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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CITY OF FORT BRAGG,

Plaintiff,

v.

MENDOCINO RAILWAY,

Defendants.

Case No. 22-CV-06317-JST

Assigned for all purposes to:
Hon. Jon S. Tigar, Ctrm. 6

REPLY TO DEFENANT MENDOCINO RAILWAY'S CONSOLIDATED OPPOSITION TO PLAINTIFFS' MOTIONS TO REMAND

Action Filed: October 20, 2022

DATE: December 22, 2022
TIME: 2:00 p.m.
CTRM: 6
[Hearing Vacated]

TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

Plaintiff City of Fort Bragg submits the following in Reply to Defendant Mendocino Railway's Consolidated Opposition to Plaintiffs' Motions to Remand ("Opp.") [DOC 16]:

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PURSUANT TO GOVERNMENT CODE SECTION 6103

1 **REPLY**

2 **I. INTRODUCTION**

3 Defendant Mendocino Railway ("MR") bases its Opposition on a complete
4 misunderstanding of both preemption and removal. There are no federal claims at issue here
5 which would support federal subject matter jurisdiction in this Court. Thus, remand is proper.

6 **II. MR HAS NOT SATISFIED ITS BURDEN TO SHOW PROPER REMOVAL,**
7 **SINCE A DEFENSE DOES NOT CONFER FEDERAL JURISDICTION.**

8 Since MR has sought removal, it has "the burden of establishing federal question
9 jurisdiction." *California v. Huber*, 2011 U.S. Dist. LEXIS 80089, at *3 (N.D. Cal. 2011) (citing
10 *Ethridge v. Harbor House Rest.*, 861 F.2d 1389, 1393 (9th Cir. 1988)). In addition, this court
11 must "strictly construe[ ] the statute *against* removal." *Id.* (italics added). Indeed, MR can meet
12 this burden *only* "if a federal right or immunity is an element, and an essential one, of the
13 plaintiff's cause of action." *Huber*, at *3-4 (quotations omitted) (quoting *Franchise Tax Bd. v.*
14 *Constr. Laborers Vacation Trust for S. Cal.*, 463 U.S. 1, 11 (1983)).

15 Indeed, "[t]here is a strong presumption against removal jurisdiction when evaluating a
16 motion to remand.). Accordingly, federal jurisdiction must be rejected if there is any doubt as to
17 the right of removal in the first instance. [citation] Further the burden of establishing federal
18 jurisdiction is upon the party seeking removal, and defendants bear the burden of showing that
19 removal was proper." *Real v. St. Jude Med.*, 2017 U.S. Dist. LEXIS 47081, at *4-5 (C.D. Cal.
20 2017) (quotations and changes omitted) (citing *Gaus v. Miles*, 980 F.2d 564, 566 (9th Cir. 1992);
21 *Nishimoto v. Federman-Bachrach & Assocs.*, 903 F.2d 709, 712 n.3 (9th Cir. 1990); *Emrich v.*
22 *Touche Ross & Co.*, 846 F.2d 1190, 1195 (9th Cir. 1988); *Fayard v. Northeast Vehicle Servs.,*
23 *LLC*, 533 F.3d 42, 48 (1st Cir. 2008)).

24 Importantly here, "a case may not be removed to federal court on the basis of a federal
25 defense, *even if the defense is anticipated in the plaintiff's complaint*, and even if both parties
26 admit that the defense is the only question truly at issue in the case." *Id.* at *4 (omissions and
27 quotations omitted) (italics added) (quoting *Metropolitan Life Ins. Co. v. Taylor*, 481 U.S. 58, 63
28 (1987)). This is the key point which MR misstates. MR seems to think that merely because there

