

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

---

AQUAPOWER, LC, a Utah Limited Liability Company; and AQUAENERGY, LC, a utah Limited Liability Company,

Plaintiffs,

vs.

DAVID G. YURTH; NOVA INSTITUTE OF TECHNOLOGY, LLC, a Utah limited liability company; JEFFERY J. FRANDSEN; SCOTT R. SCHREYER; MICHAEL S. KRALIK; CRIT RANDALL KILLEN; EDWARD G. PRICE; ENVIRONMENTAL POTENTIALS, INC., a Nevada corporation; LEONHARDT SCHROEDTER; ROGER L. CAREFOOT; and JOHN DOES 1-10,

Defendants.

ORDER DISMISSING REMAINING CLAIMS

Case No. 2:10-CV-568 TS

On February 28, 2011, the Court issued an Order which dismissed Aquapower's federal claims without prejudice.<sup>1</sup> The Court gave Aquapower though March 17, 2011, to file an amended complaint. Aquapower has not done so. The Court's February 28 Order further stated

---

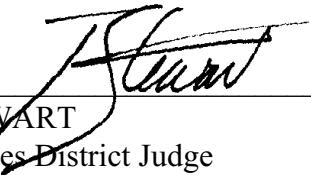
<sup>1</sup>Docket No. 85.

that if Aquapower did not file an amended complaint, the Court would decline to exercise supplemental jurisdiction over the state claims pursuant to 28 U.S.C. § 1337(c)(3). Consequently, it is hereby

ORDERED that all remaining claims in this matter are dismissed without prejudice. The Clerk of the Court is directed to close this case. The Court will still address the pending motions for attorneys fees when they are fully briefed.

DATED March 29, 2011.

BY THE COURT:



---

TED STEWART  
United States District Judge