

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

LEO WASHINGTON,

Plaintiff,

v.

INGRID S. LAYNE, *et al.*,

Defendant.

No. C 10-04431 SI

**ORDER GRANTING PLAINTIFF'S
MOTION TO AMEND SECOND
AMENDED COMPLAINT; GRANTING
PLAINTIFF LEAVE TO FILE THIRD
AMENDED COMPLAINT; AND
REMANDING ACTION TO SUPERIOR
COURT.**

Pro se plaintiff Leo Washington moved to remand this case to the Superior Court for Contra Costa County. [Docket No. 7]. In his reply, plaintiff alternatively moved for leave to amend his second amended complaint to dismiss his federal law claims under Title VII, and have the Court remand the remaining state law claims to state court. On November 12, 2010, the Court granted defendants leave to respond to plaintiff's alternative motion, but defendants declined to respond. On November 24, 2010, plaintiff submitted to the Court a Third Amended Complaint, which removed all references to federal claims. [Docket No. 22].

For the reasons stated in the Court's November 12, 2010 Order, the Court hereby GRANTS plaintiff's request to amend his second amended complaint. [Docket No. 7]. The Court also orders that the Third Amended Complaint submitted by plaintiff, Docket No. 22, shall be deemed filed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

As the only claims remaining in the case are state law claims, the Court declines to exercise supplemental jurisdiction and **REMANDS** this action to the Superior Court for Contra Costa County.

IT IS SO ORDERED.

Dated: December 1, 2010



SUSAN ILLSTON
United States District Judge