

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
CALIFORNIA

Nordheim v. JP Morgan Chase Bank N.A.

No. 25-cv-04781-LB (N.D. Cal. July 11, 2025) · No. 25-cv-04781-LB · Decided July 11, 2025

SUMMARY

The United States District Court for the Northern District of California screened a pro se, in forma pauperis complaint alleging that JPMorgan Chase discriminated against the plaintiff based on disability and asylum status, improperly disclosed financial information, and caused related harm. The court found that the complaint was not frivolous but lacked sufficient facts supporting the asserted federal and state claims, including claims under 42 U.S.C. § 1981, the ADA, the FCRA, the GLBA, and California law. The court permitted the plaintiff to supplement the complaint by July 28, 2025, and denied the request to seal without prejudice.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of California                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Laurel Beeler                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| JURISDICTION          | United States District Court for the Northern District of California                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| DECIDED               | July 11, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| DOCKET                | 25-cv-04781-LB                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| PROCEDURAL POSTURE    | Pro se plaintiff proceeding in forma pauperis filed a complaint against Chase. Before service, the district court screened the complaint under 28 U.S.C. § 1915(e)(2)(B), identified deficiencies, denied the sealing request without prejudice, and allowed plaintiff to supplement the complaint.                                                                                                                                                                                                                                                                       |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss an in forma pauperis complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. Failure to state a claim is evaluated under a standard paralleling Federal Rule of Civil Procedure 12(b)(6): the complaint must contain sufficient factual matter to state a plausible claim, factual allegations are accepted as true and reasonable inferences are drawn in plaintiff's favor, and conclusory allegations and unreasonable inferences are not accepted. |

|                           |                                                                                                                                 |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------|
|                           | Pro se pleadings are construed liberally, and leave to amend is ordinarily granted unless amendment could not cure the defects. |
| <b>PRECEDENTIAL VALUE</b> | Unpublished district-court screening order; nonprecedential                                                                     |
| <b>PARTIES</b>            | Odin Nordheim v. JP Morgan Chase Bank N.A.                                                                                      |

## TOPICS

civil procedure   subject matter jurisdiction   ada / disability   credit reporting   consumer protection

## PRACTICE AREAS

Civil procedure   Civil rights   Disability discrimination   Consumer protection   Credit reporting

## QUESTIONS PRESENTED

1. Whether the complaint was frivolous or failed to state a legally cognizable claim under the in forma pauperis screening statute.
2. Whether the complaint plausibly alleged discrimination under 42 U.S.C. § 1981, Title III of the ADA, or the California Unruh Act.
3. Whether the complaint plausibly alleged wrongful financial-information disclosure under the Gramm-Leach-Bliley Act, the FCRA, or California law.
4. Whether the complaint stated a Fourteenth Amendment claim against a private bank absent government action.
5. Whether the complaint adequately alleged supplemental state-law claims, including defamation, intentional infliction of emotional distress, and unfair competition.
6. Whether plaintiff's request to seal documents satisfied the requirements of Civil Local Rule 79-5.

## HOLDINGS

1. The complaint was not frivolous because it was not based on an inarguable legal conclusion or fanciful factual allegations, although it presently failed to allege facts supporting legally cognizable claims.
2. The complaint did not presently allege sufficient facts to support discrimination claims, including facts showing plaintiff's disability and asylum status and how Chase knew of those characteristics. The court recognized that § 1981 can prohibit discrimination based on alien status, but does not prohibit disability discrimination, and that Title III of the ADA can apply to banks.
3. The complaint did not adequately plead claims based on alleged disclosure of financial or credit information because plaintiff alleged only suspicions and no facts showing that Chase disclosed his information or credit information to other institutions.
4. The complaint did not state a Fourteenth Amendment claim because it alleged conduct by a private bank and did not allege government action.

5. The court lacked supplemental jurisdiction over the state claims if no federal claim remained, but addressed them because plaintiff likely could establish diversity jurisdiction. The state claims were inadequately pleaded, and the sealing request was denied without prejudice because plaintiff filed no documents requiring protection and made no sufficient showing under the local rule.

