

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FRANCIS ROTTMAN,

Plaintiff,

Case No. 07-10992

v.

Hon. John Corbett O'Meara

NCOP – PURCHASER FROM CITIB, and
LAW OFFICES OF MICHAEL R. STILLMAN, P.C.,

Defendants.

ORDER OF PARTIAL DISMISSAL

On March 8, 2007, Plaintiff filed a two-count complaint in this action alleging violations of the Fair Debt Collection Practices Act (Count I) and the Michigan Debt Collection Practices Act (Count II). Plaintiff does not allege that diversity jurisdiction exists. Although Count I is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present a claim based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claim so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Count II of Plaintiff's complaint is DISMISSED.

s/John Corbett O'Meara
United States District Judge

Dated: March 15, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, March 15, 2007, by electronic or ordinary mail.

s/William Barkholz
Case Manager