

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Raymond P. Moore**

Civil Action No. 1:16-cv-03054-RM-STV

TRANSFIRST, LLC n/k/a TSYS Merchant Solutions, LLC,

Plaintiff,

v.

DANIEL BROWN,  
DAVID GREK,  
DAVID Y. REICH,  
VETERAN TONER SERVICES, LLC a/k/a Veteran Toner Services a/k/a VTS,  
BA BROKERAGE, LLC a/k/a Smart Tech USA, and  
BRIAN APPLEHANS,

Defendants.

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**ORDER**

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This matter is before the Court on the order to show cause why this case should not be dismissed for lack of this Court's subject matter jurisdiction. (ECF No. 279.) Pursuant to 28 U.S.C. § 1447(c), the Court must remand a case if at any time before final judgment it appears that the Court lacks jurisdiction.

The parties presently in the case agree that complete diversity was not present at the time of removal and that the case should be remanded. (*See* ECF No. 285.) The parties have been given an opportunity to object to a remand; none has done so.

Accordingly, the Court ORDERS that this case is REMANDED to the District Court, Boulder County, Boulder Colorado, where it was originally filed.

DATED this 8th day of May, 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Raymond P. Moore", written over a horizontal line.

RAYMOND P. MOORE  
United States District Judge