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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT – OAKLAND DIVISION

10 CAROLYN BLANCHARD,) Case No.: C 08-04307 SBA
11 Plaintiff,)
) ORDER FOR REMAND
12 v.)
13 PIER 1 IMPORTS (U.S.), INC., RICHARD) Date of Hearing: November 18, 2008
ALLEN CLAPHAM,) Time of Hearing: 1:00 p.m.
14 AND DOES 1 through 100,) Courtroom No. 3, 3 rd Floor, 1301 Clay St.,
15 Defendants.) Oakland, CA 94612-5212
)
)
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)

18 **TO ALL PARTIES AND THEIR ATTORNEY’S OF RECORD:**

19 Pursuant to Title 28 USC §1447(c), and based on the documents and arguments presented
 20 before this Court, the District Court is without jurisdiction in this matter as there is no diversity
 21 jurisdiction where defendant CLAPHAM, a necessary party, and plaintiff are citizens of California.
 22 Furthermore, there is no federal question upon which this Court may retain jurisdiction.

23 No attorney fees or costs will be awarded to plaintiff.

24 This action is hereby immediately remanded to the Superior Court of California in Sonoma
 25 County where it was originally filed. The Motion to Dismiss and all other hearings currently set with
 26 this Court are vacated.

27 IT IS SO ORDERED.

28 Dated: 12/11/08


 Honorable Judge Armstrong