

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Oscar Ramos v. Man de Yuan Enterprises, Inc., Individually and  
DBA The Mandarin Restaurant, et al.

Ramos · No. 2:24-cv-03348-CSK · Decided November 4, 2025

SUMMARY

The United States Magistrate Judge recommends declining supplemental jurisdiction over Plaintiff Oscar Ramos’s California disability-access and Unruh Act claims under 28 U.S.C. § 1367(c)(4), based on exceptional circumstances and comity concerns involving California’s high-frequency litigant requirements. The recommendations would dismiss those state-law claims without prejudice, dismiss the Doe defendants, and deny Plaintiff’s motion for default judgment without prejudice while allowing renewal as to the remaining ADA claim. The document was issued as findings and recommendations subject to objections.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                   |
| WRITING FOR THE COURT | Chi Soo Kim                                                                                                                                                                                                                                                                                                                                                                                           |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                   |
| DECIDED               | November 4, 2025                                                                                                                                                                                                                                                                                                                                                                                      |
| DOCKET                | 2:24-cv-03348-CSK                                                                                                                                                                                                                                                                                                                                                                                     |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                 |
| PROCEDURAL POSTURE    | Plaintiff moved for default judgment after the Clerk entered default against the named defendant. The magistrate judge issued an order and findings and recommendations recommending that supplemental jurisdiction over the state-law claims be declined, those claims be dismissed without prejudice, the default-judgment motion be denied without prejudice, and the Doe defendants be dismissed. |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1367(c)(4), the court considers whether exceptional circumstances exist and whether compelling reasons, evaluated through the principles of economy, convenience, fairness, and comity, support declining supplemental jurisdiction.                                                                                                                                                |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                                                                                                                                                                                                       |

## PARTIES

Oscar Ramos v. Man de Yuan Enterprises, Inc., individually and doing business as The Mandarin Restaurant, et al.

## TOPICS

subject matter jurisdiction

default judgment

architectural barriers

ada / disability

civil procedure

## PRACTICE AREAS

Civil procedure

Supplemental jurisdiction

Americans with Disabilities Act

California disability-access law

Default judgment

## QUESTIONS PRESENTED

1. Whether exceptional circumstances and compelling reasons under 28 U.S.C. § 1367(c)(4) supported declining supplemental jurisdiction over the California disability-access claims.
2. Whether the California Health and Safety Code, Disabled Person Act, and Unruh Act claims should be dismissed without prejudice so they could be pursued in state court.
3. Whether the Doe defendants should be dismissed because they had not been served, defaulted, or addressed by the plaintiff.
4. Whether the motion for default judgment should be denied without prejudice and subject to renewal as to the remaining ADA claim.

## HOLDINGS

1. The court found exceptional circumstances and compelling reasons to decline supplemental jurisdiction over the plaintiff's California Health and Safety Code, Disabled Person Act, and Unruh Act claims because California's special procedural requirements for high-frequency construction-related accessibility litigants would be undermined if the claims proceeded in federal court alongside the ADA claim.
2. The court recommended dismissal without prejudice of the California Health and Safety Code § 19955, Disabled Person Act, and Unruh Act claims, permitting the plaintiff to refile them in state court.
3. The court recommended dismissal of Doe Defendants 1-50 because the plaintiff did not address them in response to the order to show cause and had not served them or obtained entry of default against them.
4. The court recommended denying the motion for default judgment without prejudice, subject to renewal as to the remaining ADA claim, and granted the plaintiff thirty days to file a second motion.

## KEY QUOTATIONS

*“supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s rights””* (at 2)

*“the legal landscape” concerning Unruh Act actions constitute exceptional circumstances within the meaning of § 1367(c)(4)”* (at 3)

*“It is California’s prerogative to impose a heightened filing fee for high frequency litigants, in an effort to curb abuses of the Unruh Act.” (at 3)*

## FACTUAL BACKGROUND

Ramos, who uses a wheelchair after the amputation of both legs, visited The Mandarin Restaurant in Fairfield, California, and alleged that he encountered architectural barriers, including defective accessible parking, noncompliant paths of travel, inaccessible dining seating, and a bar lacking lowered seating. He alleged violations of the ADA and several California disability-access statutes and sought damages and injunctive relief. The court's records showed that he had filed at least ten construction-related accessibility complaints during the preceding twelve months, making him a high-frequency litigant under California law.

## PROCEDURAL HISTORY

Ramos filed an action asserting an ADA claim and related California disability-access claims. The named defendant failed to respond or appear, and the Clerk entered default. After the plaintiff moved for default judgment, the court ordered him to show cause why supplemental jurisdiction over the state-law claims should not be declined; the court considered his late response and issued these findings and recommendations. The recommendations were submitted to a district judge under 28 U.S.C. § 636(b)(1), subject to objections.

## DISPOSITION

other

## REMAND INSTRUCTIONS

No remand was ordered. The recommendations direct dismissal of the state-law claims without prejudice, dismissal of Doe Defendants 1-50, denial of the default-judgment motion without prejudice, and allow thirty days for a renewed default-judgment motion concerning the ADA claim. The recommendations were submitted to a district judge for review under 28 U.S.C. § 636(b)(1).

## CASES CITED

- Arroyo v. Rosas, 19 F.4th 1202, 1205, 1207, 1209-14 (9th Cir. 2021)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 172-73 (1997)
- United Mine Workers of America v. Gibbs, 383 U.S. 715, 726 (1966)
- San Pedro Hotel Co. v. City of Los Angeles, 159 F.3d 470, 478 (9th Cir. 1998)
- Gilbert v. Singh, 2023 WL 2239335, at \*2 (E.D. Cal. Feb. 27, 2023)
- Vo v. Choi, 49 F.4th 1167, 1169, 1171-74 (9th Cir. 2022)
- Sepulveda v. Kobaree, 2023 WL 5020267, at \*2 (N.D. Cal. Aug. 4, 2023)
- Shayler v. 1310 PCH, LLC, 51 F.4th 1015, 1018 (9th Cir. 2022)
- Sykes v. Rios, 2024 WL 5186841, at \*1 n.1 (E.D. Cal. Dec. 20, 2024)
- Garcia v. Maciel, 2022 WL 395316, at \*5 (N.D. Cal. Feb. 9, 2022)
- Sepulveda v. Taqueria y Carniceria Martinez LLC, 2024 WL 69066, at \*2 (N.D. Cal. Jan. 5, 2024)

- *Soo Park v. Thompson*, 851 F.3d 910, 928 n.21 (9th Cir. 2017)
- *Gillespie v. Civiletti*, 629 F.2d 637, 642 (9th Cir. 1980)
- *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998)
- *Martinez v. Yist*, 951 F.2d 1153, 1156-57 (9th Cir. 1991)

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