

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Sam Benford v. Carlos Albert Rosales, et al.

Benford · No. CV 25-9722-MWF(BFMx) · Decided October 23, 2025

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff Sam Benford to show cause why the court should exercise supplemental jurisdiction over claims under California’s Unruh Civil Rights Act and other state laws. The court required information concerning the statutory damages sought and whether Plaintiff or counsel qualifies as a high-frequency litigant, warning that failure to respond could result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Michael W. Fitzgerald
JURISDICTION	United States District Court for the Central District of California
DECIDED	October 23, 2025
DOCKET	CV 25-9722-MWF(BFMx)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause sua sponte concerning whether it should exercise supplemental jurisdiction over the plaintiff’s Unruh Civil Rights Act and other state-law claims.
STANDARD OF REVIEW	The court independently reviews and may raise subject-matter jurisdiction sua sponte at any time during the pendency of the action.
PRECEDENTIAL VALUE	Nonprecedential interlocutory district-court order
PARTIES	Sam Benford v. Carlos Albert Rosales, et al.

TOPICS

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

PRACTICE AREAS

- federal civil procedure
- Americans with Disabilities Act
- supplemental jurisdiction
- California civil rights law

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction under 28 U.S.C. § 1367(a) over the Unruh Civil Rights Act claim and other state-law claims.
2. Whether the court should decline supplemental jurisdiction under 28 U.S.C. § 1367(c), including in light of the federalism and comity concerns associated with ADA-based Unruh Act claims.
3. Whether plaintiff or plaintiff's counsel meets the definition of a high-frequency litigant under California Code of Civil Procedure section 425.55(b)(1) or (2).

HOLDINGS

1. The court has a sua sponte obligation to confirm that it possesses subject-matter jurisdiction and may raise the jurisdictional issue at any time while the action is pending.
2. The court required plaintiff to show cause why the court should exercise supplemental jurisdiction and indicated that it may decline jurisdiction under 28 U.S.C. § 1367(c).

KEY QUOTATIONS

“it is well established that ‘a court may raise the question of subject matter jurisdiction, sua sponte, at any time during the pendency of the action’” (unpaginated)

FACTUAL BACKGROUND

The complaint alleges a violation of the Americans with Disabilities Act and asserts related claims under California's Unruh Civil Rights Act and other state law. The court identified the federal supplemental-jurisdiction statute as the sole stated basis for jurisdiction over the Unruh Act claim and sought information concerning the amount of statutory damages and whether plaintiff or counsel qualified as high-frequency litigants under California law.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim for injunctive relief, an Unruh Civil Rights Act claim for damages, and other state-law claims. The court ordered plaintiff to explain why supplemental jurisdiction should be exercised and warned that failure to respond could result in dismissal without prejudice or declining supplemental jurisdiction over the state-law claims.

DISPOSITION

other

CASES CITED

- Arroyo v. Rosas, 19 F.4th 1202, 1211–14 (9th Cir. 2021)
- Nevada v. Bank of Am. Corp., 672 F.3d 661, 673 (9th Cir. 2012)
- Snell v. Cleveland, Inc., 316 F.3d 822, 826 (9th Cir. 2002)

OPINION

CIVIL MINUTES – GENERAL Case No. CV 25-9722-MWF(BFMx) Date: October 23, 2025 Title Sam Benford v. Carlos Albert Rosales, et al. Present: The Honorable: MICHAEL W. FITZGERALD, United States District Judge Rita Sanchez Not Reported Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: 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 Americans With Disabilities Act (“ADA”), 42 U.S.C. §§ 12101-12213, a claim for damages pursuant to the Unruh Civil Rights Act (“Unruh Act”), Cal. Civ.

Code §§ 51–53, and other state law claims alleged by Plaintiff. The sole basis for jurisdiction over the Unruh Act claim is supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a). The Court, however, may decline to exercise supplemental jurisdiction for the reasons delineated in § 1367(c). See also *Arroyo v. Rosas*, 19 F.4th 1202, 1211–14 (9th Cir. 2021) (holding district courts may decline supplemental jurisdiction over ADA-based Unruh Act claims because of “very substantial threat to federal-state comity” presented by plaintiffs’ use of federal courts to evade California’s Unruh Act reforms).

This Court has a sua sponte obligation to confirm that it has subject matter jurisdiction. *Nevada v. Bank of Am. Corp.*, 672 F.3d 661, 673 (9th Cir. 2012) (“[I]t is well established that ‘a court may raise the question of subject matter jurisdiction, sua sponte, at any time during the pendency of the action....’” (quoting *Snell v. Cleveland, Inc.*, 316 F.3d 822, 826 (9th Cir.

2002))). Therefore, to assist this Court in its duty, Plaintiff is ORDERED to SHOW CAUSE in writing as to why this Court should exercise supplemental jurisdiction CIVIL MINUTES – GENERAL Case No. CV 25-9722-MWF(BFMx) Date: October 23, 2025 Title Sam Benford v. Carlos Albert Rosales, et al. over the Unruh Act claim and the other state law claims alleged by Plaintiff.

The Response to the Order to Show Cause shall include (1) the amount of statutory damages sought pursuant to the Unruh Act; and (2) sufficient facts for the Court to determine whether Plaintiff or Plaintiff’s counsel meet the definition of a “high- frequency litigant” as defined in California Code of Civil Procedure section 425.55(b)(1) & (2). These facts shall be set forth in declarations signed under penalty of perjury.

The Response shall be filed on or before NOVEMBER 6, 2025. Failure to timely or adequately respond to this Order to Show Cause may, without further warning, result in the dismissal of the entire action without prejudice or the Court’s declining to exercise supplemental jurisdiction over the Unruh Act claim and the dismissal of that claim pursuant to 28 U.S.C. § 1367(c).

IT IS SO ORDERED.

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