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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

ROBERT ADAM KENNEDY, an individual on behalf of himself, and on behalf of all persons similarly situated,

Plaintiff,

vs.

NATURAL BALANCE PET FOODS, INC., a California corporation,

Defendant.

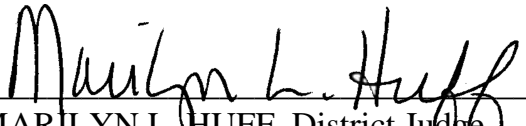
**CASE NO. 07-CV-1082 H (RBB)**

**ORDER REMANDING CASE**

On June 12, 2008, the Court denied Plaintiff's motion for class certification. (Doc. No. 60.) On August 13, 2008, the Court dismissed the case for lack of subject matter jurisdiction. (Doc. No. 64.) On January 28, 2010, the Court received a mandate from the United States Court of Appeals for the Ninth Circuit (1) affirming the Court's denial of Plaintiff's motion for class certification and (2) vacating the Court's dismissal for lack of subject matter jurisdiction and remanding the case with instructions that the Court should remand the action to San Diego Superior Court. Accordingly, the Court orders that this action be remanded to the San Diego Superior Court.

**IT IS SO ORDERED.**

DATED: February 9, 2010

  
Marilyn L. Huff, District Judge  
UNITED STATES DISTRICT COURT

COPIES TO:

All parties of record