

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAIDERVANIO DA COSTA SABINO	:	CIVIL ACTION
	:	
v.	:	No. 09-5971
	:	
HITACHI KOKI CO., LTD., et al.	:	

ORDER

AND NOW, this 17th day of May, 2010, upon consideration of the Plaintiff Jaidervanio Da Costa Sabino's Third Motion for Remand to the Philadelphia County Court of Common Pleas (Document Nos. 6 and 7), the defendant Hitachi Koki Co., Ltd.'s response and the Notice of Removal, it is **ORDERED** that the motion is **GRANTED**.

IT IS FURTHER ORDERED that this action is **REMANDED** to the Philadelphia Court of Common Pleas for lack of subject matter jurisdiction pursuant to 28 U.S.C. §1447(c).

/s/ Timothy J. Savage

 TIMOTHY J. SAVAGE, J.