

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

PATRICK McDONOUGH,
on behalf of himself and all others
similarly situated,

Plaintiff,

v.

WESTCONSIN CREDIT UNION,

Defendant.

ORDER

14-cv-705-bbc

FRANK ARNZEN and RENA CLEVELAND,

Plaintiffs,

WESTCONSIN CREDIT UNION,

Defendant.

ORDER

15-cv-29-bbc

In an order dated March 25, 2015, I directed the parties to show cause why I should not dismiss case no. 14-cv-705-bbc and remand case no. 15-cv-29-bbc to state court under 28 U.S.C. § 1367(c)(3) because all the federal claims in these cases have been dismissed at the pleading stage. (Plaintiffs filed case no.14-cv-705-bbc in federal court; defendant removed case no. 15-cv-29-bbc from state court.) When all the federal claims are dismissed

at an early stage of the case, the general rule is that the court should relinquish jurisdiction over the state law claims in accordance with § 1367(c)(3). E.g., Segal v. Geisha NYC LLC, 517 F.3d 501, 506 (7th Cir. 2008).

In response to the March 25 order, plaintiffs ask the court to relinquish jurisdiction over these cases and defendant states that it takes no position. Because neither side has identified a reason for departing from the general rule, I am declining to exercise jurisdiction over these cases under § 1367(c)(3).

ORDER

IT IS ORDERED that, in accordance with 28 U.S.C. § 1367(c)(3), case no. 14-cv-705-bbc is DISMISSED WITHOUT PREJUDICE and case no. 15-cv-29-bbc is REMANDED to the Circuit Court for St. Croix County, Wisconsin.

Entered this 13th day of April, 2015.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge