

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

OPINION

Roberts v. Eclipz.io, Inc.

PER CURIAM.

1 2 3

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

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