

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CASE No. 1:15-CV-08265-ER

SEAN PENN, an individual

Plaintiff,

v.

LEE DANIELS, an individual

JOHN DOES 1-100,

Defendant.

**[PROPOSED] ORDER ON DEFENDANT'S
MOTION TO WITHDRAW HIS NOTICE OF REMOVAL**

Defendant, Lee Daniels (“Daniels”), through counsel, together with counsel for the plaintiff, Sean Penn (“Penn”), hereby files the proposed Order Granting the Withdrawal of Daniels’ Notice of Removal and remanding this action to the Supreme Court.

WHEREAS, on October 20, 2015, Daniels filed a Notice of Removal, seeking to remove this action (“Action”) from the Supreme Court of the State of New York in and for New York County, New York (“Supreme Court”) to the United States District Court for the Southern District of New York [D.E. 1];

WHEREAS, on October 22, 2015, Penn filed a letter pursuant to this Court’s Individual Rules of Practice, requesting a Pre-Motion Conference in connection with his request to remand the Action back to the Supreme Court [D.E. 4];

WHEREAS, on October 23, 2015, the Court granted Penn’s request for a Pre-Motion Conference, scheduling the matter for a hearing on November 10, 2015, and providing Daniels until November 3, 2015, in which to file a response letter;

WHEREAS, on November 3, 2015, the parties submitted a joint letter (“Joint Letter”) advising the Court that they have resolved the matter, as Daniels has agreed to withdraw his Notice of Removal, agreed to have the Action remanded to the Supreme Court, and agreed to make payment of a confidential monetary amount to Penn consistent with the guiding principles of 28 U.S.C. § 1447(c);

WHEREAS, having considered the Joint Letter, the Court hereby orders that the Action shall be REMANDED to the Supreme Court, and removes the Pre-Motion Conference from the Court’s calendar.

Dated: _____, 2015 SO ORDERED:
New York, New York

THE HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE

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