

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RHETECH, INC., and THERMOCOLOR, L.L.C.,

Plaintiffs,

v.

ROBERT JOYCE and INNOVATIVE PLASTICS
& MOLDING COMPANY,

Defendants.

Case No. 09-14053

Honorable John Corbett O'Meara

ORDER DISMISSING STATE CLAIMS

Plaintiffs filed a four-count complaint in this court alleging the following causes of action: Count I, violations of 15 U.S.C. §§ 1125(a)(1)(A) and (B); Count II, misappropriation of trade secrets; Count III, breach of contract; and Count IV, quiet title to invention.

While claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c). Accordingly, it is hereby **ORDERED** that Counts II, III and IV are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: February 24, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, February 24, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager