

1 WILLIAM G. MALCOLM #129271
 2 BRIAN S. THOMLEY #275132
 3 MALCOLM ♦ CISNEROS
 4 A Law Corporation
 5 2112 Business Center Drive
 6 Irvine, California 92612
 7 Telephone: (949) 252-9400
 8 Facsimile: (949) 252-1032

E-FILED: 12/04/2015

Attorneys for Bayview Loan Servicing, LLC and M&T Bank

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO COURTHOUSE**

10 CYNTHIA COTTER,

11 Plaintiff,

12 v.

13 JP MORGAN CHASE BANK, N.A.,
 14 BAYVIEW LOAN SERVICING, LLC,
 15 M&T Bank, NATIONSTAR MORTGAGE,
 16 LLC and DOES 1-100,

Defendants.

Case No. 3:15-cv-05204-LB

**~~PROPOSED~~ ORDER APPROVING
 STIPULATION TO REMAND CASE TO
 STATE COURT**

17
 18 Having reviewed the Stipulation to Remand Case to State Court (“Stipulation”), and
 19 good cause appearing therefore,

20 **IT IS ORDERED that:**

21 1. The Stipulation is approved, and this matter shall be remanded to Alameda
 22 Superior Court without prejudice to defendants’ right to have the matter removed to federal
 23 court again should it become removable in the future.

24 2. The motion to dismiss filed by defendant JPMorgan Chase Bank, N.A. set for
 25 January 7, 2016 shall be taken off calendar without prejudice and renewable should the matter
 26 later be removed back to federal court.

27 3. The Case Management Conference currently set for February 11, 2016 shall be
 28 vacated.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: December 10, 2015



HON. LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE