

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

GLORIA STURZENACKER,  
Plaintiff,

v.

CMC RESTORATION, INC.;  
CHRISTOPHER & BRUMMETT, INC; and  
DAVID KELLEY,  
Defendants.

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No. 5:17-CV-00113-JFL

**ORDER**

**AND NOW**, this 27<sup>th</sup> day of July, 2017, for the reasons set forth in the Opinion issued this date above, **IT IS HEREBY ORDERED THAT:**

1. This Court declines to exercise supplemental jurisdiction over Counts II, III, IV, V, and VI pursuant to 28 U.S.C. § 1367(c)(2).
2. Counts II, III, IV, V, and VI are **SEVERED** from the Complaint,<sup>1</sup> and **DISMISSED without prejudice** to an action to be filed in state court.<sup>2</sup>

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR.  
United States District Judge

<sup>1</sup> See Fed. R. Civ. P. 21 (“The court may also sever any claim against a party.”).

<sup>2</sup> “The period of limitations for any claim asserted under subsection (a) . . . shall be tolled while the claim is pending and for a period of 30 days after it is dismissed unless State law provides for a longer tolling period.” 28 U.S.C. § 1367(d).