

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Julio Cruz v. Taquerias Guadalajara Anaheim Inc. et al.

No. 8:25-cv-02070-MRA-JDE, United States District Court for the Central District of California (October 21, 2025)

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff Julio Cruz to show cause why the Court should exercise supplemental jurisdiction over his California state-law claims arising from alleged disability-access violations. The order discusses 28 U.S.C. § 1367(c), California’s procedural restrictions on construction-related accessibility claims, and the Ninth Circuit’s decision in *Arroyo v. Rosas*. Plaintiff was directed to identify the statutory damages sought and provide declarations addressing whether Plaintiff and counsel qualify as high-frequency litigants.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Monica Ramirez Almadant
JURISDICTION	United States District Court for the Central District of California
DECIDED	October 21, 2025
DOCKET	8:25-cv-02070-MRA-JDE
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause directing the plaintiff to explain why the court should exercise supplemental jurisdiction over state-law claims accompanying an ADA claim.
STANDARD OF REVIEW	Supplemental jurisdiction under 28 U.S.C. § 1367 is discretionary; the court must consider the statutory grounds for declining jurisdiction and the values of judicial economy, convenience, fairness, and comity.
PRECEDENTIAL VALUE	Unknown; order to show cause issued as civil minutes without a reporter citation.

TOPICS

- civil procedure
- ada / disability
- federalism
- pleadings
- damages

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over plaintiff's Unruh Act and related California state-law claims.
2. Whether the court should require plaintiff and counsel to provide information and declarations concerning statutory damages and high-frequency-litigant status before deciding whether to exercise supplemental jurisdiction.

HOLDINGS

1. Supplemental jurisdiction is discretionary rather than mandatory, and a federal court may decline to exercise it under the circumstances identified in 28 U.S.C. § 1367(c), while weighing judicial economy, convenience, fairness, and comity.

KEY QUOTATIONS

"The Supreme Court has recognized that supplemental jurisdiction is "a doctrine of discretion, not of plaintiff's choice.""

"The statute thereby 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 litigation, the values of judicial economy, convenience, fairness, and comity.'"

FACTUAL BACKGROUND

Julio Cruz sued Taquerias Guadalajara Anaheim Inc., Fed Properties LLC, and Doe defendants based on alleged disability-access violations. The complaint asserted an ADA injunctive-relief claim, California Unruh Civil Rights Act and Disabled Persons Act damages claims, a California Health and Safety Code claim, and negligence. The court focused on the relationship between ADA-based Unruh Act claims, California's procedural restrictions on construction-related accessibility claims, and the possibility that plaintiff or counsel may be high-frequency litigants.

PROCEDURAL HISTORY

Plaintiff filed the action on September 12, 2025, asserting an ADA claim and related California statutory and negligence claims. Before adjudicating the claims, the court ordered plaintiff to respond in writing regarding supplemental jurisdiction and to provide declarations concerning statutory damages and whether plaintiff and counsel qualify as high-frequency litigants under California law.

DISPOSITION

other

CASES CITED

- *City of Chicago v. International College of Surgeons*, 522 U.S. 156, 172-73 (1997)
- *United Mine Workers of America v. Gibbs*, 383 U.S. 715, 726 (1966)
- *Carnegie-Mellon University v. Cohill*, 484 U.S. 343, 350 (1988)
- *Arroyo v. Rosas*, 19 F.4th 1202, 1207, 1211-12 (9th Cir. 2021)
- *Whitaker v. Mac*, 411 F. Supp. 3d 1108, 1116 (C.D. Cal. 2019)
- *Schutza v. Cuddeback*, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES — GENERAL Case No. 8:25-cv-02070-MRA-JDE Date October 21, 2025 Title Julio Cruz v. Taquerias Guadalajara Anaheim Inc. et al. Present: The Honorable MONICA RAMIREZ ALMADANT, UNITED STATES DISTRICT JUDGE Melissa H. Kunig None Present Deputy Clerk Court Reporter Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THE COURT SHOULD EXERCISE SUPPLEMENTAL JURISDICTION OVER PLAINTIFF'S STATE LAW CLAIMS On September 12, 2025, Plaintiff Julio Cruz filed this action against Defendants Taquerias Guadalajara Anaheim Inc., Fed Properties LLC, and Does 1-10, asserting claims for (1) injunctive relief under the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12010-12213; (2) damages pursuant to California's Unruh Civil Rights Act ("Unruh Act"), Cal. Civ.

Code §§ 51- 53; (3) damages pursuant to California's Disabled Persons Act, Cal. Civ. Code § 54; (4) damages and injunctive relief pursuant to California's Health and Safety Code § 19955, et seq.; and (5) negligence. ECF 1. Plaintiff maintains that the Court has "pendant [sic] jurisdiction" over the state law claims. *Id.* 7; see 28 U.S.C. § 1367(a).

However, that a court may exercise pendent or supplemental jurisdiction "does not mean that jurisdiction must be exercised in all cases." *City of Chicago v. Int'l Coll. of Surgeons*, 522 U.S. 156, 172 (1997). The Supreme Court has recognized that supplemental jurisdiction is "a doctrine of discretion, not of plaintiff's choice." *Jd.* (quoting *United Mine Workers of Am. v. Gibbs*, 383 U.S. 715, 726 (1966)).