1 is some mention of federal law in the Coastal Commission's Complaint, that is enough. Not so.
2 Federal jurisdiction requires much more.
3 Indeed, the mere fact that there is some plenary federal authority or application of federal
4 law does *not* mean that there is a valid ground for removal. *Huber*, at *6. As relevant here, "[t]he
5 mere fact that a federal law may prohibit state conduct does not necessarily convert a state claim
6 into a federal claim, justifying removal. What it certainly does, of course, is to create a federal
7 defense to state law claims," but this *defense* can be "raise[d] in state court." *Id.*
8 Simply, there is no creation of federal jurisdiction under the very circumstances at issue
9 here. The United States Supreme Court has found that "it has long been settled that the existence
10 of a federal immunity to the claims asserted does not convert a suit otherwise arising under state
11 law into one which, in the statutory sense, arises under federal law." *Id.* at *6-7 (quotations
12 omitted) (quoting *Puyallup Tribe, Inc. v. Washington Game Dept.*, 433 U.S. 165 (1977)).
13 MR erroneously asserts that the Commission's Complaint states a federal question on its
14 face, but MR is mistaken. As MR acknowledges, a federal claim must be one that is essential to a
15 cause of action. (Opp., p. 16, lns. 2-5 (citing *Cal. Shock Trauma Air Rescue v. State*
16 *Compensation Ins. Fund*, 636 F.3d 538, 541 (9th Cir. 2011).) As the *Huber* Court recognized, an
17 immunity defense is distinguishable, in that it does not present "a federal question implicit in any
18 application of state law." *Huber*, at *7-9 n.1 (citing *Cal. Shock*, at 542; *Grable & Sons Metal*
19 *Prods. v. Darue Eng'g & Mfg.*, 545 U.S. 308, 312, 314-315 (2005)). Even when the "application
20 of federal law" is required as to an alleged immunity, this is still merely "an affirmative defense
21 to the plaintiff's causes of action. This does not give rise to federal question jurisdiction." *Huber*,
22 at *11 (omissions and quotations omitted).
23 More specifically, preemption provides federal jurisdiction *only* if federal law "provide[s]
24 the exclusive cause of action" for the claim asserted. *Beneficial Nat'l Bank v. Anderson*, 539 U.S.
25 1, 9 (2003). Even a "complete federal defense," does "not justify removal." *Id.* (citing
26 *Caterpillar v. Williams*, 482 U.S. 386, 393 (1987)). Thus, the critical factor is not whether there
27 is some claimed preclusive federal agency jurisdiction or authority -- as MR mistakenly asserts,
28 but whether there is a "federal remedy"; otherwise, "preemption remains merely a defense and

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1 thus cannot satisfy the well-pleaded complaint rule." *Minton v. Paducah & Louisville Ry.*, 423 F.
2 Supp. 3d 375, 380 (W.D. Ky. 2019) (quoting *Dillon v. Medtronic*, 992 F. Supp. 2d 751, 758
3 (2014); *Rivet v. Regions Bank of La.*, 522 U.S. 470, 476 (1998)).
4 As directly relevant here, the ICCTA does not present any complete preemption. *Minton*,
5 at 380-381. It is not enough that there is "exclusive federal regulation," but there must *also* be
6 "the creation of a superseding federal cause of action." *Id.* (quotations omitted) (quoting *Watkins*
7 *v. RJ Corman R.R.*, 2010 U.S. Dist. LEXIS 41244, 2010 WL 1710203, at *2 (E.D. Ky. 2010)
8 (citing *Roddy v. Grand Truck Western R.R.*, 395 F.3d 318, 323 (6th Cir. 2005)).
9 Just like the defendant in *Moeller v. Holland LP*, 2022 U.S. Dist. LEXIS 23043, at *13
10 n.4 (D.N.M. 2022) (citing *B & S Holdings, LLC v. BNSF Ry. Co.*, 889 F.Supp.2d 1252, 1254,
11 1258 (E.D. Wash. 2012)), MR asserts that cases finding adverse possession claims would actually
12 "divest the railroad of the very property with which it conducts its operations" somehow support
13 federal jurisdiction -- by virtue merely of claimed federal preemption. (Opp., p. 17, lns. 1-3; p.
14 28, lns. 24-27 (citing *B & S Holdings*)). The court in *Moeller* dismissed both *B & S Holdings* and
15 *14500 Ltd. v. CSX Transp., Inc.*, 2013 U.S. Dist. LEXIS 39806, 2013 WL 1088409, at *1, 4-5
16 (N.D. Ohio 2013) – also relating to adverse possession claims -- since these opinions did not hold
17 "that state negligence law was completely preempted by the ICCTA." *Moeller*, at *13 n.4. MR's
18 attempt at analogy similarly fails. The claims of the City and the Commission are not similar to
19 adverse possession claims. In fact, the City's Complaint includes claims of nuisance and
20 nuisance-like matters, including: a building is "dilapidated," MR has refused to allow the "County
21 Building Official" to inspect the building, "the City red tagged" a storage shed, and MR refused
22 to obtain a special event permit, as well as other "condition of real property in violation of law,"
23 "violations of law and public policy of the State of California and/or local codes, regulations
24 and/or requirements applicable to such operations and activities," and use, activities and "the
25 condition of real property relating thereto, including the allowance or maintenance of such
26 activities, operations and conditions in violation of law [that] are inimical to the rights and
27 interests of the general public and constitute a public nuisance and/or violations of law."
28 (Complaint, at ¶¶ 12, 13.) Specifically, MR refused to "repair a dangerous building," and has and

