

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Guri Gonzalez v. Miguel A. Gutierrez et al.

Gonzalez v. Gutierrez · No. 2:24-cv-10978 MWC (JCx) · Decided February 24, 2025

SUMMARY

The United States District Court orders Plaintiff to show cause why it should not decline supplemental jurisdiction over claims under California's Unruh Civil Rights Act and related state-law claims. The Court requires Plaintiff to identify the statutory damages sought and submit declarations addressing whether Plaintiff and counsel qualify as high-frequency litigants under California law. Failure to respond by March 7, 2025, will result in dismissal of those claims without prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Michelle Williams Court
JURISDICTION	United States District Court for the Central District of California
DECIDED	February 24, 2025
DOCKET	2:24-cv-10978 MWC (JCx)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause concerning whether it should decline supplemental jurisdiction over the plaintiff's Unruh Act and related state-law claims.
PRECEDENTIAL VALUE	unpublished
PARTIES	Guri Gonzalez v. Miguel A. Gutierrez et al.

TOPICS

- subject matter jurisdiction
- civil procedure
- public accommodations discrimination
- damages

PRACTICE AREAS

- civil procedure
- civil rights
- disability discrimination

QUESTIONS PRESENTED

1. Whether the district court should decline to exercise supplemental jurisdiction over the Unruh Civil Rights Act and related state-law claims under 28 U.S.C. § 1367(c).
2. Whether plaintiff and plaintiff's counsel satisfy the statutory definition of a high-frequency litigant under California Code of Civil Procedure § 425.55(b)(1) and (2).

KEY QUOTATIONS

“Failure to respond as ordered will result in the Court declining to exercise supplemental jurisdiction over the Unruh Act and related state law claims and dismissing those claims without prejudice pursuant to 28 U.S.C. § 1367(c).” (p. 2)

FACTUAL BACKGROUND

The complaint alleges violations of the Americans with Disabilities Act and California's Unruh Civil Rights Act. Plaintiff seeks ADA injunctive relief, Unruh Act injunctive relief and damages, and relief on related state-law claims. The court focused on the amount of statutory damages sought and facts relevant to California's high-frequency-litigant provisions.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting ADA claims for injunctive relief, Unruh Civil Rights Act claims for injunctive relief and damages, and related state-law claims. The district court ordered plaintiff to show cause in writing why it should not decline supplemental jurisdiction over the Unruh Act and related state-law claims, and required declarations addressing whether plaintiff and counsel satisfied California's definition of a high-frequency litigant.

DISPOSITION

other

CASES CITED

- Schutza v. Cuddeback, 262 F. Supp. 3d 1025 (S.D. Cal. 2017)

OPINION

CIVIL MINUTES – GENERAL Case No. 2:24-cv-10978 MWC (JCx) Date: February 24, 2025
Title Guri Gonzalez v. Miguel A. Gutierrez et al. Present: The Honorable: Michelle Williams
Court, United States District Judge T. Jackson Not Reported Deputy Clerk Court Reporter /
Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: N/A N/A
Proceedings: (In Chambers) Order to Show Cause re: Supplemental Jurisdiction The Complaint
filed in this action asserts claims for injunctive relief arising out of alleged violations of the
Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12101 et seq., and California’s Unruh
Civil Rights Act (“Unruh Act”), Cal. Civ.

Code §§ 51–52 et seq. The Complaint also asserts claims for damages pursuant to the Unruh Act and related state law claims. The Court ORDERS Plaintiff to show cause in writing no later than March 7, 2025 why it should not decline to exercise supplemental jurisdiction over the Unruh Act and related state law claims. See 28 U.S.C. §§ 1367(c)(2), (c)(4); *Schutza v. Cuddeback*, 262 F. Supp. 3d 1025 (S.D.

Cal. 2017). The response to this Order to Show Cause must identify the amount of statutory damages Plaintiff seeks to recover. Plaintiff and Plaintiff’s counsel must 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 CIVIL MINUTES – GENERAL Case No. 2:24-cv-10978 MWC (JCx) Date: February 24, 2025 Title Guri Gonzalez v. Miguel A. Gutierrez et al. definition of a “high-frequency litigant” as provided by California Civil Procedure Code §§ 425.55(b)(1) & (2).

Failure to respond as ordered will result in the Court declining to exercise supplemental jurisdiction over the Unruh Act and related state law claims and dismissing those claims without prejudice pursuant to 28 U.S.C. § 1367(c). IT IS SO ORDERED. Initials of Preparer TJ