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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JULE CROWELL, et al.,  
Plaintiffs,  
v.  
COWLITZ COUNTY, et al.,  
Defendants  
CONMED, INC.,  
Intervener/Third-  
Party Defendant.

CASE NO. C14-5153 BHS  
CONSOLIDATED FOR  
PRETRIAL PURPOSES WITH  
C14-5385BHS  
C14-5672BHS  
ORDER DISMISSING STATE  
LAW CLAIMS AND CLOSING  
CASES

This matter comes before the Court on Intervenor and Third-Party Defendant Conmed, Inc. (“Conmed”) and Defendants and Third-Party Plaintiffs Cowlitz County (“County”) and Marin Fox Hight’s (“Hight”) motions for summary judgment on Kuanoni claims (Dkts. 91 & 98); the Court’s order granting the motion in part, reserving ruling in part, and requesting the parties to show cause (Dkt. 167); and the parties responses to the order to show cause (Dkts. 169, 170, & 174). The Court has considered the pleadings filed in support of and in opposition to the motions and the remainder of the file and hereby rules as follows:

1 **I. PROCEDURAL HISTORY**

2 On May 8, 2014, Plaintiff Kele Kuanoni, as the Personal Representative of the  
3 estate of his son Cameron Kuanoni (“Kuanoni”), filed a complaint against the County and  
4 Hight asserting causes of action for negligence and violation of civil rights. C14-  
5 5385BHS, Dkt. 1. On November 21, 2014, the Court granted Conmed’s motion to  
6 intervene and consolidate the matter with the above captioned cases for pretrial purposes.  
7 *Id.*, Dkt. 30

8 On September 2, 2015, Conmed filed a motion for summary judgment. Dkt. 91.  
9 On September 10, 2015, the County and Hight filed a motion for summary judgment.  
10 Dkt. 98. On October 28, 2015, the Court granted the motions as to Kuanoni’s federal  
11 claims, reserved ruling on Kuanoni’s state law claims, and requested the parties to show  
12 cause why the Court should exercise supplemental jurisdiction over the state law claims.  
13 Dkt. 168. On November 3, 2015, Conmed, the County, and Hight responded. Dkts. 169  
14 & 170. On November 6, 2015, Kuanoni responded. Dkt. 174.

15 **II. DISCUSSION**

16 The Court may decline to exercise supplemental jurisdiction over pendant state  
17 law claims if “the district court has dismissed all claims over which it has original  
18 jurisdiction.” 28 U.S.C. § 1367(c)(3). As with the other state law claims in these  
19 consolidated cases, absent constitutional violations, the issues of negligence under state  
20 law and operations of local jails are best addressed by the local courts. Therefore, the  
21 Court declines to exercise supplemental jurisdiction over Kuanoni’s state law claims.  
22

1 **III. ORDER**

2 Therefore, it is hereby **ORDERED** that Kuanoni's state law claims are  
3 **DISMISSED without prejudice** and all remaining motions in these consolidated cases  
4 are **DENIED as moot**.

5 The Clerk shall close the lead and member cases.

6 Dated this 9<sup>th</sup> day of December, 2015.

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9 BENJAMIN H. SETTLE  
United States District Judge

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