UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JOANNA FOLEY BLUCHER, et al.,

Plaintiffs,

v.

JAMES PICCOLO, et al.,

Defendants.

CASE NO. 10-CV-1638 W (BLM)

ORDER GRANTING PLAINTIFFS' MOTION TO REMAND CASE TO STATE COURT PURSUANT TO 28 U.S.C. § 1447 [DOC. 8]

On May 14, 2010, Plaintiffs filed their complaint in California Superior Court for damages resulting from the sale of securities in violation of California Corporations Code § 25501.5 and rescission. On August 5, 2010, Defendants removed this case to this Court based upon diversity jurisdiction. (Doc. 1.)

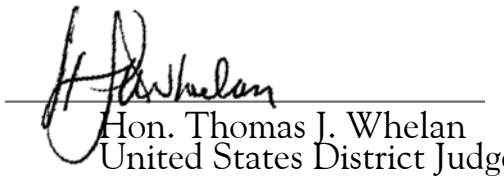
Now pending before the Court is Plaintiffs' motion to remand this case to San Diego Superior Court. (Doc. 8.) Plaintiffs argue that removal was untimely, that Defendants failed to obtain consent of all defendants for removal, and that the Court should award attorney's fees and costs. In response to Plaintiffs' motion, Defendants filed a notice of non-opposition. (Doc. 10.)

In light of Defendants' non-opposition to Plaintiffs' motion, and having read the moving papers and good cause appearing, the Court **GRANTS** the motion. (Doc. 8.)

This case is hereby **REMANDED** to San Diego County Superior Court pursuant to 28 U.S.C. § 1447. Further, Plaintiffs' request for attorney's fees and costs is supported by an itemized statement and as such the Court **AWARDS** Plaintiffs' attorney's fees and costs in the amount of $1650.00.

IT IS SO ORDERED.

DATED: October 5, 2010



Hon. Thomas J. Whelan
United States District Judge