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3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 SAN JOSE DIVISION

6 BARBARA THOMEN, et. al.,

CASE NO. 5:13-cv-05762 EJD

7 Plaintiff(s),

**ORDER DENYING DEFENDANTS'
MOTION TO VACATE**

8 v.

9 MARCO BREW, et. al.,

[Docket Item No(s). 17]

10 Defendant(s).
11 _____/

12 As review of the order remanding this action to the superior court is barred by 28 U.S.C. §
13 1447(d), Defendants' Motion to Vacate (Docket Item No. 17) is DENIED. Seedman v. C.D. Cal.,
14 837 F.2d 413, 414 (9th Cir. 1988) (explaining that the § 1447(d) review bar "has been universally
15 construed to preclude not only appellate review but also reconsideration by the district court.").

16 In addition, Defendants' request for random reassignment to a district judge is DENIED as
17 this court can take no further action in this matter. See id. ("Once a district court certifies a remand
18 order to state court it is divested of jurisdiction and can take no further action on the case.").¹

19 No further motions of this type will be considered and should not be filed.
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21 **IT IS SO ORDERED.**

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23 Dated: January 3, 2014

24 
EDWARD J. DAVILA
United States District Judge

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26 _____
27 ¹ Such relief would be unnecessary in any event because the undersigned district judge issued
28 the remand order after this case was randomly reassigned from the magistrate judge. See Docket
Item No. 11.