

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MOSHE TZALEL,

Plaintiff,

Case No. 17-12957

v.

Honorable John Corbett O'Meara

WESTERN GREAT LAKES PILOTS  
ASSOCIATION,

Defendant.

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**ORDER OF PARTIAL DISMISSAL**

Plaintiff Moshe Tzalel recently filed a six-count complaint in this court alleging the following causes of action: Counts I and II, violations of Michigan's Elliott-Larsen Civil Rights Act ("ELCRA"); Count III, violations of the Americans with Disabilities Act; Counts IV and V, violations of ELCRA; and Count VI, termination in violation of public policy pursuant to 46 C.F.R., § 15.111.

Although the two counts arising under federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the allegations presented in the remainder of the complaint are based solely on state law. The parties to this action are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claims to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine

Workers v. Gibbs, 282 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

**ORDER**

It is hereby **ORDERED** that Counts I, II, IV and V are **DISMISSED WITHOUT PREJUDICE**.

s/John Corbett O'Meara  
United States District Judge

Date: October 19, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, October 19, 2017, using the ECF system.

s/William Barkholz  
Case Manager