

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16CV801

MATTHEW WAGNER, et al., )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 CITY OF CHARLOTTE, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

ORDER

This matter is before the Court upon Plaintiffs' Motion for Leave to File an Amended Complaint (Doc. No. 7) and Plaintiffs' Motion for Remand to State Court and Award of Attorneys' Fees and Expenses (Doc. No. 5). The Defendant has filed a response indicating that the parties have conferred and agreed that Defendant consents to Plaintiffs' Motion for Leave to File an Amended Complaint based upon Plaintiffs' Proposed Amended Complaint (Doc. No. 7-1) eliminating Plaintiffs' federal claims. Likewise, Defendant consents to remand of this case to the Superior Court of Mecklenburg County, North Carolina. The Court is informed that Plaintiffs have agreed not to pursue their request for attorneys' fees and expenses. Accordingly,

IT IS THEREFORE ORDERED that Plaintiffs' Motion for Leave to File an Amended Complaint is hereby GRANTED; and

IT IS FURTHER ORDERED that Plaintiffs' Motion for Remand to State Court is hereby GRANTED and this matter is remanded to the Superior Court of Mecklenburg County, North Carolina.

Signed: February 27, 2017



Graham C. Mullen  
United States District Judge

