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9 Attorneys for Plaintiff

10
 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 TOM R. KARL, M.D.,

No. C-09-00640 SBA

15 Plaintiff,

STIPULATION TO REMAND CASE
TO STATE COURT & ORDER

16 v.

17 REGENTS OF UNIVERSITY OF
 18 CALIFORNIA, and NANCY ASCHER, M.D., in
 their individual and official capacities, and
 19 DOES, I through XX, inclusive,

20 Defendants.

21 _____ /
 22 WHEREAS, plaintiff filed suit in the Superior Court of the State of California on
 23 October 31, 2008, and

24 WHEREAS, the Regents of the University of California accepted service of the
 25 Summons and Complaint on December 23, 2008, and

26 WHEREAS, Nancy Ascher, MD, accepted service of the Summons and Complaint on
 27 January 5, 2009, but was also served with the Summons and Complaint on January 14, 2009,
 28 and

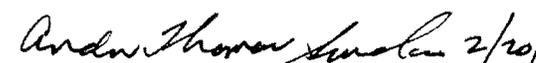
1 WHEREAS, counsel for defendants represents that he was not aware that campus
2 counsel Marcia Canning had accepted service on behalf of Dr. Ascher on January 5, 2009,
3 when defendants removed the case to federal court on February 12, 2009, and

4 WHEREAS, the parties have met and conferred and agree that the case was not
5 removed "within thirty days after the receipt by the defendant, through service or otherwise,
6 of a copy of the initial pleading setting forth the claim for relief upon which such action or
7 proceeding is based," as required by 28 U.S.C. § 1446(b), and

8 WHEREAS, the parties wish to avoid a motion to remand the matter to state court,

9 IT IS STIPULATED that this matter may be remanded to the Superior Court of the
10 State of California.

11
12
13
14  2/20/09
15 Michael A. Laurenson Date
16 Gordon & Rees LLP
17 Attorney for Defendants

 2/20/09
18 Andrew Thomas Sinclair Date
19 Sinclair Law Office
20 Attorney for Plaintiff

21 O R D E R

22 Pursuant to the above stipulation of counsel,
23 IT IS ORDERED that this matter is remanded to the Superior Court of the State of
24 California for the City and County of San Francisco.

25 DATED: 2/23/09

26 
27 Saundra Brown Armstrong
28 United States District Judge