

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Bernard Taruc v. JP Automotive Products, Inc. et al.

No. 2:25-cv-12332-SVW-MBK, United States District Court for the Central District of California (January 6, 2026)

SUMMARY

The Central District of California orders the parties to submit a joint status report addressing alleged ADA barriers, remedial measures, and potential summary judgment motions. The court also orders the plaintiff to show cause why it should exercise supplemental jurisdiction over the Unruh Act and other state-law claims, and requires declarations concerning high-frequency litigant status and identification of statutory damages sought.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stephen V. Wilson
JURISDICTION	U.S. District Court for the Central District of California
DECIDED	January 6, 2026
DOCKET	2:25-cv-12332-SVW-MBK
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause and ordered the parties to submit a joint status report before the initial status conference in an action asserting claims under Title III of the Americans with Disabilities Act and related state-law claims.
PRECEDENTIAL VALUE	unpublished

TOPICS

- ada / disability
- civil procedure
- summary judgment
- attorney fees
- damages

PRACTICE AREAS

- Civil procedure
- Americans with Disabilities Act
- Supplemental jurisdiction
- Remedies

QUESTIONS PRESENTED

1. Whether the parties should be required to report on investigation or remediation of the alleged ADA barriers and their anticipated summary-judgment motions.
2. Whether the plaintiff should show cause why the court should exercise supplemental jurisdiction over the Unruh Act and other state-law claims.
3. Whether voluntary removal of alleged ADA barriers, together with the unavailability of nominal damages under Title III, could moot the ADA claim and affect supplemental jurisdiction and attorney-fee entitlement.

HOLDINGS

1. The court ordered the parties to file a joint status report at least seven days before the initial status conference and ordered the plaintiff to respond within fourteen days explaining why the court should exercise supplemental jurisdiction over the Unruh Act and any other state-law claims.

KEY QUOTATIONS

“It is the policy of this Court to encourage expedient resolution of civil litigation.”

“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 declining to exercise supplemental jurisdiction over the state law claims and the dismissal of any such claims pursuant to 28 U.S.C. § 1367(c).”

FACTUAL BACKGROUND

The plaintiff alleges barriers actionable under Title III of the ADA and appears also to assert an Unruh Act claim and other state-law claims. The order indicates that the defendant may have investigated or remedied the alleged barriers, potentially affecting whether the ADA claim remains justiciable. The court also sought information about the amount of statutory damages claimed and whether the plaintiff and counsel qualify as high-frequency litigants under California law.

PROCEDURAL HISTORY

The action was pending in the Central District of California at the pretrial stage. The court directed the parties to report on measures taken to investigate or remedy alleged ADA barriers and whether they intended to move for summary judgment. The court separately ordered the plaintiff to show cause why supplemental jurisdiction should be exercised over the Unruh Act and any other state-law claims.

DISPOSITION

other

CASES CITED

- *Oliver v. Ralphs Grocery Co.*, 654 F.3d 903, 905 (9th Cir. 2011)
- *American Cargo Transport, Inc. v. United States*, 625 F.3d 1176, 1179 (9th Cir. 2010)
- *Hillesheim v. Holiday Stationstores, Inc.*, 953 F.3d 1059, 1062 (8th Cir. 2020)

- G. v. Fay School, 931 F.3d 1, 11 (1st Cir. 2019)
- Brooke v. A-Ventures, LLC, 2017 WL 5624941, at *5 (D. Ariz. Nov. 22, 2017)
- Buckhannon Board & Care Home, Inc. v. West Virginia Department of Health & Human Resources, 532 U.S. 598 (2001)
- Molski v. Foster Freeze Paso Robles, 267 F. App'x 631, 632 (9th Cir. 2008)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 173 (1997)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 (1988)

OPINION

Bernard Taruc v. JP Automotive Products, Inc. et al

PER CURIAM.

