

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4
5 JAWDAT LAHLOUH, et al.,
6 Plaintiffs,
7 v.
8 DITECH FINANCIAL, LLC, et al.,
9 Defendants.

Case No. 18-cv-02881-BLF

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF
MAGISTRATE JUDGE; AND
REMANDING CASE TO SANTA
CLARA COUNTY SUPERIOR COURT**


[Re: ECF 19]

10
11 Defendant Ditech Financial, LLC removed this case from the Santa Clara County Superior
12 Court on the basis of diversity of citizenship. Notice of Removal, ECF 3. Plaintiffs immediately
13 filed a motion for remand on the ground that there is not complete diversity of citizenship between
14 Plaintiffs and Defendants, and they requested sanctions for improper removal. Motion for
15 Remand, ECF 7. In response, Defendant Ditech conceded that removal was improper but it
16 asserted that sanctions would be inappropriate. Response, ECF 11. Plaintiffs thereafter filed a
17 reply withdrawing their request for sanctions. Reply, ECF 12.

18 On June 21, 2018, Magistrate Judge Virginia K. DeMarchi issued an Order directing that
19 the case be reassigned to a district judge and a Report and Recommendation (“R&R”) that the case
20 be remanded to the Santa Clara County Superior Court. R&R, ECF 19. No party filed an
21 objection to the R&R and the time to object has expired. *See* Fed. R. Civ. P. 72(b)(2) (deadline to
22 object is 14 days after service of R&R). The Court finds Judge DeMarchi’s R&R to be well-
23 reasoned and correct in every respect, and ADOPTS the R&R in its entirety.

24 Accordingly, IT IS HEREBY ORDERED that the case be REMANDED to the Santa Clara
25 County Superior Court.

26 Dated: July 11, 2018

27 
28 BETH LABSON FREEMAN
United States District Judge