#### KEY QUOTATIONS

*“The complaint is not frivolous.”* (at 2)

*“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.”* (at 2)

*“A person cannot “face disadvantage in the activities protected by § 1981 solely because of his or her alien status.””* (at 4)

*“The Act does not contain a private right of action, but there are potential privacy claims under the California Financial Information Privacy Act”* (at 5)

*“There is no government action, a necessary predicate to a Fourteenth Amendment claim.”* (at 6)

#### FACTUAL BACKGROUND

Nordheim alleged that Chase closed his bank account without notice after a teller questioned him publicly and a security guard approached him aggressively. Chase allegedly issued him a check for the account balance of \$77.56, refused to reopen the account, and may have shared information that caused other banks to reject his account applications. He attributed the alleged treatment and resulting emotional, financial, and reputational harm to his disability and asylum status and sought damages, costs, an apology, and injunctive relief.

#### PROCEDURAL HISTORY

Nordheim filed a complaint alleging disability and asylum-status discrimination, interference with contracting rights, financial-information disclosure, credit-reporting violations, constitutional violations, and related California claims. The court screened the complaint before directing the Marshal to serve Chase. Rather than dismissing immediately, the court ordered plaintiff to file a supplement with additional facts by July 28, 2025, warning that failure to do so could result in dismissal. The court also denied plaintiff's sealing request without prejudice.

#### DISPOSITION

other

#### CASES CITED

- Owen Equip. & Erection Co. v. Kroger, 437 U.S. 365, 374 (1978)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392 (1987)
- Calhoun v. Stahl, 254 F.3d 845, 845 (9th Cir. 2001)
- Lopez v. Smith, 203 F.3d 1122, 1126-27, 1130 (9th Cir. 2000) (en banc)

- *Peralta v. Dillard*, 744 F.3d 1076 (9th Cir. 2014) (en banc)
- *Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998)
- *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989)
- *Denton v. Hernandez*, 504 U.S. 25, 31 (1992)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)
- *Van Buskirk v. Cable News Network, Inc.*, 284 F.3d 977, 980 (9th Cir. 2002)
- *Cahill v. Liberty Mut. Ins. Co.*, 80 F.3d 336, 337-38 (9th Cir. 1996)
- *Associated Gen. Contractors of Cal., Inc. v. Cal. State Council of Carpenters*, 459 U.S. 519, 526 (1983)
- *Sprewell v. Golden State Warriors*, 266 F.3d 979, 988 (9th Cir. 2001)
- *Hughes v. Rowe*, 449 U.S. 5, 9 (1980)
- *Hearns v. Terhune*, 413 F.3d 1036, 1041, 1043 (9th Cir. 2005)
- *Evans v. McKay*, 869 F.2d 1341, 1344 (9th Cir. 1989)
- *Sagana v. Tenorio*, 384 F.3d 731, 738 (9th Cir. 2004)
- *Gilstrap v. United Airlines, Inc.*, 709 F.3d 995, 1002 (9th Cir. 2013)
- *Arizona ex rel. Goddard v. Harkins Amusement Enters., Inc.*, 603 F.3d 666, 670 (9th Cir. 2010)
- *BGC, Inc. v. Bryant*, No. 22-cv-04801-JSC, 2023 WL 4138287, at \*2 (N.D. Cal. June 21, 2023)
- *Park v. Wells Fargo Bank*, No. C 12-2065 PJH, 2012 WL 3309694, at \*4 (N.D. Cal. Aug. 13, 2012)
- *Safeco Ins. Co. of Am. v. Burr*, 551 U.S. 47, 52 (2007)
- *Gorman v. Wolpoff & Abramson, LLP*, 584 F.3d 1147, 1153-54 (9th Cir. 2009)
- *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 924 (1982)
- *Royal Canin U.S.A., Inc. v. Wulschleger*, 604 U.S. 22, 43-44 (2025)
- *Ramos v. U.S. Bank, N.A.*, No. 20-cv-01433-MMC, 2020 WL 3488022, at \*1 (N.D. Cal. June 26, 2020)
- *Taus v. Loftus*, 40 Cal. 4th 683, 720 (2007)
- *Kelley v. Conco Cos.*, 196 Cal. App. 4th 191, 215 (2011)
- *Parducci v. Overland Sols., Inc.*, 399 F. Supp. 3d 969, 982 (N.D. Cal. 2019)