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*Attorneys for Plaintiff*  
*Maria Ramos*

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

MARIA RAMOS, on behalf of herself and all  
 others similarly situated,

Plaintiff,

v.

AM Retail Group, Inc., a Delaware  
 Corporation; and DOES 1-100, inclusive,

Defendant.

CASE NO. 3:16-cv-04316-MEJ

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO TRANSFER VENUE OF  
 ACTION TO EASTERN DISTRICT OF  
 CALIFORNIA**

1 THE PARTIES, by and through their respective counsel of record, herein stipulate as  
2 follows:

3 WHEREAS, on June 1, 2016, Plaintiff Maria Ramos (“Plaintiff”) filed her Complaint for  
4 alleged violations of California’s Unfair Competition Law (Bus. & Prof. Code § 17200 *et seq.*),  
5 False Advertising Law (Bus. & Prof. Code § 17500 *et seq.*), and Consumer Legal Remedies Act  
6 (Civ. Code § 1750 *et seq.*) with the Superior Court for the State of California County of San  
7 Francisco against Defendant AM Retail Group, Inc. (“Defendant”);

8 WHEREAS, there is no connection between the allegations giving rise to Plaintiff’s causes  
9 of action and the Northern District of California;

10 WHEREAS, Defendant currently is, and at the time this action was commenced, was a  
11 Delaware corporation with its principal place of business in Minnesota;

12 WHEREAS, Plaintiff currently is, and at the time this action was commenced, was a  
13 resident of El Dorado County, within the Eastern District of California;

14 WHEREAS, the alleged conduct forming the basis of Plaintiff’s action and her alleged  
15 injuries all occurred solely in Folsom, California, County of Sacramento, within the Eastern  
16 District of California;

17 WHEREAS, all of the potential witnesses in this action live in the Eastern District of  
18 California;

19 WHEREAS, the parties to this action, by and through their attorneys, hereby stipulate and  
20 that the Eastern District of California is the appropriate venue for this action;

21 WHEREAS, the parties attempted to effectuate a transfer through the state court system by  
22 filing a stipulation to transfer this case from the San Francisco Superior Court to the Sacramento  
23 Superior Court. Although the San Francisco Superior Court issued an order on July 25, 2016  
24 transferring this case (*see Attachment A*), the Sacramento Superior Court had not processed the  
25 transfer or given this matter a case number prior to AMRG’s July 29, 2016 removal deadline.  
26 Accordingly, the Parties agreed that Defendant’s counsel removed the case to this Court so as not  
27 to waive its right to remove, and that the Parties would thereafter file this instant Stipulation to  
28 move this matter to the appropriate venue in the Eastern District of California;

1           THEREFORE, the Parties agree and stipulate to transfer this action from the United States  
2 District Court for the Northern District of California to the United States District Court for the  
3 Eastern District of California, pursuant to 28 U.S.C. § 1406(a);

4           FURTHER, given that Plaintiff plans to file an amended complaint, the Parties further  
5 stipulate that Defendant shall have 35 days after the date the action is docketed and assigned to a  
6 judge in the Eastern District of California to file a responsive pleading to Plaintiff's complaint.

7           **IT IS SO STIPULATED.**

8  
9 DATED: August 2, 2016                                 SEDGWICK LLP

10   By:           /s/ Stephanie A. Sheridan            
11   Stephanie A. Sheridan  
12   Attorneys for Defendant  
13   AM RETAIL GROUP, INC.

14 DATED: August 2, 2016                                 STONEBARGER LAW

15   By:           /s/ Richard D. Lambert            
16   Richard D. Lambert  
17   Attorneys for Plaintiff  
18   MARIA RAMOS

18           **Local Rule 5-1 Attestation**

19           I attest that that Plaintiff's counsel Richard Lambert concurs in this filing's content and has  
20 authorized the filing.

21 DATED: August 2, 2016                                 SEDGWICK LLP

22  
23   By:           /s/ Stephanie A. Sheridan            
24   Stephanie A. Sheridan  
25   Attorneys for Defendant  
26   AM RETAIL GROUP, INC.

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~~PROPOSED~~ ORDER

**PURSUANT TO STIPULATION, IT IS SO ORDERED:** This action is hereby transferred to the United States District Court for the Eastern District of California.

