

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.

OPINION

Sam Benford v. Cristina Cortes

PER CURIAM.

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 —
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