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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 **ADRIAN TURNER**; individually, and
15 on behalf of other members of the
general public similarly situated;

16 Plaintiff,

17 vs.

18 **CORINTHIAN INTERNATIONAL**
19 **PARKING SERVICES, INC.**, an
unknown business entity; and **DOES 1**
20 through 100, inclusive,

21 Defendants.

Case No.: 4:15-cv-03495-SBA

Honorable Sandra Brown Armstrong

**STIPULATION TO REMAND
CASE TO THE SUPERIOR COURT
FOR THE COUNTY OF
ALAMEDA AND ~~[PROPOSED]~~
ORDER**

Complaint Filed: June 11, 2015

1 **IT IS HEREBY STIPULATED** by and between Plaintiff Adrian Turner
2 (“Plaintiff”), by and through his counsel of record, and Defendant Corinthian
3 International Parking Services, Inc. (“Defendant”), by and through its counsel of
4 record, as follows:

5 **WHEREAS**, on June 11, 2015, Plaintiff individually, and on behalf of other
6 members of the public similarly situated, filed a wage and hour class action lawsuit
7 in the Superior Court of California, County of Alameda against Defendant, in
8 which he sought to certify a class of all current and former hourly-paid or non-
9 exempt California-based employees who were employed by Defendant within the
10 State of California at any time during the period from June 11, 2011 to final
11 judgment;

12 **WHEREAS**, on or about July 24, 2015 Plaintiff and Defendant entered into
13 a Stipulation to transfer action from Alameda County to Santa Clara County
14 Superior Court. The Stipulation and Proposed Order was filed with the Alameda
15 Superior Court on July 24, 2015. The Order was signed by the Alameda Superior
16 Court on July 29, 2015.

17 **WHEREAS**, on July 29, 2015, Defendant removed this action from the
18 Alameda County Superior Court to the United States District Court for the
19 Northern District of California based on the assumption that the proposed class
20 included individuals that were not citizens of California, and as a result, the
21 minimal diversity requirement of the Class Action Fairness Act of 2005 was
22 satisfied;

23 **WHEREAS**, on August 14, 2015, Plaintiff filed a motion to remand in
24 which he argued that the proposed class is limited to citizens of California, and as a
25 result, the minimal diversity requirement of CAFA was not satisfied;

26 **WHEREAS**, on December 3, 2015, the Court denied Plaintiff’s motion to
27 remand without prejudice, and granted Plaintiff leave to amend his complaint for
28 the express purpose of clarifying the putative class definition;

1 **WHEREAS**, on December 15, 2015, Plaintiff filed his First Amended Class
2 Action Complaint for Damages, in which he defined the proposed class as all
3 current and former hourly-paid or non-exempt individuals who were employed by
4 Defendants within the State of California at any time during the period from June
5 11, 2011 to final judgment and who currently reside in California;

6 **IT IS HEREBY STIPULATED** between the parties, by and through their
7 respective attorneys of record, subject to an order of the Court, that this action be
8 remanded to the Superior Court for the County of Alameda, then immediately
9 transferred to Superior Court for the County of Santa Clara in accordance with the
10 Order dated July 29, 2015.

11 Dated: January 4, 2016

LAWYERS for JUSTICE, PC

12
13 By: /s/ Jill J. Parker

Jill J. Parker

Attorneys for Plaintiff Adrian Turner

14
15 Dated: January 4, 2016

BERLINER COHEN, LLP

16
17 By: /s/ Susan E. Bishop

Susan E. Bishop

*Attorneys for Defendant International
Parking Services, Inc.*

18
19
20
21 **[PROPOSED] ORDER**

22 Pursuant to the parties' stipulation and good cause appearing:

23 **IT IS HEREBY ORDERED** that this action is remanded to the Superior
24 Court for the County of Alameda, then the Superior Court of Santa Clara.

25 **IT IS SO ORDERED.**

26
27 Dated: 1/6/2016



Hon. Sandra Brown Armstrong
Judge of the U.S. District Court