

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Michael Rhambo v. Thomas Alan Kerr et al.

Rhambo · No. 2:25-cv-09173-SB-RAO · Decided October 8, 2025

SUMMARY

The Central District of California ordered Plaintiff Michael Rhambo to show cause why his Unruh Act claim should not be dismissed without prejudice under 28 U.S.C. § 1367(c)(4). The order relies on Ninth Circuit precedent concerning exceptional circumstances and federal-state comity in ADA-based Unruh Act claims, and requires Plaintiff to disclose the statutory damages sought and provide information relevant to high-frequency-litigant status.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stanley Blumenfeld, Jr.
JURISDICTION	United States District Court for the Central District of California
DECIDED	October 8, 2025
DOCKET	2:25-cv-09173-SB-RAO
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought an action alleging that a musical instrument store contains physical barriers violating the Americans with Disabilities Act and the California Unruh Civil Rights Act. Before adjudicating the merits, the district court issued an order to show cause why the Unruh Act claim should not be dismissed without prejudice for lack of supplemental jurisdiction.
STANDARD OF REVIEW	Discretionary review of whether to exercise supplemental jurisdiction under 28 U.S.C. § 1367(c), including whether exceptional circumstances and compelling reasons justify declining jurisdiction.
PRECEDENTIAL VALUE	Unpublished or nonprecedential district court order; the opinion is an order to show cause rather than a final merits decision.

TOPICS

subject matter jurisdiction

civil procedure

public accommodations discrimination

architectural barriers

ada / disability

PRACTICE AREAS

Civil procedure

Disability rights

Americans with Disabilities Act

State supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the court has supplemental jurisdiction over Plaintiff's closely related Unruh Act claim under 28 U.S.C. § 1367(a).
2. Whether exceptional circumstances and compelling reasons under 28 U.S.C. § 1367(c)(4), including the federal-state comity concerns identified in *Arroyo v. Rosas*, justify declining supplemental jurisdiction over the Unruh Act claim at this early stage.

HOLDINGS

1. Because the Unruh Act claim is closely related to the ADA claim, the court has authority under 28 U.S.C. § 1367(a) to exercise supplemental jurisdiction over it.
2. Under 28 U.S.C. § 1367(c)(4), the federal-state comity concerns identified in *Arroyo v. Rosas* may constitute exceptional circumstances and compelling reasons to decline supplemental jurisdiction over an ADA-based Unruh Act claim, particularly when the case remains at an early stage and the state claim has not been adjudicated.

FACTUAL BACKGROUND

Plaintiff Michael Rhambo uses a wheelchair and alleges that Defendants' musical instrument store has physical barriers impeding his access. He asserted claims under the Americans with Disabilities Act and the California Unruh Civil Rights Act, including a request for statutory damages under the Unruh Act.

PROCEDURAL HISTORY

The case was pending at an early stage in the Central District of California, and the court had not addressed or adjudicated the merits of any claim. The court issued an order requiring Plaintiff to explain within 14 days why the Unruh Act claim should not be dismissed without prejudice under 28 U.S.C. § 1367(c)(4), warning that failure to respond would result in dismissal without further order.

DISPOSITION

other

CASES CITED

- *City of Chicago v. International College of Surgeons*, 522 U.S. 156, 172 (1997)
- *Arroyo v. Rosas*, 19 F.4th 1202, 1213, 1215-17 (9th Cir. 2021)

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