

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICIA ROUSSETY,

Plaintiff,

v.

GREEN TREE SERVICING, L.L.C., and
NATIONAL CREDITORS CONNECTION, INC.,

Defendants.

Case No. 14-11677

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Patricia Roussety recently filed a seven-count complaint in this court alleging the following causes of action: Count I, violations of the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. §§ 227 *et seq.*; Count II, violations of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692k(d); Count III, violations of the Michigan Collection Practices Act ("MCPA"), Mich. Comp. Laws Ann. §§ 445.251 *et seq.*; Count IV, violations of the TCPA; Count V, violations of the FDCPA; Count VI, violations of the Michigan Occupational Code ("MOC"), Mich. Comp. Laws Ann. §§ 339.901 *et seq.*; and Count VII, violations of the MCPA as alternative to claims under the MOC.

Although Plaintiff's causes of action arising under federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations of the complaint are based solely on state law. There is no allegation that the parties to this action are diverse, and the 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 Counts III, VI, and VII are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: June 30, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, June 30, 2014, using the ECF system.

s/William Barkholz
Case Manager