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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL PARADISE,
Plaintiff,
v.
FAY SERVICING, LLC, et al.,
Defendants.

Case No. [16-cv-04049 NC](#)

**ORDER TO SHOW CAUSE THAT
ALL DEFENDANTS CONSENT TO
REMOVAL**

Re: Dkt. No. 1

In this wrongful foreclosure action, plaintiff Michael Paradise has named Fay Servicing, LLC, U.S. Bank, N.A., Flagstar Bank, FSB, and Does 1 through 50 as defendants. Dkt. No. 1-2 at 5. Paradise brought suit in California court, and defendant Flagstar removed the action to federal court. Dkt. No. 1 at 1.

However, 28 U.S.C. § 1446(b)(2)(A) requires that when a civil action is removed, “all defendants who have been properly joined and served must join in or consent to the removal of the action.” Here, Flagstar removed the case alone, and its attached declaration does not indicate whether all properly joined and served defendants consent to removal.

All defendants who have been properly served must respond to this order with a declaration stating that they either consent to or oppose Flagstar’s removal from state court, or the case will be remanded. They must do so by August 1, 2016.

IT IS SO ORDERED.

Dated: July 26, 2016


NATHANAEL M. COUSINS
United States Magistrate Judge