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

CARLYN FISHER, et al.,

Plaintiffs,

vs.

WYETH PHARMACEUTICALS, INC., et al.,

Defendants.


CASE NO. 17cv2034-LAB (MDD)

**ORDER OF REMAND**

Judge Chesney remanded two cases removed by the same defendants in this action three months ago. *Streed v. Eon Labs, Inc.*, 2017 WL 3616591 (N.D. Cal. Aug. 23, 2017). Defendants admit those are “nearly identical cases” to this one, but argue *Streed* was wrong. [Dkt. 58 at n.7.] The Court disagrees. This action is remanded for the same reasons explained in *Streed*. Since the plaintiffs haven’t pointed to any unusual circumstances that suggest this removal was objectively unreasonable, their request for fees is denied. *Martin v. Franklin Capital Corp.*, 546 U.S. 132, 136 (2005). The pending motions are denied as moot, and the clerk is directed to close the case.

**IT IS SO ORDERED.**

Dated: November 21, 2017

  
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HONORABLE LARRY ALAN BURNS  
United States District Judge