

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TERRY L. FAYLOR AND ANNE M. ORMSBY,)	Case No.: 09-CV-05213-LHK
)	
Plaintiffs,)	ORDER REMANDING CASE TO
v.)	SANTA CRUZ COUNTY SUPERIOR
)	COURT
CALIFORNIA RECONVEYANCE CO., et al.,)	
)	
Defendants.)	

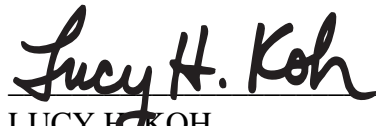
This case was reassigned to this Court on August 2, 2010. On October 5, 2010, Defendants re-noticed a motion to dismiss, which was set for hearing on January 13, 2011. In a prior Order, the Honorable James Ware dismissed Plaintiffs’ federal claim under the Truth in Lending Act (“TILA”), 15 U.S.C. § 1601, with leave to amend and declined to reach Plaintiffs’ state law claims at that time. See Dkt. #19. Plaintiffs later filed an amended complaint which included only state law causes of action. As Plaintiff’s lone federal claim under TILA has been dismissed and the time to amend that claim has long passed, the Court declines to exercise jurisdiction over Plaintiff’s remaining state law claims. See 28 U.S.C. § 1367(c)(3) (a court may decline to exercise supplemental jurisdiction where it “has dismissed all claims over which it has original jurisdiction.”). Accordingly, the case is REMANDED to the Superior Court for Santa Cruz County. The Clerk shall close the file and terminate any pending motions. The motion hearing

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and Case Management Conference scheduled for January 13, 2011 are vacated.

IT IS SO ORDERED.

Dated: January 6, 2011



LUCY H. KOH
United States District Judge