

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Latanya Williams v. Kim Vo Salon, et al.

Williams v. Kim Vo Salon · No. CV 25-4479-MWF(KSx) · Decided May 22, 2025

SUMMARY

The court ordered Plaintiff to show cause why it should exercise supplemental jurisdiction over claims under California’s Unruh Civil Rights Act and other state laws arising from an alleged ADA violation. The response must address the statutory damages sought and provide declarations concerning whether Plaintiff or counsel qualifies as a high-frequency litigant; the response is due June 5, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Michael W. Fitzgerald
JURISDICTION	U.S. District Court
DECIDED	May 22, 2025
DOCKET	CV 25-4479-MWF(KSx)
DISPOSITION	other
PROCEDURAL POSTURE	The district 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 in an action that also asserts an ADA claim for injunctive relief.
STANDARD OF REVIEW	The court sua sponte reviewed whether subject matter jurisdiction existed and whether supplemental jurisdiction should be exercised under 28 U.S.C. § 1367(c).
PRECEDENTIAL VALUE	unpublished

TOPICS

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

PRACTICE AREAS

- federal civil procedure
- Americans with Disabilities Act
- supplemental jurisdiction
- California Unruh Civil Rights Act

QUESTIONS PRESENTED

1. Whether the district court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and the other state-law claims.
2. Whether the plaintiff should be required to provide information concerning the amount of Unruh Act statutory damages sought and the possible high-frequency-litigant status of plaintiff or plaintiff's counsel.

HOLDINGS

1. A federal court may raise the issue of subject matter jurisdiction sua sponte at any time while the action is pending.
2. The district court may decline to exercise supplemental jurisdiction over the Unruh Act claim and other state-law claims for reasons identified in 28 U.S.C. § 1367(c), including concerns regarding federal-state comity.

KEY QUOTATIONS

“[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’”

FACTUAL BACKGROUND

The complaint alleges a violation of the Americans with Disabilities Act and seeks injunctive relief. It also asserts a claim for damages under California's Unruh Civil Rights Act and other state-law claims. The court required information about the statutory damages sought and whether plaintiff or plaintiff's counsel qualified as a high-frequency litigant under California law.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim, an Unruh Civil Rights Act damages claim, and other state-law claims. The court determined that supplemental jurisdiction was the sole stated basis for jurisdiction over the Unruh Act claim and ordered plaintiff to show cause why the court should exercise that jurisdiction. The court required a response by June 5, 2025, warning that failure to respond could result in dismissal without prejudice or declining supplemental jurisdiction and dismissing the Unruh Act claim.

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

Latanya Williams v. Kim Vo Salon

PER CURIAM.

CIVIL MINUTES – GENERAL

Case No. CV 25-4479-MWF(KSx) Date: May 22, 2025 Title Latanya Williams v. Kim Vo Salon, 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 25-4479-MWF(KSx) Date: May 22, 2025 Title Latanya Williams v. Kim Vo Salon, 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 JUNE 5, 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.

