

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GLENNA CONKLIN,

Plaintiff,

Case No. 13-11343

v.

Hon. John Corbett O'Meara

HENRY FORD HEALTH SYSTEM,

Defendant.

ORDER OF PARTIAL DISMISSAL

Plaintiff Glenna Conklin filed a two-count complaint in this matter alleging the following causes of action: Count I, violation of Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201; et seq; and Count II, breach of contract.

Although Plaintiff's cause of action arising under a federal statute is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based solely on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Count II is **DISMISSED**.

Date: April 22, 2013

s/John Corbett O'Meara
United States District Court

I hereby certify that on April 22, 2013 a copy of this order was served upon counsel of record using the ECF system.

s/William Barkholz
Case Manager