## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

and other Oklahoma citizens similarly situated,	) ) )
Plaintiff,	) Case No. 16-CV-0757-CVE-TLW
v.	
EAGLE ROAD OIL LLC, CUMMINGS	)
OIL COMPANY, and	)
JOHN DOES 1 through 25,	)
Defendants.	)

## PLAINTIFF'S MOTION TO REMAND

COMES NOW Plaintiff James Adams, on behalf of himself and the Class of similarly situated Oklahoma citizens, and moves to remand this action to Pawnee County District Court.

Filed with this motion is a memorandum of law in support, which is adopted and incorporated herein by reference.

For reasons detailed in the supporting brief, removing Defendant Cummings Oil LLC has not overcome the presumption against removal jurisdiction, or met its legal burden to establish federal question jurisdiction. This Court should remand the action to the Pawnee County District Court.

WHEREFORE, Plaintiff prays for an order remanding this action to Pawnee County District Court, and for all other just and appropriate relief.

DATED: January 20, 2017 Respectfully Submitted,

/s/ Scott Poynter

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## **CERTIFICATE OF SERVICE**

On this 20	0 <sup>th</sup> day of January,	2017, I electro	onically filed t	the foregoing	via the	Court's
CM/ECF system.	The CM/ECF syste	em will automat	ically serve all	counsel of red	cord.	

/s/ Scott Poynter
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