

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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PAULETTE ALSETH, JULIE A.  
RUIKKA, KIMBERLY K. KESHINEN  
AND LISA MUNICH,

Plaintiffs,

ORDER  
99-C-627-C

v.

DOUGLAS COUNTY AND  
WISCONSIN COUNTY MUTUAL  
INSURANCE CORPORATION,

Defendants.

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After plaintiffs filed suit in Wisconsin state court in Douglas County, defendants removed this case to federal court pursuant to 28 U.S.C. § 1441. In an order entered on June 23, 2000, I granted defendants' motion for summary judgment on plaintiffs' federal law claims. Because plaintiffs failed to raise a viable federal law claim, I declined to exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a) over plaintiffs' state claims for violations of the Wisconsin Fair Employment Law, the equal protection and due process clauses of the Wisconsin Constitution and negligence.

Plaintiffs have now requested that I remand their state law claims to state court. In

Carnegie-Mellon University v. Cohill, 484 U.S. 343, 351-53 (1988), the Supreme Court held that a district court has the discretion to remand state law claims after dismissing all the federal law claims in a properly removed case. See also 14C Wright, Miller & Cooper § 3739, at 501 (noting that in Carnegie-Mellon, the Supreme Court “went beyond prior law by recognizing that in a removed case the district court has a discretion to remand the supplemental state claims to state court rather than increase the expense and time involved by dismissing the action and requiring the plaintiff to start over in state court”); Payne for Hicks v. Churchich, 161 F.3d 1030 (7th Cir. 1998) (stating that after disposing of all the federal claims, the district court “had the discretion to remand [the state supplemental] claims to the state court or to address them itself). Accordingly, plaintiffs' state law claims will be remanded to the Circuit Court for Douglas County pursuant to 28 U.S.C. § 1367(c)(3).

#### ORDER

IT IS ORDERED that the order portion of the June 23, 2000 opinion on page 33 is DELETED and the following order is substituted therefor:

1. The motion of defendants Douglas County and Wisconsin County Mutual Insurance Corporation for summary judgment is GRANTED.

2. The state law claims of plaintiffs Paulette Alseth, Julie Ruikka, Kimberly Keskinen

and Lisa Munich are REMANDED to Douglas County Circuit Court.

The clerk of court is directed to enter an amended judgment for defendants on plaintiffs' federal claims only.

Entered this \_\_\_\_\_ day of July, 2000.

BY THE COURT:

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BARBARA B. CRABB  
District Judge