

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Roberts v. Eclipz.io, Inc.

Roberts · No. 25-cv-00306-VKD · Decided March 12, 2025

SUMMARY

The court grants the parties’ stipulation permitting the plaintiff to file an amended complaint eliminating the RICO claim that supplied federal-question jurisdiction. Because the stipulated remand is dispositive and the magistrate judge lacked consent from all parties to enter it, the court recommends that the newly assigned district judge approve remand to the Santa Clara County Superior Court after the amended complaint is filed.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Virginia K. DeMarchi
JURISDICTION	United States District Court for the Northern District of California
DECIDED	March 12, 2025
DOCKET	25-cv-00306-VKD
DISPOSITION	other
PROCEDURAL POSTURE	Defendant removed the action from the Santa Clara County Superior Court based on federal-question jurisdiction arising from a RICO claim. The parties stipulated to filing an amended complaint eliminating the RICO claim and to remand.
PRECEDENTIAL VALUE	Unpublished district court order and report and recommendation; limited precedential value.

TOPICS

- subject matter jurisdiction
- motion to amend
- civil procedure

PRACTICE AREAS

- Federal civil procedure
- Federal subject-matter jurisdiction
- Removal and remand

QUESTIONS PRESENTED

1. Whether the parties' stipulation to file an amended complaint eliminating the RICO claim should be granted.
2. Whether a magistrate judge may enter the parties' proposed dispositive remand order without the consent of all parties.

HOLDINGS

1. The court granted the parties' stipulation to file the proposed amended complaint and directed Roberts to file it as a separate ECF entry by March 19, 2025.
2. Absent consent of all parties, the magistrate judge lacked jurisdiction to enter the parties' proposed dispositive remand order and could only recommend that the newly assigned district judge approve the stipulated remand.

FACTUAL BACKGROUND

Plaintiff Paul Roberts asserted a claim for relief under the Racketeer Influenced and Corrupt Organizations Act, which defendant James Rautner relied on when removing the action to federal court. Roberts and Rautner stipulated to an amended complaint that would dispose of the RICO claim, thereby eliminating the asserted basis for federal subject-matter jurisdiction.

PROCEDURAL HISTORY

James Rautner removed the action to federal court on January 8, 2025, asserting jurisdiction under 28 U.S.C. § 1331. The magistrate judge granted the stipulation to file an amended complaint and recommended that the newly assigned district judge approve the stipulated remand after the amended complaint was filed.

DISPOSITION

other

REMAND INSTRUCTIONS

Roberts was directed to file the proposed amended complaint as a separate ECF entry by March 19, 2025. After that filing, the newly assigned district judge was asked to approve the parties' stipulated request for remand to the Santa Clara County Superior Court. Any party could object to the recommendation within fourteen days.

CASES CITED

- Williams v. King, 875 F.3d 500 (9th Cir. 2017)
- Flam v. Flam, 788 F.3d 1043 (9th Cir. 2015)

OPINION

Roberts v. Eclipz.io, Inc.

PER CURIAM.

4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
6 SAN JOSE DIVISION
7 8 PAUL ROBERTS, Case No. 25-cv-00306-VKD
9 ORDER GRANTING STIPULATION
Plaintiff, RE AMENDED COMPLAINT 10
v. ORDER FOR REASSIGNMENT TO A
11 DISTRICT JUDGE; REPORT AND
RECOMMENDATION RE
12 ECLIPZ.IO, INC., et al., STIPULATION FOR REMAND TO
STATE COURT

13 Defendants. Re: Dkt. Nos. 7, 8 14 15 On January 8, 2025, defendant James Rautner removed
this action from the Santa Clara 16 County Superior Court, asserting federal question jurisdiction
under 28 U.S.C. § 1331 based on 17 plaintiff Paul Roberts’s claim for relief under the Racketeer
Influenced and Corrupt Organizations 18 Act (“RICO”), 18 U.S.C. §§ 1961, et seq. Dkt. No. 1.
Messrs. Roberts and Rautner1 now 19 stipulate to the filing of an amended complaint that, among
other things, disposes of Mr. Roberts’s 20 RICO claim, thereby eliminating the basis for federal
subject matter jurisdiction. Dkt. No. 7. The 21 parties further stipulate that this action shall be
remanded to the state court. Dkt. No. 8. 22 The parties’ stipulation regarding the filing of Mr.
Roberts’s proposed amended complaint 23 is granted. Mr. Roberts shall file his proposed amended
complaint as a separate entry on ECF by
24 March 19, 2025.

25 The parties further stipulate to the remand of this matter to the Santa Clara County 26 Superior
Court. The parties’ proposed remand order presents a dispositive matter, and absent 27 1 consent
of all parties, this Court lacks jurisdiction to enter the proposed order. See 28 U.S.C. 2 ||! § 636(c)
(1); Williams v. King, 875 F.3d 500 (9th Cir. 2017); Flam v. Flam, 788 F.3d 1043 (9th 3 || Cir.
2015). This Court recommends that upon Mr. Roberts’s filing of his amended complaint, the 4 ||
newly assigned district judge approve the parties’ stipulated request for remand to the Santa Clara
5 County Superior Court. Any party may file objections to this recommendation within fourteen 6
days. Fed. R. Civ. P. 72(b); Civil L.R. 72-3 7 IT IS SO ORDERED. 8 Dated: March 12, 2025 9
<«® 10 Virginia K. DeMarchi 11 United States Magistrate Judge 12 15 16 = 17 Z 18 19 20 21 22
23 24 25 26 27 28