

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Cesar Acevedo v. Avraham Yechezkel et al.

Acevedo v. Yechezkel · No. 2:25-cv-08858-SB-SK · Decided September 24, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause concerning Plaintiff Cesar Acevedo’s Unruh Act claim, which accompanies his Americans with Disabilities Act claims. Citing 28 U.S.C. § 1367(c)(4) and *Arroyo v. Rosas*, the Court indicated that it may decline supplemental jurisdiction to protect California’s interests in regulating high-frequency disability-access litigation. The Court ordered Plaintiff to explain within 14 days why the Unruh Act claim should not be dismissed without prejudice and to provide information concerning statutory damages and 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	September 24, 2025
DOCKET	2:25-cv-08858-SB-SK
DISPOSITION	other
PROCEDURAL POSTURE	The plaintiff brought claims under the Americans with Disabilities Act and California’s 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	Supplemental jurisdiction under 28 U.S.C. § 1367 is discretionary; a district court may decline jurisdiction when the statutory grounds in § 1367(c), including exceptional circumstances and compelling reasons, are present.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

subject matter jurisdiction

civil procedure

public accommodations discrimination

ada / disability

PRACTICE AREAS

civil procedure

civil rights

disability discrimination

supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the Unruh Act claim falls within the court's supplemental jurisdiction because it is closely related to the ADA claim.
2. Whether exceptional circumstances and federal-state comity concerns identified in *Arroyo v. Rosas* warrant declining supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(c)(4).
3. Whether plaintiff should be required to show cause why the Unruh Act claim should not be dismissed without prejudice.

HOLDINGS

1. Because the Unruh Act claim is closely related to the ADA claim, the court has authority to exercise supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(a).
2. The court may decline supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(c)(4) when the circumstances create exceptional federal-state comity concerns, including concerns that federal ADA litigation may undermine California's statutory reforms governing high-frequency Unruh Act litigants.

KEY QUOTATIONS

“supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right,””

“retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California’s carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms.” (1213)

“Accordingly, the Court ORDERS Plaintiff within 14 days after entry of this Order to show cause in writing why the Court should not dismiss without prejudice his Unruh Act claim under § 1367(c)(4).”

FACTUAL BACKGROUND

Plaintiff requires a wheelchair while traveling in public and alleges that defendants' facilities contain physical barriers that impede his access. He asserts claims under the ADA and the California Unruh Civil Rights Act, including a claim seeking statutory damages. The court noted that the case remained at an early stage and that it had not adjudicated the merits of any claim.

PROCEDURAL HISTORY

Plaintiff Cesar Acevedo filed suit alleging that defendants' facilities contain physical barriers impeding wheelchair access, in violation of the ADA and the Unruh Act. The court concluded that the Unruh Act claim

was sufficiently related to the ADA claim to fall within supplemental jurisdiction, but ordered plaintiff to show cause why the court should not decline that jurisdiction under 28 U.S.C. § 1367(c)(4).

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 (9th Cir. 2021)

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