

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Austin v. Kemper Corporation

Austin · No. 25-cv-07194-JST; 25-cv-07367-JST · Decided September 16, 2025

OPINION

Austin v. Kemper Corporation (Insurance)

PER CURIAM.

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4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 GEORGE JARVIS AUSTIN, Case No. 25-cv-07194-JST 8 Plaintiff, ORDER CLOSING
CASE NO. 25-cv-

07367 AND TERMINATING MOTION

9 v. IN CASE NO. 25-cv-07194

10 KEMPER CORPORATION, Re: ECF No. 34

Defendant. 11 12 GEORGE JARVIS AUSTIN, Case No. 25-cv-07367-JST 13 Plaintiff, 14 v.

15 KEMPER CORPORATION

(INSURANCE),

16 Defendant. 17

18 19 In Case No. 25-cv-07367, the Court ordered Defendant Kemper Insurance Corporation to
20 “file either (1) a brief that sets forth authority for concluding that the case was remanded and
21 therefore subject to removal or (2) a statement that it no longer believes that removal was
proper.”

22 No. 25-cv-07367, ECF No. 20 at 1. Kemper has now filed a response stating that it “no longer
23 believes that removal was proper. See Allstate Ins. Co. v. Superior Court, 132 Cal. App. 3d 670
24 (1982) (dismissal of federal action without remand terminates the action, leaving the state court
25 without jurisdiction to resume proceedings).” No. 25-cv-07367, ECF No. 22 at 1. The Clerk is
26 therefore directed to close Case No. 25-cv-07367 as having been improperly removed. 27 In
Case No. 25-cv-07194, Plaintiff George Jarvis Austin has filed a motion to consolidate

1 No. 25-cv-07194, ECF No. 34. Because Case No. 25-cv-07367 has now been closed, the Court
2 terminates Austin’s motion as moot. 3 IT IS SO ORDERED. 4 Dated: September 16, 2025 . es 5
JON S. TIG

6 United States District Judge 7 8 9 10 ll a 12 13 14 15 16 € = 17 Zz 18 19 20 21 22 23 24 25 26
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