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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUNPOWER CORPORATION,
Plaintiff,
v.
SUNEDISON, INC., et al.,
Defendants.

Case No. [15-cv-02462-WHO](#)

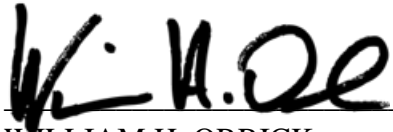
ORDER DISMISSING COMPLAINT
Re: Dkt. No. 41

In my September 11, 2015 Order, I dismissed plaintiff Sunpower Corporation's only federal claim with leave to amend. Dkt. No. 40. I specified that I would not exercise supplemental jurisdiction over Sunpower's pendant state law claims if it failed to state a federal cause of action. I also mistakenly stated that I would remand the case to state court in that circumstance, which of course I cannot do because this case was not originally filed in state court. 28 U.S.C. 1447(c).

Sunpower has now filed a notice stating that it will not be amending its complaint and that it will be proceeding in state court. Dkt. No. 41. In accordance with my prior order, Sunpower's state law claims are DISMISSED without prejudice. The federal claim is dismissed with prejudice. Judgment shall be entered accordingly.

IT IS SO ORDERED.

Dated: October 13, 2015



WILLIAM H. ORRICK
United States District Judge