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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SYNERGY PROJECT MANAGEMENT,
INC.,

Plaintiff,

v.

CITY AND COUNTY OF SAN
FRANCISCO, et al.,

Defendants.

Case No. 17-cv-06763-JST

ORDER REMANDING CASE

Re: ECF No. 179

On June 7, 2021, the Ninth Circuit affirmed in part and vacated in part the Court's orders granting Defendants' motions to dismiss, denying leave to amend, and entering final judgment. *Synergy Project Mgmt., Inc. v. City and County of San Francisco*, No. 19-17558, -- Fed. Appx --, 2021 WL 2311946, at *1 (9th Cir. June 7, 2021). The Ninth Circuit affirmed this Court's dismissal of Plaintiff Synergy Project Management, Inc.'s federal claims without leave to amend. *Id.* at *1-2. As to Synergy's state law intentional interference claim, the Ninth Circuit acknowledged an intervening California court decision under which Defendant City and County of San Francisco "could potentially be liable under a tortious interference theory," although "only if Synergy alleged an independently wrongful act" by the City. *Id.* at *1. It was left to this Court's discretion "to either address this issue on remand or, because no federal claims will remain, to remand the claim to state court for resolution." *Id.* (citing *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 357 (1988); 28 U.S.C. § 1367(c)(3)). Synergy filed a petition for rehearing and rehearing en banc, which the Ninth Circuit denied, and the mandate issued on July 28, 2021. ECF No. 179.

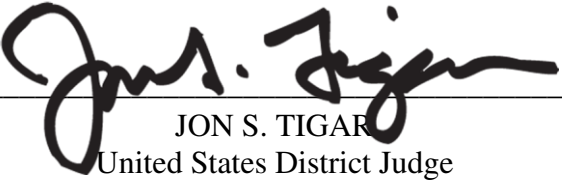
Since no federal claims in this case remain, the Court declines to exercise jurisdiction over

United States District Court
Northern District of California

1 Synergy's state law intentional interference claim. The case is hereby remanded to San Francisco
2 County Superior Court.

3 **IT IS SO ORDERED.**

4 Dated: August 4, 2021

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6 JON S. TIGAR
United States District Judge

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United States District Court
Northern District of California