1 continues to refuse to submit to City "authority for the public interest, benefit and safety."
2 (Complaint, at ¶ 15.) Absent declaratory and injunctive relief, MR "will continue to maintain
3 nuisance conditions and violations of law as alleged, to the substantial harm and risk to the health,
4 safety and welfare of the public, and directly contrary to the lawful and valid authority of Plaintiff
5 City to regulate such dangerous and nuisance conditions, and to compel compliance with
6 applicable law." (Complaint, at ¶ 20.)

7 Similarly, the Commission's Complaint seeks primarily the *exact same* relief as the
8 City's, although framing some of the same conditions alleged by the City as violations of the
9 California Coastal Act, which is the jurisdiction of the Commission. Specifically, the
10 Commission alleges that the dilapidated building does not comply with the City's Local Coastal
11 Plan, and MR has violated the Coastal Act and certain activities are subject to the Act.
12 (Commission's Complaint, at ¶¶ 4, 6-8, 11-12, 14-15, 17-24.) Although the Commission
13 *anticipates* MR's defense, that it is purportedly exempt from any and all local regulation
14 whatsoever due to preemption by state and federal law, these anticipatory allegations do not
15 constitute federal jurisdiction nor do they support removal as set forth above. (Commission's
16 Complaint, at ¶¶ 4, 5, 13.) Indeed, the Commission states *no federal claim* at all, and has framed
17 all of its allegations as violations of the Coastal Act under *state law*.

18 As the Supreme Court recognized, federal courts must strictly protect the "traditional
19 regard for the role played by state courts in interpreting and enforcing federal law," recognizing
20 "a presumption of concurrent state and federal jurisdiction, which can be rebutted only by an
21 explicit statutory directive, by unmistakable implication from legislative history, or by a clear
22 incompatibility between state-court jurisdiction and federal interests." *Anderson*, 539 U.S. at 18
23 n.2 (quotations and changes omitted) (quoting *Gulf Offshore Co. v. Mobil Oil Corp.*, 453 U.S.
24 473, 478 (1981). Thus, removal must be unmistakable, and MR's assertions utterly fail here.

25 Indeed, MR confuses *preemption* with *federal jurisdiction*. Specifically, the fact "that a
26 state law may be preempted by federal law does not in and of itself mean that the competing state
27 law is completely preempted such that claims brought under it present a federal question."
28 *Moeller*, at *13-14 (citing *Fayard v. Northeast Vehicle Services, LLC*, 533 F.3d 42, 47 (1st Cir.

2008) ("By contrast, ordinary preemption—i.e., that a state claim conflicts with a federal statute—is merely a defense and is not a basis for removal.") (citing *Gully v. First Nat'l Bank*, 299 U.S. 109 (1936)). Thus, a defendant may assert that claims are "preempted by the ICCTA, but that determination is consigned to the considered judgment of the state court on remand." *Tres Lotes, LLC v. BNSF Ry. Co.*, 61 F. Supp. 3d 1213, 1218 (2014) (quotations omitted) (citing *Felix v. Lucent Techs., Inc.*, 387 F.3d 1146, 1158 (10th Cir. 2004)). "[T]he critical question is whether federal law provides an exclusive substitute federal cause of action that a federal court (or possibly a federal agency) can employ for the kind of claim or wrong at issue." *Fayard*, at 47. Notably, MR does *not* establish, or even claim, that there is any federal cause of action under the ICCTA or any other federal law under which the City and/or the Commission could have or *must* have asserted its state law claims, such that there is any federal jurisdiction here.

