

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARY JANINE KRYCIA and PATRICIA  
NEWELL,

Case No. 13-13659

Plaintiffs,

Honorable John Corbett O'Meara

v.

CLINTON TOWNSHIP and GEORGE  
FITZGERALD,

Defendants.

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**ORDER OF PARTIAL DISMISSAL**

Plaintiffs Mary Janine Krycia and Patricia Newell filed a three-count complaint in this court, alleging violations of 42 U.S.C. § 1983 in Count I; wrongful termination in violation of public policy in Count II; and intentional infliction of emotional distress in Count III.

Although Plaintiff's cause of action arising under federal law is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations of the complaint are based solely on state law. This court declines to exercise supplemental jurisdiction over Plaintiffs' 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 Counts II and III are **DISMISSED WITHOUT PREJUDICE**.

s/John Corbett O'Meara  
United States District Judge

Date: October 2, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, October 2, 2013, using the ECF system.

s/William Barkholz

Case Manager