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:25-cv-12332-SVW-MBK Date January 6, 2026 Title Bernard Taruc v. JP Automotive Products, Inc. et al Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE Daniel Tamayo N/A Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: N/A Attorneys Present for Defendants: N/A Proceedings: ORDER TO SHOW CAUSE AND ORDER FOR JOINT STATUS REPORT It is the policy of this Court to encourage expedient resolution of civil litigation. Cf. Fed. R. Civ. P. 1 (noting that rules of civil procedure should be construed to “secure the just, speedy, and inexpensive determination of every action and proceeding”). In accordance with that policy, the Court reminds the parties that “a defendant’s voluntary removal of alleged barriers prior to trial can have the effect of mootng a plaintiff’s ADA claim.” *Oliver v. Ralphs Grocery Co.*, 654 F.3d 903, 905 (9th Cir. 2011). If the defendant in an ADA case removes the alleged barriers and demonstrates that the alleged barriers could not reasonably be expected to arise again, the ADA claim may be dismissed. See *id.*; see also *Am. Cargo Transp., Inc. v. United States*, 625 F.3d 1176, 1179 (9th Cir. 2010). This is true even if a plaintiff pleads nominal damages, because nominal damages are not available under Title III of the ADA. See *Hillesheim v. Holiday Stationstores, Inc.*, 953 F.3d 1059, 1062 (8th Cir. 2020); *G. v. Fay Sch.*, 931 F.3d 1, 11 (1st Cir. 2019); *Brooke v. A-Ventures, LLC*, 2017 WL 5624941, at *5 (D. Ariz. Nov. 22, 2017). If an ADA claim is mooted and dismissed at an early stage, the Court has the discretion to decline supplemental jurisdiction over state law claims. See *Oliver*, 654 F.3d at 911 (finding no abuse of discretion where district court declined supplemental jurisdiction after ADA claims were moot). Additionally, if an ADA claim is mooted and dismissed, the plaintiff is not entitled to attorney’s fees. See *Buckhannon Bd. & Care Home, Inc. v. W. Va. Dept. of Health & Human Resources*, 532 U.S. 598 (2001) (affirming denial of attorney’s fees where ADA claim rendered moot prior to trial); see also *Molski v. Foster Freeze Paso Robles*, 267 Fed.Appx. 631, 632 (9th Cir. 2008) (citing *Buckhannon*, 532

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:25-cv-12332-SVW-MBK Date January 6, 2026 Title Bernard Taruc v. JP Automotive Products, Inc. et al U.S. at 605) (affirming district court's order dismissing ADA claims as moot, dismissing supplemental state claims, and denying attorney's fees). In light of the foregoing, the parties are ORDERED to issue a joint status report at least 7 days prior to the initial status conference. In that status report, Defendant should describe the measures it has taken to investigate and/or remedy the alleged barriers. If Defendant implemented remedial measures, Plaintiff should state their position regarding those measures. Both parties should state whether and when they intend to move for summary judgment. Further, it appears that Plaintiff has invoked the Court's supplemental jurisdiction to assert state law claims. See 28 U.S.C. § 1367(a). The supplemental jurisdiction statute "reflects the understanding that, when deciding whether to exercise supplemental jurisdiction, 'a federal court should consider and weigh in each case, and at every stage of the litigation, the values of judicial economy, convenience, fairness, and comity.'" *City of Chicago v. Int'l Coll. of Surgeons*, 522 U.S. 156, 173 (1997) (emphasis added) (quoting *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988)). The Court therefore further ORDERS Plaintiff to show cause in writing why the Court should exercise supplemental jurisdiction over the Unruh Act claim and any other state law claim asserted in the Complaint. See 28 U.S.C. § 1367(c). In responding to this Order to Show Cause, Plaintiff shall identify the amount of statutory damages plaintiff seeks to recover. Plaintiff and Plaintiff's counsel shall also support their responses to the Order to Show Cause with declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if they satisfy the definition of a "high-frequency litigant" as provided by California Civil Procedure Code sections 425.55(b)(1) & (2). Plaintiff shall file a Response to this Order to Show Cause within 14 days of this order. 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 declining to exercise supplemental jurisdiction over the state law claims and the dismissal of any such claims pursuant to 28 U.S.C. § 1367(c). IT IS SO ORDERED.