

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Leemanuel Welch v. Dokument USA, Inc. et al.

Welch v. Dokument USA · No. 2:25-cv-11084-SB-RAO · Decided November 26, 2025

SUMMARY

The Central District of California orders Plaintiff Leemanuel Welch to show cause why his California Unruh Act claim should not be dismissed without prejudice for lack of supplemental jurisdiction. Relying on Ninth Circuit precedent concerning California’s regulation of high-frequency disability litigation, the Court states that exceptional circumstances may warrant declining jurisdiction under 28 U.S.C. § 1367(c)(4) and requires Plaintiff to provide information concerning damages and high-frequency-litigant status.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stanley Blumenfeld, Jr.
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 26, 2025
DOCKET	2:25-cv-11084-SB-RAO
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause directing Plaintiff to explain why his state-law Unruh Act claim should not be dismissed without prejudice for lack of supplemental jurisdiction.
STANDARD OF REVIEW	A district court's decision whether to exercise supplemental jurisdiction is discretionary.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- ada / disability
- public accommodations discrimination
- civil rights

PRACTICE AREAS

- civil procedure
- disability rights
- civil rights

QUESTIONS PRESENTED

1. Whether the Unruh Act claim falls within the district court's supplemental jurisdiction because it is closely related to the ADA claim.
2. Whether exceptional circumstances under 28 U.S.C. § 1367(c)(4), including the federalism and comity concerns identified in *Arroyo v. Rosas*, warrant declining supplemental jurisdiction over the Unruh Act claim at this early stage of the litigation.

HOLDINGS

1. The Unruh Act claim is within the court's supplemental jurisdiction because it is closely related to the ADA claim, but supplemental jurisdiction is discretionary rather than a right of the plaintiff.
2. The circumstances identified by the Ninth Circuit in *Arroyo v. Rosas* can constitute exceptional circumstances under § 1367(c)(4) supporting a district court's decision to decline supplemental jurisdiction over an ADA-based Unruh Act claim, particularly where the case remains at an early stage and the state-law claim has not been adjudicated.

KEY QUOTATIONS

“supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right,” and district courts “can decline to exercise jurisdiction over pendent claims for a number of valid reasons.””

“retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California’s carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms.” (1213)

“Accordingly, the Court ORDERS Plaintiff within 14 days after entry of this Order to show cause in writing why the Court should not dismiss without prejudice his Unruh Act claim under § 1367(c)(4).”

FACTUAL BACKGROUND

Plaintiff has a physical disability that limits his ability to walk. He alleges that Defendants' visa, passport, and notary office imposes physical barriers that impede his access. He asserts claims under the ADA and the California Unruh Act, including a claim for statutory damages under the Unruh Act.

PROCEDURAL HISTORY

Plaintiff filed an action alleging that Defendants' visa, passport, and notary office presents physical barriers violating, among other laws, the Americans with Disabilities Act and the California Unruh Civil Rights Act. The court determined that the Unruh Act claim was closely related to the ADA claim and therefore within its supplemental jurisdiction, but it had not yet adjudicated the merits of any claim. Relying on Ninth Circuit precedent concerning California's regulation of high-frequency disability-access litigation, the court ordered Plaintiff to show cause why the Unruh Act claim should not be dismissed without prejudice under 28 U.S.C. § 1367(c)(4).

DISPOSITION

other

CASES CITED

- City of Chi. v. Int'l Coll. of Surgeons, 522 U.S. 156, 172 (1997)
- Arroyo v. Rosas, 19 F.4th 1202, 1213, 1215-17 (9th Cir. 2021)

OPINION

Leemanuel Welch v. Dokument USA, Inc. et al.

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

LEEMANUEL WEILCH, Case No. 2:25-cv-11084-SB-RAO Plaintiff,

v. ORDER TO SHOW CAUSE

DOKUMENT USA, INC. et al., Defendants. Plaintiff Leemanuel Welch, who has a physical disability and is limited in his ability to walk, filed this suit alleging that Defendants' visa, passport, and notary office imposes physical barriers that impede his access, in violation of, inter alia, the Americans with Disabilities Act (ADA) and the Unruh Act. Because Plaintiff's Unruh Act claim is closely related to his ADA claim, the Court has authority to exercise supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(a). However, supplemental jurisdiction "is a doctrine of discretion, not of plaintiff's right," and district courts "can decline to exercise jurisdiction over pendent claims for a number of valid reasons." City of Chi. v. Int'l Coll. of Surgeons, 522 U.S. 156, 172 (1997) (internal quotation marks and citations omitted). This discretion is codified in § 1367(c): The district courts may decline to exercise supplemental jurisdiction over a claim under subsection (a) if—

- (1) the claim raises a novel or complex issue of State law,
- (2) the claim substantially predominates over the claim or claims over which the district court has original jurisdiction,
- (3) the district court has dismissed all claims over which it has original jurisdiction, or

(4) in exceptional circumstances, there are other compelling reasons for declining jurisdiction. 28 U.S.C. § 1367(c). In a published decision, the Ninth Circuit explained that the California Legislature's 2012 and 2015 amendments to the Unruh Act, which were intended to protect businesses from abusive litigation by high-frequency litigants bringing construction-related claims, had led to a surge of filings in federal courts of ADA cases seeking statutory damages under the Unruh Act. Arroyo v. Rosas, 19 F.4th 1202 (9th Cir. 2021). The Ninth Circuit agreed with the district court that this shift in filings from state courts to federal courts had circumvented the state legislature's goals and "rendered [the new statutory requirements] largely

toothless, because they can now be readily evaded.” Id. at 1213. The court explained that “retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California’s carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms.” Id. Thus, the court held that these circumstances are “exceptional” within the meaning of § 1367(c)(4) and therefore potentially justified declining supplemental jurisdiction over the plaintiff’s Unruh Act claim. See id. (“The district court did not abuse its discretion in concluding that this extraordinary situation threatens unusually significant damage to federal-state comity and presents ‘exceptional circumstances’ within the meaning of § 1367(c)(4).”). However, because the district court had waited to decline supplemental jurisdiction until after granting summary judgment on the plaintiff’s ADA claim, thereby effectively deciding the Unruh Act claim, the Ninth Circuit reversed the court’s decision to decline supplemental jurisdiction, holding that it had waited too long to invoke the comity interest. Id. at 1215–17. Unlike Arroyo, this case is still at a very early stage, and this Court has not yet addressed or adjudicated the merits of any of Plaintiff’s claims. This appears to be a case in which the Court should decline supplemental jurisdiction over Plaintiff’s Unruh Act claim under § 1367(c)(4) to protect the comity interests identified in Arroyo. Accordingly, the Court ORDERS Plaintiff within 14 days after entry of this Order to show cause in writing why the Court should not dismiss without prejudice his Unruh Act claim under § 1367(c)(4). Plaintiff’s response must identify the amount of statutory damages Plaintiff seeks to recover and must be supported by declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if Plaintiff and his counsel satisfy the definition of a “high-frequency litigant” as provided by Cal. Civ. Proc. Code § 425.55(b)(1)–(2). If Plaintiff fails to file a response within 14 days after entry of this Order, the Court will decline to exercise supplemental jurisdiction over his Unruh Act claim, and the Unruh Act claim will be automatically dismissed without prejudice without further order of the Court. Date: November 26, 2025

Stanley Blumenfeld, Jr. United States District Judge