UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

DANIEL LOREDO, CIVIL ACTION NO. 07-5673 (MLC) :

Plaintiff, MEMORANDUM OPINION

v.

DRIVE FINANCIAL, et al.,

Defendants.

THE COURT having ordered the removing party - the defendant Drive Financial ("DFN") - to show cause why the action should not be remanded to state court (1) for lack of jurisdiction under 28 U.S.C. § ("Section") 1331 and the Magnuson-Moss Warranty Improvement Act ("MMWIA"), 15 U.S.C. §§ 2301-2312, and (2) as being removed in a defective manner under Sections 1446 and 1447 (dkt. entry no. 2); and DFN in response (1) "withdraw[ing] its Notice of Removal", and (2) advising the Court that "[c]ounsel for Plaintiff and [DFN] have conferred and consent and agree to the remand of this matter to [state court]" (dkt. entry no. 4, 12-5-07 DFN Counsel Letter); and the Court determining that the order to show cause should be resolved before the return date; and thus the Court intending to (1) grant the order to show cause, and (2) remand the action to state court; and for good cause appearing, the Court will issue an appropriate order and judgment.

> s/ Mary L. Cooper MARY L. COOPER

United States District Judge

Dated: December 6, 2007