

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Robinson v. Collegeville Market & Cafe, et al.

Case No. 2:24-cv-1752-DJC-JDP · No. 2:24-cv-1752-DJC-JDP · Decided December 5, 2025

SUMMARY

The document contains findings and recommendations in an Eastern District of California action brought by David Robinson against Collegeville Market & Café and P M & J Group, Inc. The magistrate judge recommends granting default judgment on the plaintiff’s ADA and California Unruh Civil Rights Act claims, awarding \$8,000 in statutory damages, injunctive relief, and \$3,650.76 in attorney’s fees and costs.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 5, 2025
DOCKET	2:24-cv-1752-DJC-JDP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for default judgment on claims under Title III of the Americans with Disabilities Act and the California Unruh Civil Rights Act after defendants were personally served, failed to respond, and had defaults entered by the clerk. The magistrate judge issued findings and recommendations recommending that the motion be granted.
STANDARD OF REVIEW	A motion for default judgment is reviewed under the discretionary factors identified in Eitel v. McCool. After entry of default, well-pleaded factual allegations other than those concerning damages are generally taken as true, but legally insufficient claims and facts necessary to establish liability that are not pleaded are not established by default.
PRECEDENTIAL VALUE	unpublished
PARTIES	David Robinson v. Collegeville Market & Cafe, PM & J Group, Inc.

TOPICS

default judgment

public accommodations discrimination

architectural barriers

injunctions

attorney fees

PRACTICE AREAS

civil procedure

civil rights

disability discrimination

remedies

QUESTIONS PRESENTED

1. Whether plaintiff was entitled to default judgment on his ADA Title III claim based on alleged inaccessible parking and other architectural barriers.
2. Whether the alleged ADA violation also established a violation of the California Unruh Civil Rights Act and entitled plaintiff to statutory damages.
3. Whether plaintiff was entitled to injunctive relief requiring defendants to provide an accessible parking space with proper signage.
4. Whether plaintiff was entitled to attorney's fees and costs, and what amount was reasonable.

HOLDINGS

1. Default judgment should be entered for plaintiff on his ADA Title III claim because the complaint sufficiently alleged that plaintiff was disabled, defendants operated a place of public accommodation, plaintiff was denied equal access because of his disability, the facility contained prohibited architectural barriers, and removal of those barriers was readily achievable.
2. Plaintiff was entitled to default judgment on his Unruh Act claim and \$8,000 in statutory damages, consisting of \$4,000 for the alleged denial of equal access during his visit and \$4,000 for deterrence from attempting to access the public accommodation.
3. Plaintiff should be granted an injunction requiring defendants to provide an accessible parking space with proper signage.
4. Plaintiff should be awarded \$3,045 in attorney's fees and \$605.76 in costs, for a total award of \$3,650.76.

KEY QUOTATIONS

“However, “a defendant’s default does not automatically entitle the plaintiff to a court-ordered judgment.””
(at 1)

“Generally, once default is entered “the factual allegations of the complaint, except those relating to the amount of damages, will be taken as true.”” (at 2)

“However, “necessary facts not contained in the pleadings, and claims which are legally insufficient, are not established by default.”” (at 2)

FACTUAL BACKGROUND

Plaintiff alleged that he is physically disabled and uses a wheelchair for mobility. Defendants owned, managed, and operated Collegeville Market, a place of public accommodation in Stockton, California. During plaintiff's

May 27, 2024 visit, the market allegedly lacked an accessible parking space and had no striping or markings identifying the accessible parking space and access aisle. Plaintiff alleged that the barriers could be removed without significant difficulty or expense.

PROCEDURAL HISTORY

Plaintiff filed claims alleging that defendants operated a public accommodation with inaccessible parking and other architectural barriers. Defendants were personally served on June 27, 2024, failed to plead or otherwise defend, and the clerk entered default on August 22, 2024. Plaintiff then moved for default judgment, statutory damages, injunctive relief, attorney's fees, and costs. The magistrate judge recommended granting the motion and entering judgment, subject to review by the assigned district judge.

DISPOSITION

other

CASES CITED

- PepsiCo, Inc. v. Cal. Sec. Cans, 238 F. Supp. 2d 1172, 1174 (C.D. Cal. 2002)
- Draper v. Coombs, 792 F.2d 915, 924-25 (9th Cir. 1986)
- Aldabe v. Aldabe, 616 F.2d 1089, 1092 (9th Cir. 1980)
- Eitel v. McCool, 782 F.2d 1470, 1471-72 (9th Cir. 1986)
- Philip Morris USA, Inc. v. Castworld Prods., Inc., 219 F.R.D. 494, 498 (C.D. Cal. 2003)
- PepsiCo, Inc. v. Triunfo-Mex, Inc., 189 F.R.D. 431, 432 (C.D. Cal. 1999)
- TeleVideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987)
- Geddes v. United Fin. Grp., 559 F.2d 557, 560 (9th Cir. 1977)
- Cripps v. Life Ins. Co. of N. Am., 980 F.2d 1261, 1267 (9th Cir. 1992)
- Doe v. CVS Pharmacy, Inc., 982 F.3d 1204, 1212 (9th Cir. 2020)
- Molski v. M.J. Cable, Inc., 481 F.3d 724, 730 (9th Cir. 2007)
- Gilbert v. Shahi Assocs., Inc., No. 1:21-cv-01375-DAD-SAB, 2022 WL 1557162, at *8 (E.D. Cal. May 17, 2022)
- Parr v. L & L Drive-Inn Rest., 96 F. Supp. 2d 1065, 1085 (D. Haw. 2000)
- Wyatt v. Ralphs Grocery Co., 65 F. App'x 589, 590 (9th Cir. 2003)
- Elektra Entm't Grp. Inc. v. Crawford, 226 F.R.D. 388, 393 (C.D. Cal. 2005)
- Acosta v. Martinez, No. 1:19-cv-0307-AWI-EPG, 2020 WL 1026890, at *5 (E.D. Cal. Mar. 3, 2020)
- Penpower Tech. Ltd. v. S.P.C. Tech., 627 F. Supp. 2d 1083, 1093 (N.D. Cal. 2008)
- Pickern v. Best W. Timber Cove Lodge Marina Resort, 194 F. Supp. 2d 1128, 1131 (E.D. Cal. 2002)
- Johnson v. Cala Stevens Creek/Monroe, LLC, 401 F. Supp. 3d 904, 913 (N.D. Cal. 2019)
- Moreno v. City of Sacramento, 534 F.3d 1106, 1111 (9th Cir. 2008)
- Fischer v. SJB-P.D. Inc., 2124 F.3d 1115, 1119 (9th Cir. 2000)
- Dozier v. Singh, No. 1:23-cv-00736-DAD-AC, 2024 WL 2848452, at *5 (E.D. Cal. 2024)

- Whitaker v. Sheikh, No. 2:21-cv-0493-KJM-KJN, 2022 WL 1262023, at *10 (E.D. Cal. 2022)
- Johnson v. Sweet Spark, Inc., No. 2:17-cv-02474-WBS-DB, 2020 WL 1324507, at *5 (E.D. Cal. 2020)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

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