In fact, MR simply overstates any potentially applicable federal preemption, in any event. MR expressly ignores the undisputed fact that, even assuming *arguendo* preemption applies to it, "state and local regulation is *applicable* where it does not have the effect of preventing or unreasonably interfering with interstate commerce." *Fayard*, at 47-48 (italics added) (quoting *James Riffin--Petition for Declaratory Order*, 2008 STB LEXIS 242, 2008 WL 1924680 (Surface Transp. Bd. May 1, 2008)). In fact, "state nuisance law continues to apply to railroads." *Fayard*, at 48 & n.7 (citing *Rushing v. Kansas City S. Ry.*, 194 F. Supp. 2d 493, 501 (S.D. Miss. 2001); *Emerson v. Kansas City S. Ry. Co.*, 503 F.3d 1126 (10th Cir. 2007) (nuisance claim based on improper trash disposal by railroad not preempted by ICCTA)). *See also*, *Mangiaracina v. BNSF Ry. Co.*, 2017 U.S. Dist. LEXIS 5513, at *26 (N.D. Cal. 2017) ("the ICCTA does not preempt generally applicable state laws that have only a remote or incidental effect on rail transportation").

The *Fayard* Court recognized the distinction that MR completely misses. Even if "some state law claims may be completely preempted under the ICCTA," this does not mean that "the ICCTA automatically immunizes railroads from state nuisance claims." *Fayard*, at 48. Similarly, since there is no "clear-cut federal cause of action" that is of the kind asserted by either the City or the Commission, this Court cannot exercise federal jurisdiction where there is none. "At the

very least defendants, who bear the burden of showing that removal was proper have not demonstrated that the ICCTA provides such a cause of action," and thus remand must be granted. *Id.* (citations omitted).

Indeed, if all federal regulation "allowed for related state law claims to be removed to federal court merely because of a potential preemption defense, but without a federal cause of action, this would license wholesale transfer of state law claims into federal court." *Id.* In fact, if there were wholesale removal by mere federal regulation, "a danger [would] exist[ ] of creating gaps in protection by categorically supplanting state claims with non-existent federal remedies. By contrast, where the state claim is left intact, federal interests are still largely protected: nothing prevents a preemption defense from being asserted, albeit in state courts." *Id.* at 49. In *Fayard*, the court concluded, as it should here, that, based merely on a claim of a preemption *defense*, remand should be "granted in the absence of any federal cause of action and therefore the absence of subject matter jurisdiction." *Id.*

MR claims that this Court has jurisdiction based on ICCTA preemption similar to that found as to California environmental laws. (Opp., 17, ln. 27 – 18. ln. 13.) However, as this court found in *Californians for Alts. to Toxics v. N. Coast R.R. Auth.*, 2012 U.S. Dist. LEXIS 64569, at *29-31 (N.D. Cal. 2012), and in line with the authorities cited above, "the ICCTA does not automatically transform every state law claim into a claim under the ICCTA," and "does not provide a cause of action" under state law. Moreover, even alleged preemption of state environmental laws does not "raise a substantial issue of federal law." *Id.* (omissions and quotations omitted) (quoting *Grable & Sons Metal Prods. v. Darue Eng'g & Mfg.*, 545 U.S. 308, 314 (2005)).

MR's opposition suffers from the same defect recognized by "settled law" – that a preemption defense does not create federal jurisdiction. *Californians*, at *34-35 (citing *Caterpillar v. Williams*, 482 U.S. 386, 392 (1987)). In fact, "Defendants' assertions that Plaintiffs' remedy can only be determined by reference to 'preempting' remedial provisions in the ICCTA is clearly invoking Defendants' preemption defense, which does not qualify as a substantial federal question upon which removal may be based." *Californians*, at *34-35.

