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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN FRANCISCO DIVISION

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EVERETT HOGGE and PRISCILLA HOGGE,	)	Case No.: C 07 2873 EDL
	)	
Plaintiffs,	)	**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR REMAND FOR LACK OF JURISDICTION**
vs.	)	
	)	
A.W. CHESTERTON COMPANY, *et al*,	)	
	)	Hearing Date: July 10, 2007
Defendants.	)	Time: 9:00 a.m.
	)	Courtroom: E, 15th Floor
	)	Magistrate Judge: Hon. Elizabeth D. Laporte
	)	
	)	
	)	

This matter came on regularly for hearing on July 10, 2007, before the Honorable Elizabeth D. Laporte in the above-entitled Court, with counsel for plaintiffs EVERETT HOGGE and PRISCILLA HOGGE and counsel for defendant JOHN CRANE INC. appearing. Based on the papers filed herein, upon hearing of oral argument and for good cause shown,

IT IS HEREBY ORDERED that plaintiffs' motion for remand of this action to the Superior Court of California, City and County of San Francisco, is GRANTED. This Court lacks subject matter jurisdiction because at least one California defendant remains in this action.

[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR REMAND FOR LACK OF JURISDICTION

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1 Furthermore, defendant failed to obtain unanimous consent of the remaining defendants before

2 removing this action, rendering its removal petition procedurally defective.

3   IT IS FURTHER ORDERED that plaintiffs are entitled to seek costs incurred as a result

4 of the removal.

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6 DATED: July 10, 2007

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8   HONORABLE ELIZABETH D. LAPORTE

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28 **[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR REMAND FOR LACK OF JURISDICTION**

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