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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TODD CARPENTER, individually on
behalf of himself and others similarly
situated,

Plaintiff,

v.

PETSMART, INC.,

Defendant.


Case No.: 19-CV-1731-CAB-LL

DISMISSAL WITHOUT PREJUDICE

On March 2, 2020, the Court granted Defendant’s motion to strike allegations regarding a proposed nationwide class action. [Doc. No. 28.] In that order, the Court also ordered the parties to show cause why this Court has subject matter jurisdiction notwithstanding the dismissal of the nationwide class claims. Defendant did not respond to the order to show cause. Plaintiff, meanwhile, responded that he does not believe the Court has subject matter jurisdiction and asked the Court to dismiss the first amended complaint without prejudice so he can refile a California class action in state court. [Doc. No. 29.] Accordingly, it is hereby **ORDERED** that the first amended complaint is **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing a California class action in state court.

It is **SO ORDERED**.

Dated: March 16, 2020



Hon. Cathy Ann Bencivengo
United States District Judge