1 *City of Auburn*, 154 F.3d 1025, 1030-31 (9th Cir. 1998) also does not aid MR. As the
2 *Californians* Court recognized, the decision in *City of Auburn* "relate[s] only to defense
3 preemption, which is not at issue in deciding whether the Court has subject matter jurisdiction."
4 *Californians*, at *31 n.4 (citing *Marin Gen. Hosp. v. Modesto & Empire Traction Co.*, 581 F.3d
5 941 (9th Cir. 2009) (noting the confusion between complete preemption, which provides a basis
6 for federal question jurisdiction, and defense preemption, which does not).
7 The STB's alleged jurisdiction over railroads does not establish a federal *cause of action*.
8 Citing *Californians*, the court in *Friends of Del Mar Bluffs v. North County Transit Dist.*, 2022
9 U.S. Dist. LEXIS 210107, at *18-22 (S.D. Cal. 2022), similarly found that a claim under State
10 environmental law did not support federal subject matter jurisdiction. Further, since "the removal
11 statute [is] strictly construed against removal jurisdiction, the Defendants bear the burden of
12 establishing that there is *no doubt* as to federal jurisdiction." *Id.* (italics added) (citing *Calif. ex*
13 *rel. Lockyer v. Dynegy*, 375 F.3d 831, 838 (9th Cir. 2004); *Gaus v. Miles, Inc.*, 980 F.2d 564, 566
14 (9th Cir. 1992)).
15 Further, there is a complete lack of establishing a "necessary element of the claim for
16 relief" when a party merely asserts a preemption defense. *Friends of Del Mar Bluffs*, at *22.
17 Although MR recognizes this requirement, it does not establish this other than by merely citing to
18 the Commission's reference to "federal law" in its Complaint. (Opp., at p. 16.) Without citing
19 any authority or other support, MR simply asserts that "there is no way to resolve the
20 Commission's claims without addressing those federal issues." (Opp., at p. 19, lns. 7-8.) As
21 noted above, and as the *Friends of Del Mar Bluffs* Court establishes, conclusory claims of
22 necessity are completely insufficient to establish federal jurisdiction. Further, MR cites no
23 support for its claims. In fact, there are plenty of legal grounds for the Commission's claims to be
24 determined solely on state law, and the Commission's allegations *all* relate to exclusively to
25 federal law, save the Commission's anticipation of MR's federal *defense*. Regardless of whether
26 that defense is even alleged to be "the central point of the dispute," this does not create or state
27 any federal cause of action. The Supreme Court has been clear that "even if both parties concede
28 that the federal defense is the only question truly at issue," this is *not* a basis for removal. *Friends*

of Del Mar Bluffs, at *22 (citing Caterpillar, 482 U.S. at 392).

MR falsely asserts that the Commission's Complaint is subject to "complete preemption. (Opp., at p. 16.) However, "[c]omplete preemption is rare"; in fact, "the Supreme Court has recognized *only three federal statutes* that completely preempt state law causes of action" – none of which are, of course, at issue here. *Neighbors v. King County*, 2015 U.S. Dist. LEXIS 194252, at *4-5 (W.D. Wash. 2015) (italics added). Indeed, if as MR claims, the STB had "'exclusive' jurisdiction," then there would be no "removal jurisdiction," because there would be no "original jurisdiction" of the federal court at all. *Id.* at *6-7. The *Neighbors* Court, in fact, noted that "[t]he Ninth Circuit has held that statutes that vest primary jurisdiction in an agency *do not* provide the federal district courts with original jurisdiction or give rise to complete preemption." *Id.* at *8. Further, "[t]he Ninth Circuit has made clear that remand rather than dismissal is appropriate where state court claims may be subject to the primary jurisdiction of a federal agency." *Id.* at *9.

MR ultimately confuses its claims of preemption with its assertion of removal authority. They are not the same. Thus, the assertions MR makes as to STB/ICCTA jurisdiction over railroad transportation, purported connection of MR's long-disrupted lines to hypothetical lines or buses to potential interstate commerce, its claimed "rail-related" operations and activities, etc. (Opp., at pp. 17, 18) is a question of whether it is *ultimately* entitled to preemption (as a *defense*), *not* whether the City and the Commission's action can be *removed* based only on a preemption defense claim.

MR relies upon the opinion in Grable, but Grable involved a federal claim on the face of the complaint at issue. More importantly, *Grable* did *not* concern a federal defense, but a title claim *based* on federal law itself. *California v. Huber*, 2011 U.S. Dist. LEXIS 80089, at *7-9 n.1 (N.D. Cal. 2011) (citing *Grable*, 545 U.S. at 314-15). Thus, *Grable* does not support MR's claims for proper removal.

