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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LOUIS A. LIBERTY,  
Plaintiff,

v.

STATE BAR OF CALIFORNIA,  
Defendant.

Case No. 16-cv-00022-TEH

**ORDER REMANDING CASE**

After Louis Liberty removed this case, a disciplinary action against him in the State Bar Court of California, this Court concluded that it lacked jurisdiction and issued an order to show cause as to why the case should not be remanded. The parties filed timely responses to the order to show cause. After reviewing the parties' written arguments, the Court finds oral argument to be unnecessary.

Liberty does not oppose remand of the disciplinary action against him. Accordingly, IT IS HEREBY ORDERED that this case is remanded to the State Bar Court of California without objection.

Liberty argues that this Court must retain jurisdiction over his counterclaim and crossclaim because they are based in part on federal law. However, he cites no authority for this proposition, and the Court declines to exercise jurisdiction over the counterclaim and crossclaim/third-party complaint.<sup>1</sup> See, e.g., *Certain Underwriters at Lloyd's London v. Art Crating, Inc.*, Case No. No. 12-CV-5078 (NGG) (VMS), 2014 WL 123488, at \*19 (E.D.N.Y. Jan. 10, 2014) (noting cases where courts found retention of federal counterclaims to be discretionary and where courts "declined to exercise jurisdiction over

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<sup>1</sup> Liberty concedes that his crossclaim should have been filed as a third-party complaint because it is not brought against co-parties.

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and remanded third-party claims that could implicate original jurisdiction, once the main action was remanded for lack of subject matter jurisdiction”).

**IT IS SO ORDERED.**

Dated: 02/16/16

  
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THELTON E. HENDERSON  
United States District Judge