

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

AMY ROTH, SHANA EKIN, as
individuals and on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

CHA HOLLYWOOD MEDICAL
CENTER, L.P., d/b/a CHA Hollywood
Presbyterian Medical Center and
Hollywood Presbyterian Medical Center,
and CHS HEALTHCARE
MANAGEMENT, L.L.C.,

Defendants.

Case No. 2:12-cv-07559-ODW(SHx)

**ORDER TO SHOW CAUSE RE.
LACK OF SUBJECT-MATTER
JURISDICTION**

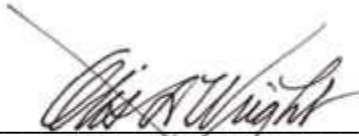
On October 25, 2013, the Court denied Plaintiff Shana Ekin's Motion for Class Certification. (ECF No. 85.) The effect of that ruling was to preclude Ekin proceeding on a class-action basis and leave only Ekin's claims viable in this action. Since this case was removed under the Class Action Fairness Act, and there is now no class action, the Court no longer has jurisdiction over Ekin's individual claims.

The Court also notes that Ekin filed an interlocutory appeal in the Ninth Circuit Court of Appeals. *Roth et al. v. CHA Hollywood Medical Center et al.*, No. 13-80222 (9th Cir. Notice of Appeal filed Nov. 7, 2013). Ekin admits in her brief that this Court no longer has jurisdiction over her case so long as the Court's denial of class certification stands.

1 The Court therefore **ORDERS** Ekin to **SHOW CAUSE** by **Friday, November**
2 **15, 2013**, why this case should not be remanded to Los Angeles County Superior
3 Court for lack of subject-matter jurisdiction. Ekin may also address whether the Court
4 should stay this case pending resolution of her appeal. Defendants are welcome to
5 submit a simultaneous response on these issues. No hearing will be held. Failure to
6 timely respond will result in automatic remand of this case.

7 **IT IS SO ORDERED.**

8
9 November 8, 2013

10
11 

12 **OTIS D. WRIGHT, II**
13 **UNITED STATES DISTRICT JUDGE**