1 LEWIS BRISBOIS BISGAARD & SMITH LLP REUBEN B. JACOBSON, SB# 167972 2 Email: Reuben.Jacobson@lewisbrisbois.com ANGELE K. CICALA, SB# 178774 3 Email: Angele.Cicala@lewisbrisbois.com 333 Bush Street, Suite 1100 San Francisco, California 94104-2872 Telephone: 415.362.2580 5 Facsimile: 415.434.0882 Attorneys for Defendants SAVASENIORCARE, LLC; SAVASENIORCARE ADMINISTRATIVE SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC PITSBURG OPERATING COMPANY, LP; SSC SUBMASTER HOLDINGS,LLC;SSCOPERATINGCOMPANY,LP,dbaDIAMONDRIDGEHEALTHCARECENTER(enoneouslysued and 7 served as Diamond Ridge Healthcare Center) 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION 10 JACK GARRETT, CASE NO. 3:16-CV-01170 MEJ 11 STIPULATION AND ORDER TO REMAND Plaintiff. 12 CASE TO STATE COURT 13 VS. SAVASENIORCARE, INC.; SAVASENIORCARE, LLC; SAVASENIORCARE ADMINISTRATIVE SERVICES. LLC; SAVASENOIRCARE CONSULTING, LLC; SSC 15 PITTSBURG OPERATING COMPANY, LP; SSC SUBMASTER HOLDINGS, LLC; DIAMOND RIDGE 16 HEALTHCARE CENTER; and DOES 1-100, inclusive, 17 Defendants. 18 19 RECITALS 20 1. Plaintiff JACK GARRETT ("Plaintiff") commenced this action by filing a complaint in 21 the Superior Court of the State of California in and for the County of Contra Costa (the "State Court") 22 on or about February 2, 2016, against Defendants SAVASENIORCARE, LLC; SAVASENIORCARE 23 ADMINISTRATIVE SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC 24 PITTSBURG OPERATING COMPANY, LP; SSC SUBMASTER HOLDINGS, LLC; SSC 25 OPERATING COMPANY, LP, dba DIAMOND RIDGE HEALTHCARE CENTER (erroneously sued and served as Diamond Ridge Healthcare Center) (collectively "Defendants"), Contra Costa **26** 27 County Superior Court Case No. C-16-00160. Plaintiff's complaint alleged causes of action for: (1) 28 Elder Abuse, (2) Negligence, and (3) Violation of Patient's Rights.

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3:16-CV-01170 MEJ

1	2.	On or about Feb	oruary 16, 2016, Plaintiff served his Complaint on all Defendants.	
2	3.	On March 9, 20	16, Defendants removed this matter to this Court based on Diversity	
3	jurisdiction.			
4	4.	Defendants did r	not answer Plaintiff's Complaint in State Court. On March 17, 2016, a	
5	Stipulation and Order Extending Time to File Responsive Pleading was filed with this Court. The			
6	Order on Stipulation extended the time to file a responsive pleading until April 8. 2016. On April 7,			
7	2016, a Second Stipulation and Order Extending Time to File Responsive Pleading was filed with this			
8	Court extending the time to file a responsive pleading until April 22, 2016.			
9	5.	The parties have	further met and conferred and agree that each party will bear its own	
10	costs and fees with regard to all efforts of removal to this Court as well as remand back to the State			
11	Court.			
12	<u>STIPULATION</u>			
13	NOW, THEREFORE, Plaintiff and Defendants, by and through their attorneys of record,			
14	hereby stipulate and agree that the action shall immediately be remanded to the Superior Court for the			
15	State of California, County of Contra Costa.			
16	IT IS	SO STIPULATI	ED.	
17	DATED: Apr	il 22, 2016	STEBNER AND ASSOCIATES	
18			By: /s/ Kathryn Stebner	
19			Kathryn A. Stebner, Esq.	
			Karman Guadagni, Esq. Attorneys for Plaintiff JACK GARRETT	
20			Attorneys for Flaminii JACK GARRETT	
21	DATED: Apr	il 22, 2016	NEEDHAM KEPNER & FISH LLP	
22			By: /s/ Craig Needham	
23			Craig Needham, Esq. Kirsten Fish, Esq.	
24			Attorneys for Plaintiff JACK GARRETT	
25	///			
26	///			
27	///			
28	///			
	4812-6922-0655.1		2 3:16-CV-01170 MEJ	
	1	STIPULATIO:	N AND ORDER TO REMAND CASE TO STATE COURT	

LEWIS BRISBOIS

BISGAARD & SMITH LLP ATTORNEYS AT LAW

1	DATED: April 22, 2016	LEWIS BRISBOIS BISGAARD & SMITH LLP	
2		By: /s/ Angele K. Cicala	
3		Angele K. Cicala	
4		Attorneys for Defendants SAVASENIORCARE,LLC;SAVASENIORCAREADMINISTRATIVE	
		SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC	
5		PITSBURG OPERATING COMPANY, LP, SSC SUBMASTER HOLDINGS, LLC; SSC OPERATING COMPANY, LP, dba DIAMOND	
6		RIDGEHEALTHCARECENTER (enoneously sued and served as Diamond	
7		Ridge Healthcare Center)	
8			
9	I hereby attest that I have on file all holographic signatures corresponding to any		
10	signatures indicated by a conformed signature (/s/) within this e-filed document.		
11	DATED: April 22, 2016	LEWIS BRISBOIS BISGAARD & SMITH LLP	
12		By: /s/ Angele K. Cicala	
13		Angele K. Cicala Attorneys for Defendants	
14		SAVASENIORCARE,LLC;SAVASENIORCAREADMINISTRATIVE	
		SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC	
15		PITSBURG OPERATING COMPANY, LP, SSC SUBMASTER HOLDINGS, LLC; SSC OPERATING COMPANY, LP, dba DIAMOND	
16		RIDGEHEALTHCARECENTER (enoneously sued and served as Diamond	
17		Ridge Healthcare Center)	
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LEWIS BRISBOIS BISGAARD & SMITH LLP ATTORNEYS AT LAW

4812-6922-0655.1

3:16-CV-01170 MEJ 3
STIPULATION AND ORDER TO REMAND CASE TO STATE COURT

ORDER

This Court having reviewed the foregoing and good cause appearing therein, orders this case to be remanded to State Court.

IT IS SO ORDERED.

DATED: April 22, 2016



MAGISTRATEJUDGE OF THE UNITED STATES DISTRICT COURT

4812-6922-0655.1

3:16-CV-01170 MEJ