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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GARY DAMIANA,  
Plaintiff,  
v.  
CORDIS CORPORATION,  
Defendant.

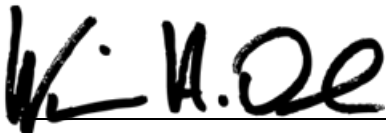
Case No. [16-cv-06742-WHO](#)

**ORDER REMANDING CASE TO  
SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ALAMEDA**

Plaintiff Gary Damiana has moved to remand this case for lack of subject-matter jurisdiction for the same reasons set forth in Judge Edward Chen’s order remanding fourteen similar cases. *See* Motion to Remand (Dkt. No. 24). Judge Chen’s order was recently affirmed by the Ninth Circuit in *Dunson v. Cordis Corp.*, 854 F.3d 551 (9th Cir. 2017). Cordis Corporation acknowledges that the Ninth Circuit’s order in *Dunson* currently controls this issue and does not dispute that remand is appropriate, though it notes that it is continuing to evaluate a further appeal and reserves the right to remove this and similar cases in the future if appropriate. Response to Motion to Remand at 3 (Dkt. No. 25). Accordingly, this action is REMANDED to the Superior Court of California, County of Alameda.

**IT IS SO ORDERED.**

Dated: July 10, 2017



William H. Orrick  
United States District Judge