The supplemental jurisdiction statute enumerates the following situations in which a district court can decline to exercise supplemental jurisdiction: (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). “The statute thereby 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 litigation, the values of judicial economy, convenience, fairness, and comity.” UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES — GENERAL Case No. 8:25-cv-02070-MRA-JDE Date October 21, 2025 Title Julio Cruz v. Taquerias Guadalajara Anaheim Inc. et al. Int’l Coll. of Surgeons, 522 U.S. at 173 (quoting Carnegie-Mellon Univ. v. Cohill, 484 U.S. 343, 350 (1988)).

The Ninth Circuit has acknowledged that a “confluence of several California-law rules ha[s] combined to create a highly unusual systemic impact on ADA-based Unruh Act cases that clearly threatens to have a significant adverse impact on federal-state comity.” Arroyo v. Rosas, 19 F.4th 1202, 1211 (9th Cir. 2021).

Under the ADA, the only remedy available to a private litigant is prospective injunctive relief. 42 U.S.C. § 12188(a). However, in passing the Unruh Act, California “chose a different route” and created “a state law cause of action that relies dispositively on the ADA’s substantive rules but that expands the remedies available in a private action.” Arroyo, 19 F.4th at 1211; see Cal. Civ.

Code §§ 52(a), 55.56(a), 55.56(f). This shift resulted in ADA-Unruh Act lawsuits “frequently target[ing] ‘small businesses on the basis of boilerplate complaints’ to pursue ‘quick cash settlements rather than correction of the accessibility violation.’” Arroyo, 19 F.4th at 1207 (quoting Cal. Civ. Proc. Code § 425.55(a)(2)).

To address “concern[s] that high-frequency litigants may be using the [Unruh Act] to obtain monetary relief for themselves without accompanying adjustments to locations to assure accessibility to others,” California implemented a series of procedural reforms. *Jd.* at 1211-12.

In 2012, the Legislature adopted a heightened pleading standard for any “construction-related accessibility claim” under the Unruh Act, as defined at Cal. Civ. Proc. Code § 55.52(a)(1). See Cal. Civ. Proc. Code § 425.50(a) (2013).

The special pleading rules require any plaintiff bringing a “construction-related accessibility claim” to file a verified complaint containing specific facts “sufficient to allow a reasonable person to identify the basis of the violation or violations supporting the[ir] claim.” *Jd.* §§ 425.50(a)(1)-(3), (b)(1).

In 2015, the Legislature imposed additional requirements on “high-frequency litigant(s),” as defined at Cal. Civ. Proc. Code § 425.55(b)(1)-(2). See Arroyo, 19 F.4th at 1207. Under the stricter pleading standard, a “high-frequency litigant” must also disclose: (1) whether the complaint is filed by, or on behalf of, a high-frequency litigant; (2) in the case of a high-frequency litigant who is a plaintiff, the number of complaints alleging construction-related accessibility claims filed by the high-frequency litigant during the 12 months prior to filing the instant

complaint; (3) the reason the individual was in the geographic area of the defendant's business; and (4) the reason why the individual desired to access the defendant's business.

Id. § 425.50(a)(4)(A)) (2015). The Legislature also imposed a "high-frequency litigant fee," above and beyond the ordinary civil filing fee. See Cal. Gov't Code § 70616.5 (2015). In recognition of California's efforts to reduce the abuse of California's disability access UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES — GENERAL Case No. 8:25-cv-02070-MRA-JDE Date October 21, 2025 Title Julio Cruz v. Taquerias Guadalajara Anaheim Inc. et al. laws, district courts within the state have determined that the interests of fairness and comity counsel against exercising supplemental jurisdiction over "construction-related accessibility claims" under the Unruh Act, as well as related state law claims, brought by a "high-frequency litigant." See, e.g., *Whitaker v. Mac*, 411 F. Supp. 3d 1108, 1116 (C.D.

Cal. 2019) (declining to exercise supplemental jurisdiction over plaintiff's Unruh Act claims because doing so would allow plaintiff to "circumvent restrictions California has imposed on Unruh Act claims"); *Sehutza v. Cuddeback*, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017) (finding that it would be improper to allow plaintiff, a high-frequency litigant, to "use federal court as an end-around to California's pleading requirements"); see also *Arroyo*, 19 F.4th at 1211 (holding that the district court's "principal justification" for declining supplemental jurisdiction—that "the distinctive configuration of California-law rules" would be "rendered ineffectual if the district court were to exercise supplemental jurisdiction"—was not an abuse of discretion).

In light of the foregoing, the Court hereby orders Plaintiff to show cause in writing why the Court should exercise supplemental jurisdiction over the Unruh Act and related state law claims in this matter. See 28 U.S.C. § 1367(c).

In responding to this Order to Show Cause: 1. Plaintiff must identify the amount of statutory damages sought. 2. Plaintiff and Plaintiff's counsel shall support their Response with declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if Plaintiff and Plaintiff's counsel meet the definition of "high-frequency litigant" as provided by California Civil Procedure Code section 425.55(b)(1)-(2).

This includes, but is not limited to: a. The number of "construction-related accessibility claims" filed by Plaintiff in the 12 months preceding the filing of the present claim; and b. The number of "construction-related accessibility claims" in which Plaintiff's counsel has represented "high-frequency litigant" plaintiffs in the 12 months preceding the filing of the present claim.

Plaintiff shall file a response to this Order to Show Cause no later than 14 days from the date of this Order. Failure to timely or adequately respond to this Order to Show Cause may, without

further warning, result in the Court declining to exercise supplemental jurisdiction over Plaintiff's Unruh Act and related state law claims pursuant to 28 U.S.C. § 1367(c).

IT ISSO ORDERED. Initials of Deputy Clerk mku

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