

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:12-cv-07341-SVW-PLA

Date February 28, 2013

Title Bruce Bell v. Air and Liquid Systems Corporation et al

JS - 6

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Paul M. Cruz

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

N/A

N/A

Proceedings: IN CHAMBERS ORDER re: ORDER TO SHOW CAUSE [63]

On July 20, 2012, Plaintiff Bruce Bell (“Plaintiff”) filed an asbestos-related personal injury action in state court against fifteen defendants (collectively, “Defendants”), including General Electric (“GE”). The Complaint seeks damages on the basis of various state law claims for negligence, strict liability, false representation, intentional tort, and intentional failure to warn theories. (Dkt. 1 ¶ 6.) On August 27, 2012, GE filed a Notice of Removal on the ground that it acted under the authority of officers of the Navy within the meaning of 28 U.S.C. § 1442(a)(1). (Id. ¶ 4).

On January 23, 2013, the Court was advised that Plaintiff and Defendant General Electric Company reached a settlement in this case. (Dkt. 61). As Defendant GE was the only defendant to assert the federal contractor defense, 28 U.S.C. § 1442, there no longer appears to be a basis for federal subject matter jurisdiction.

On February 11, 2013, the Court issued an ORDER TO SHOW CAUSE ordering the remaining parties to state why the Court should not remand the action to state court, and in particular, to notify the Court if they intend to raise the federal contractor defense. (Dkt. 63). As of the date of this Order, no party has responded. Accordingly, the action is REMANDED to Los Angeles Superior Court pursuant to 28 U.S.C. § 1447(c). The case is terminated.

Initials of Preparer

PMC