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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TARRANCE CHAMPLAIE,

NO. CIV. S-09-1316 LKK/DAD

Plaintiff,

v.

O R D E R

BAC HOME LOANS SERVICING, LP,
et al.,

Defendants.

_____ /

Plaintiff's second amended complaint states claims for violation of the Truth in Lending Act, 15 U.S.C. § 1601 et seq., ("TILA") the Real Estate Settlement Procedures Act, 12 U.S.C. §§ 2601-2617, ("RESPA") and various state laws. Three defendants, BAC Home Loans Servicing, LP, Countrywide Home Loans, Inc., and Recontrust Company, move to dismiss all claims against them. (Dkt. No. 51).


Plaintiff does not oppose dismissal of his TILA and RESPA claims, which are brought only as to these defendants. Accordingly, this case no longer presents a federal question, and this court

1 declines to exercise supplemental jurisdiction over plaintiff's
2 state law claims. 28 U.S.C. § 1367(c)(3). All parties have agreed
3 that declining to exercise supplemental jurisdiction is proper in
4 this case.

5 For these reasons, plaintiff's TILA and RESPA claims are
6 dismissed with prejudice. Plaintiff's remaining claims are
7 dismissed for lack of subject matter jurisdiction. Pursuant to
8 Fed. R. Civ. P. 41(b), dismissal of the state law claims does not
9 operate as an adjudication on the merits. The clerk of the court
10 is directed to close this case.

11 IT IS SO ORDERED.

12 DATED: March 2, 2010.

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15 LAWRENCE K. KARLTON
16 SENIOR JUDGE
17 UNITED STATES DISTRICT COURT
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