

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Colton Bryant v. Xua Shi et al.

Bryant v. Shi · No. 2:25-cv-11941-JLS-MAA · Decided December 29, 2025

SUMMARY

The Central District of California ordered the plaintiff to show cause why the court should not decline supplemental jurisdiction over state-law claims arising alongside an Americans with Disabilities Act claim. The order also requires identification of the statutory damages sought and declarations addressing whether the plaintiff and counsel are high-frequency litigants under California law, warning that failure to respond or an inadequate response may result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Josephine L. Staton
JURISDICTION	United States District Court for the Central District of California
DECIDED	December 29, 2025
DOCKET	2:25-cv-11941-JLS-MAA
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause directing the plaintiff to explain why the court should continue exercising supplemental jurisdiction over state-law claims accompanying a federal Americans with Disabilities Act claim.
STANDARD OF REVIEW	Discretionary review under 28 U.S.C. § 1367(c) regarding whether to decline supplemental jurisdiction; dismissal for failure to comply with a court order may be imposed under Federal Rule of Civil Procedure 41(b).
PRECEDENTIAL VALUE	Nonprecedential district-court order; precedential status unknown
PARTIES	Colton Bryant v. Xua Shi, et al.

TOPICS

- subject matter jurisdiction
- civil procedure
- public accommodations discrimination
- ada / disability
- damages

PRACTICE AREAS

Federal civil procedure

Supplemental jurisdiction

Americans with Disabilities Act

California disability-access litigation

Remedies and statutory damages

QUESTIONS PRESENTED

1. Whether the court should require plaintiff to show cause why it should not decline supplemental jurisdiction over the state-law claims under 28 U.S.C. § 1367(c).
2. What information plaintiff must provide to permit the court to determine the amount of statutory damages sought and whether plaintiff or counsel qualifies as a high-frequency litigant under California law.
3. Whether failure to respond to the order or providing an inadequate response could warrant dismissal of the action or dismissal of the state-law claims.

HOLDINGS

1. The court ordered plaintiff to show cause in writing within ten days why the court should not decline to exercise supplemental jurisdiction over the Unruh Act, Disabled Persons Act, Health and Safety Code, and negligence claims.
2. The court ordered plaintiff to identify the amount of statutory damages sought and to submit declarations from plaintiff and plaintiff's counsel, signed under penalty of perjury, providing facts necessary to determine whether either qualifies as a high-frequency litigant.
3. Failure to respond may result in dismissal of the entire action without prejudice, and an inadequate response will result in the court declining supplemental jurisdiction and dismissing the state-law claims under § 1367(c).

KEY QUOTATIONS

“Accordingly, Plaintiff is ORDERED to show cause, in writing, no later than ten (10) days from the date of this Order, why the Court should not decline to exercise supplemental jurisdiction over Plaintiff’s Unruh Act, Disabled Persons Act, Health & Safety Code, and negligence claims.”

“Further, an inadequate response will result in the Court declining to exercise supplemental jurisdiction over Plaintiff’s Unruh Act, Disabled Persons Act, Health & Safety Code, and negligence claims, and the dismissal of those claims pursuant to 28 U.S.C. § 1367(c).”

FACTUAL BACKGROUND

The complaint alleged a violation of the federal Americans with Disabilities Act and sought injunctive relief. It also asserted state-law claims seeking damages under California's Unruh Act, Disabled Persons Act, Health and Safety Code, and negligence law. The court focused on California's heightened pleading, filing-fee, and disclosure requirements for construction-related accessibility claims and high-frequency litigants.

PROCEDURAL HISTORY

The complaint asserted a federal ADA claim for injunctive relief and state-law claims for damages under the Unruh Act, California's Disabled Persons Act, the California Health and Safety Code, and negligence. The district court had not yet dismissed the state-law claims or the action; instead, it ordered plaintiff to respond within ten days and warned that failure to respond could result in dismissal.

DISPOSITION

other

CASES CITED

- Velez v. Il Fornaio (America) Corp., CV 3:18-1840 CAB (MDD), 2018 WL 6446169, at *6 (S.D. Cal. Dec. 10, 2018)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 173 (1997)
- Link v. Wabash Railroad Co., 370 U.S. 626, 629-33 (1962)
- Hells Canyon Preservation Council v. U.S. Forest Service, 403 F.3d 683, 689 (9th Cir. 2005)

OPINION

Colton Bryant v. Xua Shi et al

PER CURIAM.

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-11941-JLS-MAA Date: December 29, 2025 Title: Colton Bryant v. Xua Shi et al

Present: HONORABLE JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE

Kelly Davis N/A Deputy Clerk Court Reporter ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANT: Not Present Not Present

PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE RE

SUPPLEMENTAL JURISDICTION

The Complaint filed in this action asserts a claim for injunctive relief arising out of an alleged violation of the federal Americans with Disabilities Act and a claim for damages pursuant to California's Unruh Act, California's Disabled Persons Act, the California Health & Safety Code, and negligence. Accordingly, the Court ORDERS Plaintiff to show cause why the Court should not decline to exercise supplemental jurisdiction over Plaintiff's Unruh Act, Disabled Persons Act, Health & Safety Code, and negligence claims. See 28 U.S.C. § 1367(c). "In 2012, in an attempt to deter baseless claims and vexatious litigation, California adopted heightened pleading requirements for disability discrimination lawsuits under the Unruh Act." Velez v. Il Fornaio (America) Corp., CV 3:18-1840 CAB (MDD), 2018 WL 6446169, at *6 (S.D. Cal. Dec. 10, 2018). These heightened pleading requirements apply to actions alleging a "construction-related accessibility claim," which California law defines as "any civil claim in a civil action with respect to a place of public accommodation, including but not limited to, a claim brought under Section

51, 54, 54.1, or 55, based wholly or in part on an alleged violation of any construction-related accessibility standard.” Cal. Civ. Code § 55.52(a)(1). Moreover, California imposes additional limitations on “high-frequency litigants,” defined as: A plaintiff who has filed 10 or more complaints alleging a construction-related accessibility violation within the 12-month period immediately

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

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- (1) identify the amount of statutory damages Plaintiff seeks to recover; and
- (2) provide declarations from Plaintiff and Plaintiff’s counsel, signed under penalty of perjury, providing all facts necessary for the Court to determine if each is a “high-frequency litigant.” Failure to respond may, without further warning, result in dismissal of the entire action without prejudice. Fed. R. Civ. P. 41(b) (stating that dismissal is warranted “[i]f the plaintiff fails to ... comply with ... a court order”); see *Link v. Wabash R. Co.*, 370

CIVIL MINUTES – GENERAL

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U.S. 626, 629-33 (1962) (holding that while Rule 41(b) explicitly authorizes motions to dismiss by defendants, it also permits the district court to dismiss sua sponte); see also Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005). Further, an inadequate response will result in the Court declining to exercise supplemental jurisdiction over Plaintiff's Unruh Act, Disabled Persons Act, Health & Safety Code, and negligence claims, and the dismissal of those claims pursuant to 28 U.S.C. § 1367(c). Initials of Deputy Clerk: kd

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