

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

U.S. DISTRICT COURT  
SAVANNAH DIV.

2017 MAY -8 PM 3:54

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COURT OF GA.

VALLAMBROSA PLANTATION, LLC; )  
JERRY WILLIAMS; and TAMMY LEE )  
WILLIAMS, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DAVID SIKORSKY and MARY )  
SIKORSKY; )  
 )  
Defendants. )  
 )

CASE NO. CV415-202

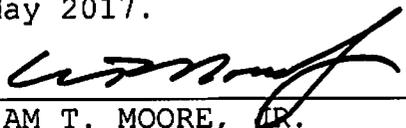
O R D E R

Before the Court are Plaintiffs' Motion to Amend Complaint and to Add a Party (Doc. 46) and Plaintiffs' Motion to Remand (Doc. 47). Plaintiffs request that the Court allow Plaintiffs to amend their complaint to drop the racketeering charge against Defendants and to add an additional party—Peter Sikorsky. (Doc. 46 at 2.) Pursuant to Federal Rule of Civil Procedure 15(a)(2), a court may grant permission to amend a complaint "when justice so requires." Defendants have no objection to Plaintiffs' request to drop the racketeering charge. (Doc. 50 at 1.) However, Defendants have objected to the addition of Mr. Sikorsky. (Id.) After a review of the record, Plaintiffs' Motion to Amend (Doc. 46) is **GRANTED IN PART** and Plaintiffs may amend their complaint to remove the racketeering charge. Because this action deprives this Court of jurisdiction, the Court **DECLINES**

to rule on whether Peter Sikorsky should be added as a party in this case.

This Court has granted Plaintiffs' request to amend their complaint and drop the racketeering claim, which is the only claim in this case over which the Court has original jurisdiction. See United Mine Workers v. Gibbs, 383 U.S. 715, 726 (1966). 28 U.S.C. § 1367(c)(3) allows a Court to decline to exercise supplemental jurisdiction when a Court has dismissed all claims over which it has original jurisdiction. Accordingly, Plaintiffs' Motion to Remand (Doc. 47) is **GRANTED**. The Clerk of Court is **DIRECTED** to remand this case to the Superior Court of Chatham County. See 28 U.S.C. § 1447. Following remand, the Clerk of Court is **DIRECTED** to close this case.<sup>1</sup>

SO ORDERED this 8<sup>th</sup> day of May 2017.

  
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WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

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<sup>1</sup> All pending motions are **DISMISSED AS MOOT**.