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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SANDI RUSH,)	Case No. CV 10-04635 DDP (MANx)
)	
Plaintiff,)	
)	ORDER DISMISSING CASE
v.)	
)	
W.K.S. RESTAURANT)	
CORPORATION dba EL POLLO)	
LOCO NO. 17; BIG 5 CORP. dba)	[Docket NO. 36]
BIG 5 SPORTING GOODS #400;)	
et al.)	
Defendants.)	
_____)	

Presently before the court is the Ex Parte Application to Dismiss Case filed by Defendants/Cross Claimants Rubio Holdings, LLC and Crystal Enterprises, LLC (collectively, "Applicants"). (Dkt. No. 36.) The court notes that as of the date of this order, no opposition to the application has been filed.

This action was initially filed as an Americans with Disabilities Act complaint against several defendants, including Applicants and Cross Claimant Big 5 Corporation ("Big 5"). Applicants and Big 5 subsequently filed cross claims against each other. All of Plaintiff's claims have been resolved. Thus, only the cross claims remain.

1 All of the cross claims concern interpretation of a lease
2 under state law. No federal questions remain. The amount in
3 controversy is less than \$13,000. Accordingly, the court declines
4 to exercise supplemental jurisdiction over the remaining state law
5 claims. See 28 U.S.C. § 1367(c)(3); Ove v. Gwinn, 264 F.3d 817, 826
6 (9th Cir. 2001) ("A court may decline to exercise supplemental
7 jurisdiction over related state-law claims once it has dismissed
8 all claims over which it has original jurisdiction."). Applicants'
9 Motion to Dismiss is GRANTED. All cross-claims are dismissed
10 without prejudice.¹

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IT IS SO ORDERED.

Dated: October 4, 2011


DEAN D. PREGERSON
United States District Judge

¹ The court notes that equitable tolling may apply to any potential statute of limitations issues.