




1 that have already been presented to the state court for resolution. Plaintiff is simply wrong on the  
2 law. A defendant in state court has the right to remove a case to federal court if the case could  
3 have been filed originally in federal court (*i.e.*, on federal diversity or federal question grounds).  
4 See 28 U.S.C. § 1441(b). Because plaintiff asserted that Wells Fargo violated a federal law and it  
5 appears that diversity jurisdiction exists, defendants were within their rights to remove this case  
6 to federal court, thereby divesting the state court of jurisdiction.

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8 For all of the foregoing reasons, plaintiff's motion for remand is DENIED.

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10 Dated this 25th day of October, 2017.

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13 Robert S. Lasnik,  
14 United States District Judge  
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