**IT IS FURTHER ORDERED THAT** Defendant shall have 35 days after the date the action is docketed and assigned to a judge in the Eastern District of California to file a responsive pleading to Plaintiff's complaint.

**IT IS SO ORDERED.**

Dated: August 3, 2016



HONORABLE MARIA-ELENA JAMES  
United States Magistrate Judge

# **EXHIBIT A**



**FILED**  
San Francisco County Superior Court

JUL 25 2016

CLERK OF THE COURT  
BY: [Signature] Deputy Clerk

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18 *Attorneys for Plaintiff*  
*Maria Ramos*

19  
20 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
21 **COUNTY OF SAN FRANCISCO**

22 MARIA RAMOS, on behalf of herself and all  
others similarly situated,

23 Plaintiff,

24 v.

25 AM Retail Group, Inc., a Delaware  
Corporation; and DOES 1-100, inclusive,

26 Defendant.  
27  
28

Case No. CGC 16-552324

**[PROPOSED]**  
**ORDER ON JOINT STIPULATION TO**  
**TRANSFER VENUE OF CASE FROM**  
**SAN FRANCISCO COUNTY TO**  
**SACRAMENTO COUNTY**

83583936v1

1 THE PARTIES, by and through their respective counsel of record, herein stipulate as  
2 follows:

3 WHEREAS, on June 1, 2016, Plaintiff Maria Ramos ("Plaintiff") filed her Complaint for  
4 alleged violations of California's Unfair Competition Law (Bus. & Prof. Code § 17200 *et seq.*),  
5 False Advertising Law (Bus. & Prof. Code § 17500 *et seq.*), and Consumer Legal Remedies Act  
6 (Civ. Code § 1750 *et seq.*) with the Superior Court for the State of California County of San  
7 Francisco against Defendant AM Retail Group, Inc. ("Defendant");

8 WHEREAS, neither party resides in the county where this Court is located, and Defendant  
9 does not own any store locations within this County;

10 WHEREAS, Defendant's principal place of business currently is, and at the time this  
11 action was commenced, was a Delaware corporation with its principal place of business in  
12 Minnesota;

13 WHEREAS, Plaintiff currently is, and at the time this action was commenced, was a  
14 resident of El Dorado County, California;

15 WHEREAS, the alleged conduct forming the basis of Plaintiff's action and her alleged  
16 injuries all occurred solely in Folsom, California, County of Sacramento;

17 WHEREAS, all of the potential witnesses in this action live in or near Sacramento County,  
18 or alternatively, near Defendant's corporate offices in Minnesota; no potential witnesses live in  
19 this County;

20 WHEREAS, there is no connection between the allegations giving rise to Plaintiff's causes  
21 of action and the County of San Francisco;

22 WHEREAS, the parties hereby stipulate that, pursuant to Code of Civil  
23 Procedure section 395(a), California Superior Court for the County of Sacramento is the  
24 appropriate venue for this action;

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1            THEREFORE, the parties agree and stipulate to transfer this action from the Superior  
2 Court for the County of San Francisco to the Superior Court for the County of Sacramento.


3  
4 DATED: July 25, 2016

SEDGWICK LLP

5  
6 By:   
7            Stephanie A. Sheridan  
8            Attorneys for Defendant  
9            AM Retail Group, Inc.

10 DATED: July 25, 2016

STONEBARGER LAW

11 By:   
12            Richard D. Lambert  
13            Attorneys for Plaintiff  
14            Maria Ramos

15            **[PROPOSED] ORDER**

16            The Court, having reviewed the Stipulation, and good cause appearing, hereby orders that:

- 17            1. The matter of *Maria Ramos v. AM Retail Group, Inc.*, San Francisco County Superior  
18            Court Case No. CGC-16-552324 be transferred to the California Superior Court for the  
19            County of Sacramento.  
20            2. The court clerk transmit a certified copy of this Order and all the pleadings and papers  
21            filed in this action to the clerk of the California Superior Court for the County of  
22            Sacramento.

23            **IT IS SO ORDERED.**

24 Dated: 25 July 2016



25            HON. CURTIS KARNOW  
26            Judge of the Superior Court