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28UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

REDWOOD EMPIRE DISPOSAL SONOMA
COUNTY, INC.,

No. C 10-05736 LB

ORDER REMANDING CASE

Plaintiff,

v.

CURTIS J. MICHELINI, *et al.*,Defendants.
_____ /

On March 1, 2011, after the court granted leave to amend, Plaintiff Redwood Empire Disposal Sonoma County, Inc. filed an amended complaint. *See* ECF No. 25. The amended complaint is identical to the complaint previously filed as an exhibit to the parties' stipulation and proposed order for filing a first amended complaint and for remand to state court. *See* ECF No. 23-1.

The amended complaint – which deletes the allegations that Defendants violated the Clean Water Act, 33 U.S.C. §§ 1341 and 1344 – contains only state law claims. The court holds that it lacks subject-matter jurisdiction, and remand is appropriate and fair. *See Carnegie-Mellon University v. Cohill*, 484 U.S. 343, 351 (1988).

Accordingly, the court now remands the case to Sonoma County Superior Court.

IT IS SO ORDERED.

Dated: March 8, 2011



LAUREL BEELER
United States Magistrate Judge

ORDER REMANDING CASE (C 10-05736 LB)