

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-1251-NYW

CONTINENTAL CREDIT CORPORATION,  
NATIONAL CREDIT CARE CORPORATION,

Plaintiffs,

v.

PAUL C. GARCIA,

Defendant.

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**ORDER**

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Magistrate Judge Nina Y. Wang

This matter is before the court on Plaintiffs' Response to Order to Show Cause and Request to Dismiss Remaining Unjust Enrichment Claim Without Prejudice for Lack of Subject Matter Jurisdiction. [#45, filed Mar. 8, 2016].

Plaintiffs represent that their remaining claim in this case for unjust enrichment against Defendant Paul C. Garcia does not satisfy the \$75,000 amount in controversy requirement to establish diversity jurisdiction pursuant to 28 U.S.C. § 1331. [#45 at ¶ 5]. Plaintiffs therefore request that the court dismiss Plaintiffs' remaining unjust enrichment claim without prejudice for lack of subject matter jurisdiction. [#45 at ¶ 5].

On the basis of the foregoing, **IT IS ORDERED** that:

(1) As previously set forth in the court's Memorandum Opinion and Order [#42], Plaintiffs' claim for relief for breach of contract has been **DISMISSED WITH PREJUDICE**;

(2) Plaintiffs' claim for unjust enrichment is hereby **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction; and

(3) The case is dismissed in its entirety and the Clerk of the Court is directed to **CLOSE** the case.

DATED: March 11, 2016

BY THE COURT:

s/Nina Y. Wang  
United States Magistrate Judge