs”), and Defendant Whitestone Group, Inc. (“Defendant”), (Plaintiffs and Defendant  
3 are collectively referred to hereafter as “The Parties”) by and through their counsel, hereby  
4 stipulate as follows:

5 1. On or about September 30, 2014, Plaintiffs filed a complaint against Defendant in  
6 the Superior Court of California, County of San Francisco, entitled *Jenkins, et al. v. Whitestone*  
7 *Group, Inc.*, Case No. CGC-14-541930 (hereinafter, “The Action”).

8 2. On November 5, 2014, Defendant removed the Action to the Northern District of  
9 California, on the basis of diversity jurisdiction. Defendant also believed that the United States  
10 District Court for the Northern District of California had original jurisdiction under the Class  
11 Action Fairness Act of 2005 (“CAFA”), in that (1) the amount in controversy exceeds \$5  
12 million; (2) there is minimal diversity, where at least one plaintiff is diverse from one defendant;  
13 and (3) the monetary claims of 100 or more plaintiffs are proposed to be tried jointly on the  
14 grounds that the plaintiffs’ claim involve common questions of law of fact. (See 28 U.S.C.  
15 § 1332(d).)

16 3. On June 1, 2015, the Parties reached a stipulated settlement of all claims, which  
17 Plaintiffs submitted to the Court for preliminary approval on July 20, 2015. Defendant filed a non-  
18 opposition to Plaintiffs’ motion on July 28, 2015.

19 4. On August 17, 2015, Counsel for both Parties met and conferred regarding  
20 Defendant’s basis for removal and the pending settlement, and the Parties agree that the United  
21 States District Court for the Northern District of California does not have subject matter  
22 jurisdiction over the Action, and that the Action should be remanded to the San Francisco  
23 County Superior Court, where it was originally filed.

24 5. Therefore, the parties respectfully request that the Court remand this Action to the  
25 San Francisco County Superior Court.

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Dated: August 17, 2015

NICHOLS KASTER, LLP  
BRYAN SCHWARTZ LAW

By: /s/ Daniel Brome  
Matthew C. Helland  
Daniel S. Brome  
Bryan Schwartz  
Adetunji Olude

Attorneys for Plaintiffs  
Individually and all others similarly situated

Dated: August 17, 2015

GORDON & REES LLP

By: /s/ Hieu Tran  
Michael A. Laurenson  
Mollie M. Burks  
Hieu Tran  
Attorneys for Defendant  
THE WHITESTONE GROUP, INC.

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Parties shall comply with  
the above stipulation's provisions.

Dated: 8/18/15



UNITED STATES DISTRICT JUDGE