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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES A. BONNER,  
Plaintiff,

No. C 10-03788 SI

**ORDER REMANDING ACTION**

v.

AM CAL HOME LOANS, INC., et al.  
Defendants.

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This case was originally filed in the California Superior Court for the County of Alameda. It was removed to this Court on August 25, 2010. The Court had jurisdiction because plaintiff made federal law claims. Plaintiff no longer brings any federal law claims. *See* Fourth Am. Compl.

A federal district court has discretion to remand a properly removed case to state court when no federal claim remains. *See Harrell v. 20th Century Ins. Co.*, 934 F.2d 203, 205 (9th Cir. 1991). “The district court’s decision to remand . . . is dependent upon what ‘will best accommodate the values of economy, convenience, fairness, and comity.’” *Id.* (quoting *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 351 (1988)). “[I]n the usual case’ the balance of factors will weigh toward remanding any remaining pendent state claims to state court.” *Id.* (quoting *Carnegie-Mellon*, 484 U.S. at 350 n.7). In particular, a district court has “a powerful reason to choose not to continue to exercise jurisdiction” when all federal claims have been eliminated at an early stage of the litigation. *Carnegie-Mellon*, 484 U.S. at 350–51.

This case is at the motion to dismiss stage. The Court has not yet held an initial case management conference. The complaint raises a large number of state law claims, including some based on new or newly revised statutes relating to mortgage foreclosure that the state courts have only just

1 begun to interpret.

2 For the foregoing reasons and for good cause shown, the Court hereby REMANDS this case to  
3 the California Superior Court for the County of Alameda. The motion hearing set for March 4, 2011  
4 and the case management conference set for April 15, 2011 are hereby VACATED.

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6 **IT IS SO ORDERED.**

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8 Dated: March 2, 2011



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SUSAN ILLSTON  
United States District Judge

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