

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Alison Helen Fairchild v. Brian Chesky

No. CV 25-1747 JGB (PVC) · No. No. CV 25-1747 JGB (PVC) · Decided March 14, 2025

SUMMARY

The Central District of California summarily dismissed Alison Helen Fairchild’s action without prejudice. The court found that Fairchild violated a prior vexatious-litigant order by filing related claims in the Northern District of California to avoid the filing restrictions, and that venue was clearly appropriate in the Central District. The dismissal was entered on March 13, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 14, 2025
DOCKET	No. CV 25-1747 JGB (PVC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a civil-rights complaint in the Northern District of California. That action was transferred to the Central District of California, which summarily dismissed it without prejudice based on a prior vexatious-litigant order and improper forum selection.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value.
PARTIES	Alison Helen Fairchild v. Brian Chesky, et al.

TOPICS

- venue
- civil procedure
- section 1983
- sanctions

PRACTICE AREAS

- civil procedure
- civil rights
- venue
- vexatious litigant restrictions

QUESTIONS PRESENTED

- Whether a plaintiff subject to a Central District vexatious-litigant filing restriction may circumvent that restriction by filing claims arising in the Central District in a neighboring federal district.

2. Whether the action should be summarily dismissed without prejudice after transfer to the Central District where venue was appropriate there and the filing was designed to evade the prior vexatious-litigant order.

HOLDINGS

1. A plaintiff may not circumvent a Central District vexatious-litigant order by initiating in a neighboring district claims that arise in the Central District, particularly where venue is clearly appropriate in the Central District.
2. The action was summarily dismissed without prejudice because Plaintiff deliberately filed in the Northern District to evade the Central District vexatious-litigant order.

KEY QUOTATIONS

“Accordingly, this action is summarily *DISMISSED WITHOUT PREJUDICE*.” (at 2)

FACTUAL BACKGROUND

Fairchild had previously been declared a vexatious litigant, subject to an order requiring her to submit that order and seek leave before initiating a new civil action in the Central District of California. She filed a civil-rights complaint in the Northern District of California concerning incidents related to a short-term property rental in Riverside without complying with the prior order. The Northern District determined that the relevant witnesses and information were located in the Los Angeles and Riverside areas, that the appearing defendant resided in the Central District, and that the filing constituted forum shopping to avoid the vexatious-litigant order.

PROCEDURAL HISTORY

In 2019, the Central District of California declared Alison Helen Fairchild and Arogant Hollywood vexatious litigants and required them to obtain leave before initiating a new civil action in that district. In September 2024, Fairchild filed this civil-rights action in the Northern District of California without complying with that order. The Northern District transferred the case to the Central District after finding that the relevant witnesses, information, and an appearing defendant were located there and that Fairchild had engaged in impermissible forum shopping. The Central District summarily dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Hollywood and Fairchild v. Carrows California Family Restaurants et al., No. 2:18-CV-2098 JGB (GLS) (C.D. Cal.)
- Fairchild v. Han et al., No. 3:24-cv-6877 (N.D. Cal. filed Sept. 30, 2024)
- Greene v. Alhambra Hosp. Med. Ctr., No. 215CV00451JADNJK, 2016 WL 3176596, at *1, *5 (D. Nev. May 17, 2016), report and recommendation adopted, No. 215CV00451JADNJK, 2016 WL 3148389 (D. Nev. June 2, 2016)

- Johnson v. Commonwealth Hosp. LLC, No. 224CV00590RFBNJK, 2024 WL 1554239, at *1 n.2 (D. Nev. Apr. 10, 2024)
- Magee v. Clark, No. CV 09-5784-ABC (RC), 2009 WL 2488040, at *1 (C.D. Cal. Aug. 11, 2009)

OPINION

1 2 JS-6 3 4 5 6 7 8 9 UNITED STATES DISTRICT COURT 10 CENTRAL DISTRICT OF CALIFORNIA 11 12 ALISON HELEN FAIRCHILD, Case No. CV 25-1747 JGB (PVC) 13 Plaintiff, ORDER SUMMARILY DISMISSING 14 v. ACTION WITHOUT PREJUDICE 15 BRIAN CHESKY, et al., 16 Defendants. 17 18 19 On October 30, 2019, the Court declared Arogant Hollywood and Alison Helen 20 Fairchild to be vexatious litigants and ORDERED: 21 22 [A]ny pleading submitted by Plaintiffs, or either of them, for the purpose of 23 initiating a new civil action in this District is presumptively barred from 24 filing unless: (1) Plaintiffs concurrently submit with such pleading both a 25 copy of this Order and a motion seeking leave to commence a new civil 26 action; and (2) a District Judge or Magistrate Judge of this Court thereafter 27 grants such leave and directs that the pleading be filed and the new civil 28 case be initiated.

