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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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GEORGE S. LOUIE,  
Plaintiff,

NO. CIV. S-06-1591 FCD KJM

v.

ORDER

EXIDE TECHNOLOGIES,  
Defendant.

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The court has reviewed defendant's notice of removal to the United States District Court for the Eastern District of California under 28 U.S.C. §§ 1441(a) and 1446 based on federal question jurisdiction. The court finds that the underlying complaint, alleging causes of action for (1) violation of the California Disabled Persons Act (California Civil Code § 54 et seq.), (2) violation of the Unruh Civil Rights Act (California Civil Code § 51 et seq.), (3) denial of full and equal access to a person with physical disabilities in a public facilities (California Health & Safety Code §§ 19955 et seq.), and (4) negligence, does not present a federal question and is therefore

1 improperly before this court.<sup>1</sup> Accordingly, the court REMANDS  
2 this action back to the Superior Court of California, County of  
3 Sacramento.

4 IT IS SO ORDERED.

5 DATED: July 19, 2006

6 /s/ Frank C. Damrell Jr.  
7 FRANK C. DAMRELL, Jr.  
8 UNITED STATES DISTRICT JUDGE  
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25 <sup>1</sup> Defendants reliance on Pickern v. Best Western Timber  
26 Cove Lodge Marina Resort, 194 F. Supp. 2d 1128 (E.D. Cal. 2002),  
27 is misplaced. In Pickern, the court held that it did not have  
28 federal question jurisdiction over similar state law claims for  
damages. Id. While the court hypothesized, without citation,  
that a federal court may have original jurisdiction over a state  
claim for injunctive relief, the court did not reach the issue.  
Id. at 1132 n.5.