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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRIAN H., et al.,
Plaintiffs,
v.
BLUE SHIELD OF CALIFORNIA,
Defendant.

Case No. [17-cv-03095-MMC](#)

**ORDER DENYING PLAINTIFFS'
MOTION TO REMAND; GRANTING
DEFENDANT'S MOTION TO DISMISS;
DISMISSING COMPLAINT WITH
LEAVE TO AMEND**

Re: Dkt. Nos. 11, 16

Before the Court are the following two motions: (1) plaintiffs Brian H. and Alex H.'s motion to remand, filed June 29, 2017, and (2) California Physicians' Service d/b/a Blue Shield of California's ("California Physicians") motion to dismiss, filed June 6, 2017. The matters came on regularly for hearing on August 11, 2017, and October 27, 2017. Katie Joy Spielman and David M. Lilienstein of DL Law Group appeared on behalf of plaintiffs. Joseph E. Laska and Ketakee R. Kane appeared on behalf of defendant.

Having considered the parties' respective written submissions and the arguments of counsel at the hearing, the Court, for the reasons stated on the record at the hearing, hereby DENIES plaintiffs' motion to remand, GRANTS California Physicians' motion to dismiss, and DISMISSES plaintiffs' Complaint with leave to amend. Plaintiffs' First Amended Complaint shall be filed no later than November 13, 2017.

IT IS SO ORDERED.

Dated: October 30, 2017


MAXINE M. CHESNEY
United States District Judge