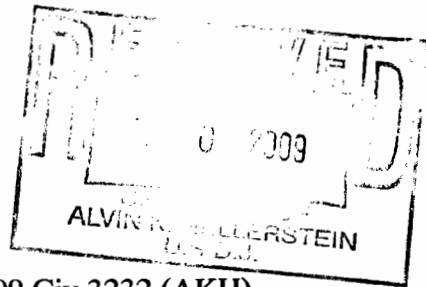


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
KELLY FRASER,

: 09 Civ 3232 (AKH)

Plaintiff,

: **NOTICE OF PLAINTIFFS'**
: **MOTION FOR REMAND TO**
: **STATE COURT**

- against -

JUST JEFFREY, INC., JEFFREY NEW YORK, LLC,
JEFFREY KALINSKY and NORDSTROM INC.

Defendants.
-----X

PLEASE TAKE NOTICE that on June 4, 2009 at 9:30 a.m. or as soon thereafter as counsel may be heard, before the Honorable Alvin K. Hellerstein, at the U.S. Courthouse, 500 Pearl Street, New York, New York 10007, Plaintiff Kelly Fraser by her attorneys, will move this Court for an Order pursuant to 28 U.S.C. §1447(c), remanding this case back to New York State Supreme Court, New York County and such other and further relief as this Court may deem just and proper.

Dated: April 29, 2009

MOTION TO REMAND IS GRANTED.
IN ITS NOTICES OF REMOVAL, DEFENDANT FAILED TO ADDRESS THE CITIZENSHIP OF JEFFREY NEW YORK, LLC OR SUFFICIENTLY SUPPORT ALLEGATIONS THAT JEFFREY NEW YORK, LLC IS A NOMINAL DEFENDANT. DEFENDANT FAILED TO DEMONSTRATE CONSENT OF REMOVAL FROM NORDSTROM, INC. DEFENDANT FAILED TO ADEQUATELY SUPPORT ASSERTIONS OF THE CITIZENSHIP OF JUST JEFFREY, INC. AND KALINSKY.
MOTION TO DISMISS (No. 27) IS DENIED AS MOOT. CASE IS CLOSED.

Brian S. Schaffer (BS 7548)
Fitapelli & Schaffer, LLP
Attorneys for Plaintiffs
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New York, N.Y. 10001
(212) 300-0375

SO ORDERED 7/7/09

