

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Cesar Acevedo v. Other Path, LLC et al.

Acevedo · No. 2:25-cv-10308-MWC-MAR · Decided October 30, 2025

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff to show cause why the Court should not decline supplemental jurisdiction over claims under California’s Unruh Civil Rights Act and related state laws. The Court required Plaintiff and counsel to provide declarations addressing whether they qualify as high-frequency litigants and to identify the statutory damages sought, warning that failure to respond would result in dismissal of the state-law 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	October 30, 2025
DOCKET	2:25-cv-10308-MWC-MAR
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause directing Plaintiff to explain why the court should not decline supplemental jurisdiction over claims under California's Unruh Civil Rights Act and related state-law claims.
PRECEDENTIAL VALUE	nonprecedential interlocutory district-court order

TOPICS

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

PRACTICE AREAS

- civil procedure
- disability discrimination
- supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the 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)(4).
2. Whether Plaintiff and Plaintiff's counsel qualify as high-frequency litigants under California Code of Civil Procedure § 425.55(b)(1) and (2), based on declarations and facts to be submitted in response to the order to show cause.

HOLDINGS

1. The court ordered Plaintiff to show cause in writing why the court should not decline to exercise supplemental jurisdiction over the Unruh Act and related state-law claims, and required Plaintiff to identify the statutory damages sought and submit supporting declarations concerning high-frequency-litigant status.
2. The court stated that failure to respond as ordered would result in declining supplemental jurisdiction over the Unruh Act and related state-law claims and dismissing those claims without prejudice under 28 U.S.C. § 1367(c).

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).”

FACTUAL BACKGROUND

The complaint alleges violations of the Americans with Disabilities Act and several California statutes, along with negligence, and seeks damages and injunctive relief. The court focused on the asserted Unruh Act and related state-law claims and the statutory-damages allegations relevant to possible supplemental-jurisdiction issues. The order also requires factual declarations concerning whether Plaintiff and Plaintiff's counsel satisfy California's definition of a high-frequency litigant.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting claims under the Americans with Disabilities Act, California's Unruh Civil Rights Act, the California Disabled Persons Act, California Health and Safety Code section 19955 et seq., and negligence. The district court issued an order to show cause requiring Plaintiff to submit a written response, identify the amount of statutory damages sought, and provide declarations concerning whether Plaintiff and counsel qualify as high-frequency litigants. The court stated that failure to respond would result in declining supplemental jurisdiction and dismissing the related state-law claims without prejudice.

DISPOSITION

other

CASES CITED

- Arroyo v. Rosas, 19 F.4th 1202 (9th Cir. 2021)

OPINION

CIVIL MINUTES – GENERAL Case No. 2:25-cv-10308-MWC-MAR Date: October 30, 2025
Title: Cesar Acevedo v. Other Path, LLC 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 asserts claims for
damages and injunctive relief arising out of alleged violations of the Americans with Disabilities
Act, California’s Unruh Civil Rights Act (“Unruh Act”), the California Disabled Persons Act,
California Health & Safety Code § 19955, et seq., and based on a theory of negligence.

See Dkt. # 1. The Court ORDERS Plaintiff to show cause in writing no later than November 14,
2025, why it should not decline to exercise supplemental jurisdiction over the Unruh Act and any
related state law claims. See 28 U.S.C. §§ 1367(c)(4); *Arroyo v. Rosas*, 19 F.4th 1202 (9th Cir.
2021).

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 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