

1 Steven R. Jacobsen, Esq. (SBN 95246)  
 2 LAW OFFICES OF STEVEN R.  
 3 JACOBSEN  
 4 825 Washington Street, Suite 300  
 5 Oakland, CA 94607-4079  
 6 Telephone: (510) 465-1500  
 7 Email: srj@theaccidentallawyer.com

8 Attorney for Plaintiff  
 9 MARIA FLORES

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12 MARIA FLORES,  
 13 Plaintiff,  
 14 vs.  
 15 DOLLAR TREE STORES, INC., et al.,  
 16 Defendants.

17 Case No.: 17-cv-01090-SI  
 18 STIPULATED AGREEMENT TO  
 19 FILING AMENDED COMPLAINT  
 20 AND REMANDING TO STATE  
 21 COURT;  
 22 ~~PROPOSED~~ ORDER

23 Plaintiff Maria Flores (“Plaintiff”) and Defendant Dollar Tree Stores, Inc.,  
 24 (“Defendant”) by and through their respective counsel, hereby agree and stipulate  
 25 as follows:

26 WHEREAS this action was originally filed in the Superior Court of the State  
 27 of California, County of Alameda.

28 WHEREAS Defendant removed the state court action to federal court on the  
 basis of diversity jurisdiction (dkt 1).

WHEREAS Plaintiff has filed a motion to amend the complaint herein to  
 name Brenda Fowler, whom the parties are informed and believe is a resident of  
 the State of California, as a defendant (which will destroy complete diversity), and  
 to remand this action to the Superior Court of Alameda County (dkt 19).

WHEREAS Defendant has elected not oppose Plaintiff’s proposed

1 amendment, acknowledges that the proposed amendment will destroy complete  
2 diversity, and acknowledges that remand to the Superior Court of Alameda County  
3 is therefore proper.

4 THEREFORE, Plaintiff and Defendant stipulate to entry of an order as  
5 follows:

6 1. Plaintiff shall be granted leave to file the proposed Amended  
7 Complaint naming defendant Brenda Fowler in this action; and

8 2. Upon the filing of the Amended Complaint, this action shall be  
9 remanded to the Superior Court of the State of California, County of Alameda.

10 IT IS SO STIPULATED

11 DATED: June 20, 2017.

12 By: /s/ Steven R. Jacobsen  
13 Steven R. Jacobsen  
14 Attorney for Plaintiff  
15 MARIA FLORES

16 DATED: June 20, 2017.

17 By: /s/ Roger W. Backlar  
18 Roger W. Backlar  
19 Attorney for Defendant  
20 DOLLAR TREE STORES, INC.

21 I, Steven R. Jacobsen, the filer of this document, attest that all other  
22 signatories listed, and on whose behalf the filing is submitted, concur in the filing's  
23 content and have authorized the filing.

24 DATED: June 20, 2017.

25 By: /s/ Steven R. Jacobsen  
26 Steven R. Jacobsen  
27 Attorney for Plaintiff  
28 MARIA FLORES

//

//


1 **ORDER**

2 Upon the parties' stipulation, and for good cause, IT IS HEREBY  
3 ORDERED that:

4 1. Plaintiff is granted leave to file the proposed Amended Complaint  
5 naming defendant Brenda Fowler in this action; and

6 2. Upon the filing of the Amended Complaint, this action shall be  
7 remanded to the Superior Court of the State of California, County of Alameda.

8 **IT IS SO ORDERED.**

9  
10 Dated: 6/20/17. By:   
11 SUSAN ILLSTON  
United States District Judge

12 Proposed Amended Complaint is ordered filed. Action remanded to Alameda Superior  
13 Court.  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28