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MR further erroneously claims that there is some different standard applied to declaratory relief actions. (Opp., at p. 20.) However, this is not a general rule as MR implies. Instead, it

applies "[w]here the complaint in an action for declaratory judgment seeks in essence to assert a defense to an *impending* or *threatened* state court action." *Atay v. County of Maui*, 842 F.3d 688, 697-98 (9th Cir. 2016). Unlike in *Atay*, the City's Complaint long pre-dated MR's federal action, and the character of the Commission's Complaint is no different than the City's claim. Indeed, the only thing that the Commission did was to take the *defense* MR had already asserted in its *answer* to the City's Complaint –

> The declaratory and injunctive relief sought by Plaintiff are barred by state and federal preemption, as embodied in statutory and constitutional law, because Defendant is a CPUC-regulated public utility and a railroad within the jurisdiction of the STB. See, e.g., 49 U.S.C. §§ 10102, 10501(b); Pub. Util Code § 1759(a); U.S. Const. art. VI, ¶ 2.

-- and put that *same defense* in the Commission's Complaint, namely that the "Railway's actions"

> are not preempted by any state or federal law, including, but not limited to, Public Utilities Code sections 701 and 1759, subdivision (a); sections 10102 and 10501, subdivision (b) of Title 49 of the United States Code; and clause 2 of Article VI of the United States Constitution.

(Commission Complaint, Prayer ¶ 2.)

Based on all of the above, MR has not met its burden to show *no doubt* that there is removal jurisdiction here. On this basis, this Court must remand this matter to the State Court.

III. MR FAULTS THE CITY FOR ARGUMENT THE MERITS OF THE REMOVED ACTION, AND THEN IMPROPERLY INTRODUCES COMPLETELY FALSE *FACTS* THAT IT CLAIMS CANNOT BE CONSIDERED BY THE COURT.

Contrary to MR's claims, it does not operate a line between Willits and Fort Bragg. (Opp., at p. 34.) That line has been *disconnected* for through travel for *years*, due to the most recent tunnel collapse in or about 2016. Further, its line has not connected to the Northwestern Pacific Railroad/North Coast Rail Authority line for through travel for *decades*, due to a federal embargo that is far from ***temporary***, as MR's falsely asserts. And, although MR claims that this line "has not been abandoned" (Opp., at p. 35), that line is *currently* subject to abandonment proceedings with the STB. *North Coast Railroad Authority – Abandonment Exemption – In Mendocino, Trinity, and Humboldt Counties, Cal.*, STB Docket No. AB 1305X. Further, as noted in the City's motion, the Railroad Retirement Board has held that Mendocino Railway's

1 operations are *unusable* for common carrier interstate commerce or transportation; MR has not
2 and does not operate in a manner subject to the STB's or the RRB's jurisdiction. These are not
3 matters in dispute, and cannot be refuted by MR's improper attempt at submitting the self-serving
4 declaration of MR's President. *See also*, City's Objections to Declaration of Robert Pinoli, filed
5 in support of this Reply. Indeed, whereas the City has relied upon matters which may be properly
6 subject to judicial notice in support of its motion, MR submits numerous disputed factual matters
7 in a futile attempt to avoid remand of this matter to the California Superior Court, which it has so
8 desperately sought to avoid at all costs. Indeed, in the context of all of the facts set forth in the
9 City's motion, it is clear that it is not the commission that has sought to forum shop, but MR that
10 has tried every which way to be free from, quite simply, a single judge with whom it did not
11 obtain a favorable outcome. This is a classic example of forum shopping, and MR's results-
12 driven attempts to obtain federal jurisdiction where it is not warranted.

13 **IV. CONCLUSION**

14 Based on all of the foregoing, this Court must grant the City's and the Commission's
15 Motions to Remand this matter to the State Court. MR has improperly removed the matter, based
16 only on its asserted federal preemption defense, which cannot serve to define the scope of
17 Plaintiffs' claims in this matter. Indeed, no federal claim is stated on Plaintiffs' claims. In
18 addition, as noted in the motion, MR's removal was untimely; the Commission's Complaint did
19 not introduce any new claims whatsoever, and certainly no federal claims.

20 Dated: December 13, 2022 JONES MAYER

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22
23 By: /s Krista MacNevin Jee
24 Krista MacNevin Jee,
Attorneys for Plaintiff,
25 CITY OF FORT BRAGG
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