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2 \*\*E-Filed 8/23/2010\*\*  
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9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN JOSE DIVISION**

12 VALENTIN RUIZ, JOSE RUIZ,  
13  
14 Plaintiffs,

15 v.

16 JULIO CABRERA, BEATRIZ A. MONTOYA  
17 CABRERA, PHILLIP J. DAUNT, ATTORNEY,  
18 and DOES 1-50,

19 Defendants.

Case Number C 10-3358 JF (HRL)

ORDER<sup>1</sup> ADOPTING REPORT AND  
RECOMMENDATION TO REMAND

[re: docket no. 3]

20 On August 3, 2010, Magistrate Judge Howard R. Lloyd filed a Report and  
21 Recommendation that this Court summarily remand the instant action to the Monterey Superior  
22 Court. No objections have been filed. The Court has reviewed Judge Lloyd's recommendation  
23 as well as the record in this case in conformity with 28 U.S.C. § 636(b)(1), Federal Rule of Civil  
24 Procedure 72(b), and Civil Local Rule 72-3. The Court concurs with and adopts in its entirety  
25 the Report and Recommendation of Judge Lloyd. The action is hereby remanded. The Clerk  
26 shall transmit the file to the Monterey Superior Court.

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28 <sup>1</sup> This disposition is not designated for publication in the official reports.

1 IT IS SO ORDERED.

2 DATED: 8/23/2010

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4 JEREMY FOGEL  
5 United States District Judge

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Copies of Order served on:  
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