



1 court may decline to exercise supplemental jurisdiction over a claim under subsection (a) if . . .  
2 the district court has dismissed all claims over which it has original jurisdiction.” 28 U.S.C. §  
3 1367(c)(3); *Parra v. PacifiCare of Ariz., Inc.*, 715 F.3d 1146, 1156 (9th Cir. 2013); *Herman*  
4 *Family Revocable Trust v. Teddy Bear*, 254 F.3d 802, 805 (9th Cir. 2001); *see also Watison v.*  
5 *Carter*, 668 F.3d 1108, 1117-18 (9th Cir. 2012) (even in the presence of cognizable federal  
6 claim, district court has discretion to decline supplemental jurisdiction over novel or complex  
7 issue of state law of whether criminal statutes give rise to civil liability). The Supreme Court has  
8 cautioned that “if the federal claims are dismissed before trial, . . . the state claims should be  
9 dismissed as well.” *United Mine Workers of America v. Gibbs*, 383 U.S. 715, 726 (1966).

10 Accordingly, it is the Court **ORDERS**:

- 11 1. **within 21** days of the date of service of this order, Plaintiff SHALL either:
  - 12 a. show cause why the Court should continue to exercise supplemental  
13 jurisdiction over the remaining state law claims against Defendants Songer,  
14 Fernando, and Sagasta, or
  - 15 b. secure and file an executed stipulation of dismissal under Federal Rule of  
16 Civil Procedure 41(a)(1)(A)(ii); and
- 17 2. if Plaintiff files a response showing cause why supplemental jurisdiction should be  
18 continued on these claims, Defendants may file an opposition to which Plaintiff  
19 may reply under the timelines set forth in Local Rule 230(l).<sup>2</sup>

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21 IT IS SO ORDERED.

22 Dated: **April 20, 2017**

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE

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27 <sup>2</sup> Briefs regarding supplemental jurisdiction, if filed, **SHALL** address whether “declining jurisdiction serves the  
28 objectives of economy, convenience and fairness to the parties, and comity,” *Trustees of Constr. Indus. & Laborers*  
*Health and Welfare Trust v. Desert Valley Landscape & Maint., Inc.*, 333 F.3d 923, 925-26 (9th Cir. 2003).