

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Michael Rhambo v. The Cigar Empire Inc., et al.

Rhambo v. The Cigar Empire Inc. · No. SACV 25-886-MWF(KESx) · Decided May 1, 2025

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff Michael Rhambo to show cause why the Court should exercise supplemental jurisdiction over claims under California's Unruh Civil Rights Act and other state laws. The Court required a response addressing the amount of statutory damages sought and facts relevant to whether Plaintiff or counsel qualifies as a high-frequency litigant under California law, with a filing deadline of May 15, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Michael W. Fitzgerald
JURISDICTION	United States District Court for the Central District of California
DECIDED	May 1, 2025
DOCKET	SACV 25-886-MWF(KESx)
DISPOSITION	other
PROCEDURAL POSTURE	The court sua sponte issued an order to show cause requiring Plaintiff to explain why the court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and other state-law claims.
STANDARD OF REVIEW	The court has a sua sponte obligation to examine its subject-matter jurisdiction and may raise the issue at any time during the pendency of the action.
PRECEDENTIAL VALUE	unpublished
PARTIES	Michael Rhambo v. The Cigar Empire Inc., et al.

TOPICS

- subject matter jurisdiction
- civil procedure
- civil rights
- ada / disability

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and the other state-law claims.
2. Whether the court has a sua sponte duty to confirm its subject-matter jurisdiction.
3. Whether Plaintiff must provide information concerning requested Unruh Act statutory damages and high-frequency-litigant status before the court determines whether to exercise supplemental jurisdiction.

HOLDINGS

1. A federal court may raise the question of subject-matter jurisdiction sua sponte at any time during the pendency of the action, and the court has an obligation to confirm that jurisdiction exists.
2. The court may decline to exercise supplemental jurisdiction over ADA-based Unruh Civil Rights Act claims under 28 U.S.C. § 1367(c), including where the claim presents a substantial federal-state-comity concern.

KEY QUOTATIONS

“This Court has a sua sponte obligation to confirm that it has subject matter jurisdiction.” (at 1)

“Failure to timely or adequately respond to this Order to Show Cause may, without further warning, result in the dismissal of the entire action without prejudice or the Court’s declining to exercise supplemental jurisdiction over the Unruh Act claim and the dismissal of that claim pursuant to 28 U.S.C. § 1367(c).” (at 2)

FACTUAL BACKGROUND

The complaint asserted a claim for ADA injunctive relief, a claim for damages under California's Unruh Civil Rights Act, and other state-law claims. The order indicates that the Unruh Act claim depended on supplemental jurisdiction rather than an independent jurisdictional basis. The court sought information concerning the amount of Unruh Act statutory damages and whether Plaintiff or counsel met California's definition of a high-frequency litigant.

PROCEDURAL HISTORY

Plaintiff filed an action asserting an ADA claim for injunctive relief, an Unruh Civil Rights Act damages claim, and other state-law claims. The order states that supplemental jurisdiction under 28 U.S.C. § 1367(a) was the sole basis for jurisdiction over the Unruh Act claim. Before determining whether to exercise that jurisdiction, the court ordered Plaintiff to submit a written response addressing statutory damages and whether Plaintiff or counsel qualified as high-frequency litigants.

DISPOSITION

other

CASES CITED

- Arroyo v. Rosas, 19 F.4th 1202, 1211–14 (9th Cir. 2021)
- Nevada v. Bank of Am. Corp., 672 F.3d 661, 673 (9th Cir. 2012)
- Snell v. Cleveland, Inc., 316 F.3d 822, 826 (9th Cir. 2002)

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