

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

MERCHANTS CREDIT BUREAU, INC.,
As Assignee of AP Surgery
Center,

Plaintiff,

v.

JONATHAN MORRIS,

Defendant.

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CV 115-124

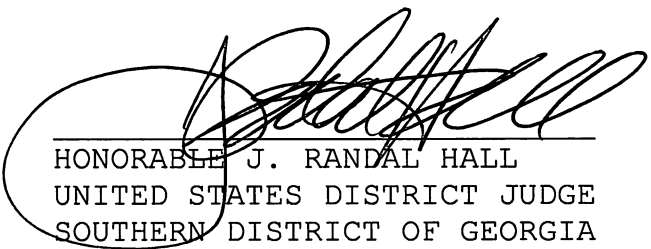
O R D E R

Presently before the Court is the parties' Joint Response to Show Cause Order and Motion to Remand. (Doc. 20.) In their motion to remand, the parties stipulate that this Court's dismissal of third-party defendant Blue Cross Blue Shield eliminated all federal law claims in this case. The parties further stipulate that they have reached a settlement in principle which may require post-judgment action by Plaintiff. The Court must now determine if remand is proper.

28 U.S.C. § 1367(c)(3) provides that "district courts may decline to exercise supplemental jurisdiction over a claim . . . if . . . the district court has dismissed all claims over which it has original jurisdiction." Moreover, the Eleventh Circuit "encourage[s] districts to dismiss any remaining state claims

when, as here, the federal claims have been dismissed prior to trial." Raney v. Allstate Ins. Co., 370 F.3d 1086, 1089 (11th Cir. 2004). Because this Court has dismissed all federal law claims by virtue of dismissing Blue Cross Blue Shield as a party to this litigation, it **GRANTS** the parties' request (doc. 20) and **REMANDS** this case to the Superior Court of Columbia County, Georgia.

ORDER ENTERED at Augusta, Georgia, this 4th day of January, 2017.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA