

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES—GENERAL

Case No. CV-17-1836-MWF (SHKx) **Date: March 15, 2018**

Title: BSA Framing, Inc. v. Applied Underwriters, Inc. et al.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:
Rita Sanchez

Court Reporter:
Not Reported

Attorneys Present for Plaintiff:
None Present

Attorneys Present for Defendant:
None Present

Proceedings (In Chambers): ORDER REMANDING ACTION TO THE
RIVERSIDE SUPERIOR COURT

On July 11, 2017, Plaintiff BSA Framing, Inc. filed a Complaint against Defendants in the Riverside County Superior Court. In its Complaint, BSA alleged, in addition to several California state law claims, that Defendants Applied Underwriters, Inc., Applied Underwriters Captive Risk Assurance Company, Inc., California Insurance Company, and Applied Risk Services, Inc. (collectively, the “Applied Defendants”) violated the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1962(c), (d).

On September 8, 2017, the Applied Defendants removed this action, invoking this Court’s federal-question jurisdiction on the basis of BSA’s RICO claims. The Court does not have diversity jurisdiction.

In an Order dated November 28, 2017, following a hearing, the Court, *inter alia*, granted the Applied Defendants’ motion to dismiss with leave to amend as to Plaintiff’s RICO claims and declined to exercise supplemental jurisdiction over Plaintiff’s state claims. (Docket No. 25).

Plaintiff filed a First Amended Complaint on December 11, 2017, again asserting RICO claims against the Applied Defendants. (Docket No. 26).

In an Order dated February 27, 2018, following a hearing, the Court granted the Applied Defendants’ motion to dismiss Plaintiff’s RICO claims without leave to amend

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and ordered the Applied Defendants to show cause why the action (which now involves only state claims) should not be remanded to Superior Court by no later than March 12, 2018. (Docket No. 45). The Applied Defendants have filed no response.

Accordingly, the Court **REMANDS** this action to the Superior Court of the State of California for the County of Riverside.

IT IS SO ORDERED.