

1 3. Whereas the jurisdictional basis for removal of this action to federal court was the
2 federal questions presented in claims that were dismissed from Plaintiffs' complaint; and

3 4. Whereas the counterclaim asserted by the City of Soledad states no federal
4 claims; and

5 5. Whereas no federal claim remains in the entire action, the parties' remaining
6 claims, all arising under state law, are best adjudicated by a state court; and

7 6. Whereas remand will unburden the District Court of this litigation and allow the
8 action to proceed more efficiently and cost effectively in the Monterey County Superior Court;
9 and

10 7. Whereas remand will give the parties another opportunity to attempt to resolve the
11 case without a trial;

12 8. The parties agree and hereby request that the Court decline to exercise continuing
13 supplemental jurisdiction over the parties' remaining claims and remand the action to the
14 Monterey County Superior Court, and the parties hereby move the Court for an order to that
15 effect.

16 IT IS SO STIPULATED.

17 Dated: December 3, 2013

LAW OFFICES OF VINCENT P. HURLEY
A Professional Corporation

19 By: /s/ Amanda Cohen
20 AMANDA COHEN
Attorneys for Defendant CITY OF SOLEDAD

21 Dated: December 16, 2013

22 JOHNSON, MONCRIEF & HART, PC
23 By: 
24 DAVID BALCH
Attorneys for Plaintiffs HMBY, LP and NADER T.
25 AGHA

26 **ORDER**

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Pursuant to stipulation of the parties, and good cause appearing, IT IS ORDERED that this Court declines to exercise continuing supplemental jurisdiction over the remaining claims and hereby remands the entire action to the Superior Court of Monterey County, State of California.

Dated: 12/20/13



United States Magistrate Judge
Howard R. Lloyd