

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA, WESTERN DIVISION

Sam Benford v. Cristina Cortes

Benford · No. CV 24-01530 TJH · Decided March 13, 2025

SUMMARY

The United States District Court for the Central District of California issued an Order to Show Cause concerning Plaintiff's ADA and California Unruh Civil Rights Act claims. The order requires Plaintiff to explain why the Court should exercise supplemental jurisdiction over the state-law claims, identify the statutory damages sought, and provide declarations addressing whether Plaintiff qualifies as a high-frequency litigant under California law.

CASE DETAILS

COURT	United States District Court for the Central District of California, Western Division
WRITING FOR THE COURT	Terry J. Hatter, Jr.
JURISDICTION	United States District Court for the Central District of California, Western Division
DECIDED	March 13, 2025
DOCKET	CV 24-01530 TJH
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause during the pendency of a civil action asserting an Americans with Disabilities Act claim and a California Unruh Civil Rights Act claim.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

TOPICS

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

PRACTICE AREAS

- civil procedure
- federal jurisdiction
- civil rights
- disability discrimination

QUESTIONS PRESENTED

1. Whether Plaintiff should show cause why the court should exercise supplemental jurisdiction over the Unruh Act and any other state-law claims.
2. What information Plaintiff must provide concerning the amount of statutory damages sought and whether Plaintiff satisfies California's definition of a high-frequency litigant.

HOLDINGS

1. Because the complaint appeared to invoke only supplemental jurisdiction over the Unruh Act and any other state-law claims, the court ordered Plaintiff to show cause why the court should exercise that jurisdiction.

KEY QUOTATIONS

"Section 1367 "reflects the understanding that, when deciding whether to exercise supplemental jurisdiction, 'a federal court should consider and weigh in each case, and at every stage of the litigation, the values of judicial economy, convenience, fairness, and comity.'" (at 1)

FACTUAL BACKGROUND

The complaint alleged an ADA violation and sought injunctive relief, along with a damages claim under California's Unruh Civil Rights Act. The court required Plaintiff to identify the statutory damages sought and provide facts concerning whether Plaintiff qualifies as a California high-frequency litigant.

PROCEDURAL HISTORY

Plaintiff filed a complaint seeking injunctive relief under the ADA and damages under the Unruh Act. The court determined that it appeared to possess only supplemental jurisdiction over the Unruh Act and any other state-law claims, and ordered Plaintiff to show cause why supplemental jurisdiction should be exercised.

DISPOSITION

other

CASES CITED

- City of Chicago v. International College of Surgeons, 522 U.S. 156, 173 (1997)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 (1988)

OPINION

1 2 3 4 5 6 7 8 United States District Court 9 Central District of California 10 Western Division 11
12 SAM BENFORD, CV 24-01530 TJH 13 Plaintiff, Order to Show Cause 14 v. 15 CRISTINA
CORTES, etc., 16 Defendant. 17 18 The Complaint filed in this case alleged a claim for injunctive
relief for an 19 alleged violation of the Americans with Disabilities Act, 42 U.S.C. §§ 12010-
12213 20 ["ADA"], and a claim for damages pursuant to California's Unruh Civil Rights Act, 21
Cal. Civ.

Code §§ 51-53 ["Unruh Act"]. It appears that the Court possesses only 22 supplemental jurisdiction over the Unruh Act claim and any other state law claim that 23 Plaintiff may have alleged, if any. See 28 U.S.C. § 1367(a). 24 Section 1367 "reflects the understanding that, when deciding whether to exercise 25 supplemental jurisdiction, 'a federal court should consider and weigh in each case, and 26 at every stage of the litigation, the values of judicial economy, convenience, fairness, 27 and comity.'" *City of Chicago v. Int'l Coll. of Surgeons*, 522 U.S. 156, 173 (1997) 28 (emphasis added) (quoting *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 1 || (1988)).

2 Therefore, Plaintiff shall show cause, in writing, by March 31, 2025, as to why 3 || the Court should exercise supplemental jurisdiction over the Unruh Act claim and any 4 || other state law claims Plaintiff may have alleged, if any. See 28 U.S.C. § 1367(c). 5 In responding to this Order to Show Cause, Plaintiff shall identify the amount of 6 || statutory damages Plaintiff seeks to recover.

Plaintiff and Plaintiff's counsel shall, also, 7 || support their responses to this Order to Show Cause with declarations, signed under 8 || penalty of perjury, providing all facts necessary for the Court to determine if they 9 || satisfy the definition of a "high-frequency litigant," as provided by California Civil 10 | Procedure Code §§ 425.55(b)(1) & (2).

11 Failure to timely or adequately respond to this Order to Show Cause may, 12 || without further warning, result in the dismissal, without prejudice, of this entire case, 13 || or the Court declining to exercise supplemental jurisdiction over the Unruh Act and the 14 || other state law claims, if any, and the dismissal of the state law claims pursuant to 28 15 || U.S.C. § 1367(c).

16 17 IT IS SO ORDERED. 18 Date: March 13, 2025 a 21 gir J. Hatter, 2 99 Senior United States District Judge 23 24 25 26 27 28 Order to Show Cause — Page 2 of 2