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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BALDINI REAL ESTATE, INC.,  
Plaintiff,  
v.  
FLORO LORENZO CRUZ, et al.,  
Defendants.

Case No. [15-cv-04231-JCS](#)  
(also filed in Case No. 15-cv-2932-YGR)

**ORDER OF SUA SPONTE REFERRAL  
AS TO WHETHER CASES ARE  
RELATED**

Civil Local Rule 3-12(c) provides that “[w]henver a Judge believes that a case pending before that Judge is related to another case, the Judge may refer the case to the Judge assigned to the lowest-numbered case with a request that the Judge assigned to the lowest-numbered case consider whether the cases are related.”

This unlawful detainer action was removed from California Superior Court for the County of San Mateo, where it bore the case number CLJ211119. This is the second time that Defendant Floro Lorenzo Cruz has removed San Mateo County Superior Court case number CLJ211119 to this Court. The previous removal, this Court’s case number 15-cv-2932, was assigned to the Honorable Yvonne Gonzalez Rogers. The Court remanded the case to the San Mateo County Superior Court on August 12, 2015, and Cruz filed his second notice of removal—the present case, this Court’s number 15-cv-4231—on September 17, 2015.

Because both removals arise from the same state court action, and because Cruz’s two notices of removal present similar arguments, this action is REFERRED to Judge Gonzalez Rogers pursuant to Rule 3-12(c) for a determination of whether this action is related to *Baldini Real Estate Inc. v. Cruz*, No. 15-cv-2932-YGR (N.D. Cal.). Any party may file a response,

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opposition, or statement in support of relating the cases **no later than October 20, 2015.**<sup>1</sup>

**IT IS SO ORDERED.**

Dated: October 16, 2015

  
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JOSEPH C. SPERO  
Chief Magistrate Judge

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<sup>1</sup> The undersigned has also issued a Report and Recommendation in this case, recommending that the case once again be remanded, that Cruz be required to pay Baldini’s attorneys’ fees, and that an order be entered requiring pre-filing review of any further removal. If Judge Gonzalez Rogers determines that the cases are not related, this case will be reassigned to a randomly selected United States district judge for further proceedings, including action on those recommendations.