

JS-6

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

**CIVIL MINUTES – GENERAL**

Case No. SA CV 15-0285-DOC (DFMx)

Date: April 9, 2015

Title: MICHAEL CHI PHU V. NATIONSTAR MORTGAGE LLC, ET AL.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Goltz  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR  
DEFENDANT:  
None Present

**PROCEEDINGS (IN CHAMBERS): ORDER REMANDING CASE**

On April 1, 2015, the Court wrote:

Because the only federal claim in this action has been voluntarily dismissed, the Court must decide whether to exercise supplemental jurisdiction over the remaining state law claims. This decision should be “informed by the...values ‘of economy, convenience, fairness, and comity.’” *Acri v. Varian Associates, Inc.*, 114 F.3d 999, 1001 (9th Cir. 1997) (citations omitted). “[I]n the usual case in which all federal-law claims are eliminated before trial, the balance of factors...will point toward declining to exercise jurisdiction over the remaining state-law claims.” *Carnegie-Mellon University v. Cohill*, 484 U.S. 343, 350 n. 7 (1988). The Court has not yet ruled on the merits of this case, and the case is still in its very early stages. Therefore, absent a showing that this Court should in fact exercise supplemental jurisdiction, the Court is inclined to DECLINE to exercise supplemental jurisdiction over the state law claims alleged in the SAC. 28 U.S.C. § 1367(c)(3).

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Page 2

Accordingly, the Court ORDERS Defendants to SHOW CAUSE in writing on or before **April 6, 2015** why this action should not be remanded to state court. A failure to respond will be deemed agreement to remand this case, and the case will be remanded to Orange County Superior Court.

Order, Apr. 1, 2015 (Dkt. 33).

Defendants did not respond to the Order to Show Cause. As such, consistent with that Order, the Court declines to exercise supplemental jurisdiction over the remaining state law claims. This matter is hereby REMANDED to Orange County Superior Court.

The Clerk shall serve this minute order on the parties.

MINUTES FORM 11  
CIVIL-GEN

Initials of Deputy Clerk: djg