1 Hollywood and Fairchild v. Carrows California Family Restaurants et al., No. 2:18 CV 2 2098 JGB (GLS) (the “Order,” Dkt. No. 82). 3 4 In September 2024, without complying with the Order, Fairchild filed a civil rights 5 complaint in the Northern District of California against multiple defendants concerning 6 incidents related to a short-term property rental in Riverside.

Fairchild v. Han et al., No. 7 3:24 cv 6877 (N.D. Cal. filed Sept. 30, 2024); (see also Dkt. No. 1). On February 28, 8 2025, the case was transferred to this Court. (Dkt. Nos. 33, 34). In so doing, the Northern 9 District found it “clear that relevant witnesses and information related to this case are all 10 located in the Los Angeles and Riverside area.” (Dkt.

No. 33 at 4) (citation omitted). 11 Moreover, the only Defendant who has appeared in this matter resides in the Central 12 District. (Dkt. No. 13). Accordingly, the Northern District concluded that Plaintiff has 13 engaged in impermissible forum shopping to avoid this Court’s Order. (Dkt. No. 33 at 3– 14 4). 15 16 Plaintiff cannot attempt to circumvent the Order and flaunt threshold venue 17 requirements by initiating claims that arise in this District in neighboring districts.

See, 18 e.g., Greene v. Alhambra Hosp. Med. Ctr., No. 215CV00451JADNJK, 2016 WL 19 3176596, at *1 (D. Nev. May 17, 2016) (finding that the vexatious litigant has 20 impermissibly “attempted to circumvent that vexatious litigant finding by initiating his 21 cases in two other neighboring districts”) (collecting cases), report and recommendation 22 adopted, No. 215CV00451JADNJK, 2016 WL 3148389 (D.

Nev. June 2, 2016); see also 23 id. at *5 (“[The vexatious litigant] has long been aware that he cannot circumvent the 24 vexatious litigant order in the Central District of California by simply

bringing claims that 25 arise in that forum in other district courts.”). Indeed, Courts routinely reject such 26 attempts. See, e.g., *Johnson v. Commonwealth Hosp. LLC*, No. 224CV00590RFBNJK, 27 2024 WL 1554239, at *1 n.2 (D.

Nev. Apr. 10, 2024) (“Quite plainly, a plaintiff is not 28 permitted to bring suit in a distant district as a means to avoid a vexatious litigant order.”); 1 || *Magee v. Clark*, No. CV 09-5784-ABC (RC), 2009 WL 2488040, at *1 (C.D. Cal. Aug. 2 || 11, 2009) (“Since being declared a vexatious litigant in this district court, petitioner has 3 || filed at least three habeas corpus petitions in other district courts challenging his 1965 4 || conviction and sentence in Los Angeles County Superior Court case no. 272227, ina 5 || blatant attempt to avoid the Order of this Court declaring him a vexatious litigant and 6 || requiring approval of any habeas filing by petitioner.”).

7 8 Here, for the convenience of the parties, convenience of the witnesses, ease of 9 || access to the evidence, and local interest in the controversy, venue is clearly appropriate 10 || only in the Central District.

Therefore, the Court concludes that Plaintiff filed her 11 || Complaint in the Northern District to deliberately flout the Vexatious Litigant Order. 12 || Accordingly, this action is summarily DISMISSED WITHOUT PREJUDICE. 13 14 IT IS SO ORDERED. 15 16 17 18 Of. 19 || DATED: March 13, 2025 — Pe ☐☐ 20 UNITED STATES DISTRICT JUDGE 21 22 || Presented by: 23. 24 hu MNt— 25 26 | UNITED STATES MAGISTRATE JUDGE 27 28