

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 13-cv-00250-REB-KMT

JAMMU INC.,  
KARAMBIR JAMMU, and  
NIMERTA JAMMU,

Plaintiffs,

v.

QFA ROYALTIES LLC, et al.

Defendants.

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**ORDER GRANTING MOTION TO REMAND**

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**Blackburn, J.**

This matter is before me on the plaintiffs' **Motion To Remand** [#18]<sup>1</sup> filed February 11, 2013. In his response [#25], the removing defendant, Patrick E. Meyers, consents to remand of this case. Mr. Meyers reports that all other defendants consent to remand. Thus, I treat the motion as unopposed.

The plaintiffs seek also an award of attorney fees and costs incurred as a result of the need to respond to the notice of removal. Such an award is available under 28 U.S.C. § 1447(c). There is a reasonable argument that Mr. Meyers' notice of removal was unreasonable. However, having examined the circumstances of this case, including Mr. Meyers' recent consent to remand, I conclude that an award of attorney fees and costs is not merited.

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<sup>1</sup> “[#18]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

**THEREFORE, IT IS ORDERED** as follows:

1. That the plaintiffs' **Motion To Remand** [#18] filed February 11, 2013, is **GRANTED** to the extent the plaintiffs seek remand of this case to state court;
2. That the plaintiffs' **Motion To Remand** [#18] filed February 11, 2013, is **DENIED** to the extent the plaintiffs seek an award of attorney fees and costs;
3. That this case is **REMANDED** to the District Court for the City and County of Denver, Colorado (where it was filed originally under Case No. 2012cv7606);  
and
4. That the defendants' **Motion To Compel Arbitration and Stay** [#13], **Quiznos and Distributor Defendants' Motion to Compel Arbitration and Stay Proceedings Pending Arbitration** [#17], and **Defendant McLane Company, Inc.'s Joinder in Quiznos and Distributor Defendants' Motion to Compel Arbitration and Stay Proceedings Pending Arbitration** [#22] are **DENIED** as moot.

Dated February 22, 2013, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge