

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Sepulveda v. Guo

Sepulveda · No. 22-cv-04208-HSG · Decided March 13, 2023

SUMMARY

The United States District Court for the Northern District of California granted defendants’ motion to dismiss Richard Sepulveda’s Unruh Civil Rights Act and related state-law claims. Applying 28 U.S.C. § 1367(c)(4) and Ninth Circuit precedent, the court held that California’s reforms concerning high-frequency litigants constituted an exceptional circumstance supporting the decline of supplemental jurisdiction. The claims were dismissed without prejudice to refiling in state court, while the court set a case management conference for April 4, 2023.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Haywood S. Gilliam, Jr.
JURISDICTION	United States District Court for the Northern District of California
DECIDED	March 13, 2023
DOCKET	22-cv-04208-HSG
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved to dismiss Plaintiff’s Unruh Civil Rights Act and related state-law claims for lack of a basis to exercise supplemental jurisdiction. The court granted the motion and dismissed those claims without prejudice to refiling in state court.
STANDARD OF REVIEW	On a motion to dismiss, the court considered whether it should exercise supplemental jurisdiction under 28 U.S.C. § 1367(c)(4), including whether exceptional circumstances and compelling reasons existed and whether the Gibbs values of economy, convenience, fairness, and comity supported declining jurisdiction.
PRECEDENTIAL VALUE	unknown

TOPICS

motions to dismiss

subject matter jurisdiction

ada / disability

public accommodations discrimination

civil procedure

PRACTICE AREAS

civil procedure

disability discrimination

supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether California's procedural and damages reforms governing high-frequency Unruh Act litigants constituted an exceptional circumstance under 28 U.S.C. § 1367(c)(4) permitting the court to decline supplemental jurisdiction over ADA-based Unruh Act and related state-law claims.
2. Whether the Gibbs values of economy, convenience, fairness, and comity supported declining supplemental jurisdiction because the case remained in its early stages.

HOLDINGS

1. California's reforms governing high-frequency Unruh Act litigants, and the evasion of those reforms through filing ADA-based Unruh Act claims in federal court, constituted an exceptional circumstance under 28 U.S.C. § 1367(c)(4) supporting declination of supplemental jurisdiction.
2. The values of economy, convenience, fairness, and comity favored declining supplemental jurisdiction because the case was still in its early stages and the federal court had not fully adjudicated the federal and state claims.

KEY QUOTATIONS

“retaining supplemental jurisdiction over ADA-based Unruh Act claims would “substantially thwart California’s carefully crafted reforms” and “deprive state courts of their critical role in effectuating the policies underlying those reforms.”” (at 2)

“Therefore, the Court finds that this case presents an exceptional circumstance under 1367(c)(4), and that the values of economy, convenience, comity, and fairness weigh in favor of declining jurisdiction over Plaintiff’s state claims.” (at 3)

FACTUAL BACKGROUND

Plaintiff, who uses a walker, alleged that he visited Defendants' restaurant four times and encountered architectural barriers affecting access to the sidewalk and entrance, dining seating, the path to the restroom, and the restroom itself. He asserted Title III ADA, California Unruh Civil Rights Act, and other state-law claims. Plaintiff conceded that he was a high-frequency litigant subject to California's additional procedural requirements for Unruh Act claims.

PROCEDURAL HISTORY

Plaintiff filed an action alleging violations of Title III of the ADA, the California Unruh Civil Rights Act, and other state laws based on alleged architectural barriers at Defendants' restaurant. Defendants moved to dismiss

the state-law claims, arguing that California's reforms concerning high-frequency Unruh Act litigants created an exceptional circumstance warranting declination of supplemental jurisdiction. The court deemed the matter submitted without oral argument, granted the motion, and dismissed the state claims without prejudice.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

The Unruh Act and related state claims were dismissed without prejudice to refiling in state court. The court also set a telephonic case management conference for April 4, 2023, and directed the parties to submit a joint case management statement by March 28, 2023.

CASES CITED

- Trustees of Construction Industry & Laborers Health & Welfare Trust v. Desert Valley Landscape & Maintenance, Inc., 333 F.3d 923, 925 (9th Cir. 2003)
- Arroyo v. Rosas, 19 F.4th 1202, 1205, 1210-13 (9th Cir. 2021)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 172-73 (1997)
- Vo v. Choi, 49 F.4th 1167, 1169-70, 1173-74 (9th Cir. 2022)
- Garcia v. Maciel, No. 21-CV-03743-JCS, 2022 WL 395316, at *5 (N.D. Cal. Feb. 9, 2022)
- Whitaker v. Ben Bridge-Jeweler, Inc., No. 21-cv-00808-EJD, 2022 WL 824232, at *3 (N.D. Cal. Mar. 18, 2022)
- Whitaker v. Alice & Olivia California Holdings LLC, No. 21-cv-08106-VC, 2022 WL 1135088, at *1 (N.D. Cal. Apr. 18, 2022)
- Johnson v. Constantia Capital Ltd., No. 22-CV-01456-RS, 2022 WL 3925290, at *2 (N.D. Cal. Aug. 30, 2022)