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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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10	Erica Dawn Eranio, a single woman,)	No. 09-CV-8168-PCT-PGR
)	
11	Plaintiff,)	
	vs.)	
12)	ORDER
13	Bradshaw Mountain Family Dental Group,)	
	P.C. an Arizona Professional Corporation;)	
14	David Frausto and Jessica Frausto,)	
	husband and wife,)	
15	Defendants.)	

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17 Pursuant to Plaintiff’s voluntary dismissal of both federal claims¹ and her Motion to
18 Remand to Yavapai County Superior Court,

19 IT IS HEREBY ORDERED that Plaintiff’s federal claims (Twelve and Thirteen) are
20 dismissed *with prejudice*².

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23 ¹ When all federal claims are eliminated early in a case and only state claims remain,
24 the district court has “a powerful reason to choose not to continue to exercise jurisdiction.”
25 Carnegie-Mellon Univ. v. Cohill, 484 U. S. 343, 351 (1988); see 28 U. S.C. § 1367(c)(3).
26 Furthermore, in the Ninth Circuit, “it is generally preferable for a district court to remand
27 remaining pendent claims to state court[.]” Harrell v. 20 Century Ins. Co., 934 F.2d 203, 205
28 (9th Cir. 1991); see Baddie v. Berekely Farms, Inc., 64 F.3d 487, 490-91 (9th Cir. 1995); 28
U.S.C. § 1447(c).

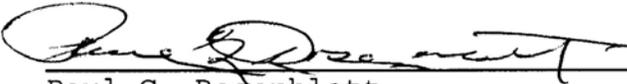
² Both parties agree that should the Motion for Remand be granted, the federal claims
should be dismissed with prejudice. The remaining ten claims are all state claims.

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IT IS FURTHER ORDERED GRANTING Plaintiff's Motion to Remand. (Doc.

11.)

DATED this 9th day of November, 2009.



Paul G. Rosenblatt
United States District Judge