

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

GEICO INDEMNITY INSURANCE  
COMPANY, a Maryland Corporation,  
Plaintiff,

vs.

Case No. 06-1067-JTM

RACHEL KANNADAY; SHARON  
WRIGHT; CHARLES CHURCH; R.A.  
CHRISTOPHER INC. d/b/a CHRIS TRUCK  
LINE; LIBERTY MUTUAL FIRE  
INSURANCE COMPANY;  
METROPOLITAN LIFE INSURANCE  
COMPANY; and WESLEY MEDICAL  
CENTER, L.L.C.,

Defendants.

MEMORANDUM AND ORDER

This is an interpleader action brought by Geico Indemnity Insurance Company. On February 21, 2008, the court granted defendant Wesley Medical Center's motion for distribution of the interpleaded funds (Dkt. No. 69). The court had previously granted Geico's Motion for Discharge and Permanent Injunction (Dkt. No. 22) and had also granted Wesley's motion to dismiss co-defendant Kannaday's cross-claim (Dkt. No. 66). Thus, there remains in the case only the state-law claim by Wesley against Kannaday (Dkt. No. 32).

Under 28 U.S.C. § 1367(a), the court has supplemental jurisdiction over state law claims, if they sufficiently relate to a pending claim over which the Court has original jurisdiction. However,

the court may decline such supplemental jurisdiction, if it has dismissed other claims over which it may have original federal jurisdiction 28 U.S.C. § 1367(c). The court here finds no basis retention of any remaining claims in the present action, which will be dismissed without prejudice.

IT IS ACCORDINGLY ORDERED this 29<sup>th</sup> day of February, 2008, that the state law remainder of the action is hereby dismissed without prejudice.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE