

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

SCOTT JOHNSON,
Plaintiff,
v.
BRYANT OTTER, et al.,
Defendants.

Case No. [18-cv-01689-BLF](#)

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED
WITHOUT PREJUDICE FOR LACK
OF SUBJECT-MATTER
JURISDICTION OVER FEDERAL
LAW CLAIMS**

Concurrently with this Order, the Court issues an order (“concurrent order”) dismissing Plaintiff Scott Johnson’s Americans with Disabilities Act (“ADA”) claim against Defendant Thomas Roper for lack of subject-matter jurisdiction because the claim is moot. ECF 35. But the Court exercised supplemental jurisdiction over Plaintiff’s state law claim against Roper. On May 2, 2018, the Clerk of the Court entered default against the only other defendant, Bryant Otter. ECF 10. Plaintiff is hereby ORDERED TO SHOW CAUSE why his ADA claim against Otter should not be dismissed as moot, and in turn why the Court should not decline to exercise supplemental jurisdiction over the remaining state law claims, in light of the concurrent order and the case law cited therein. Plaintiff’s response is due **on or before February 18, 2019**.

IT IS SO ORDERED.

Dated: February 5, 2019



BETH LABSON FREEMAN
United States District Judge