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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

CARI OLSON,

Plaintiff,

vs.

GMAC MORTGAGE, LLC and DOES 1
through 10, Inclusive,

Defendant.

CASE NO. 11 CV 1326 MMA (WMC)

**ORDER GRANTING JOINT MOTION
TO REMAND**

[Doc. No. 11]

**DENYING DEFENDANT’S MOTION
TO DISMISS AS MOOT;**

[Doc. No. 5]

**DENYING PLAINTIFF’S MOTION
FOR LEAVE TO FILE A SECOND
AMENDED COMPLAINT AS MOOT;**

[Doc. No. 8]

**DENYING PLAINTIFF’S MOTION TO
REMAND AS MOOT**

[Doc. No. 9]

Defendant GMAC Mortgage, LLC removed this matter from the Superior Court of the State of California, County of San Diego and promptly thereafter filed a Motion to Dismiss Plaintiff Cari Olson’s complaint for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). [Doc. No. 5]. In response, Plaintiff filed a motion for leave to file a second amended complaint and a motion to remand to state court. [Doc. Nos. 8, 9.] On July 21, 2011, while the three

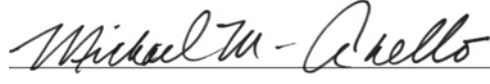
1 aforementioned motions were pending, the parties filed a Joint Motion to remand this matter to state
2 court.

3 Upon due consideration, and good cause appearing, the Court **GRANTS** the parties' Joint
4 Motion and **REMANDS** this case to the Superior Court of the State of California, County of San
5 Diego (case number 37-2009-00060848-CU-OR-NC). Each party shall bear its own fees and costs
6 in connection with this removal.

7 **IT IS FURTHER ORDERED** that Defendant's motion to dismiss the complaint [Doc. No.
8 5], Plaintiff's motion for leave to file a second amended complaint [Doc. No. 8], and Plaintiff's
9 motion to remand [Doc. No. 9], are **DENIED AS MOOT**. The Clerk of Court is instructed to
10 terminate the case file.

11 **IT IS SO ORDERED.**

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13 DATED: July 21, 2011



Hon. Michael M. Anello
United States District Judge

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