

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Latanya Williams v. Huzzah Toys LLC

Williams v. Huzzah Toys LLC · No. CV 25-01051-AS · Decided June 5, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause concerning whether it should decline supplemental jurisdiction over Plaintiff’s California state-law claims. The Court directed Plaintiff to explain why supplemental jurisdiction should be exercised, identify the statutory damages sought, and provide declarations addressing high-frequency-litigant status under California law.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Alka Sagar
JURISDICTION	United States District Court for the Central District of California
DECIDED	June 5, 2025
DOCKET	CV 25-01051-AS
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause directing Plaintiff to explain why the court should exercise supplemental jurisdiction over the state-law claims asserted alongside an Americans with Disabilities Act claim.
STANDARD OF REVIEW	Abuse-of-discretion principles govern the decision whether to exercise supplemental jurisdiction under 28 U.S.C. § 1367; the order did not make a final jurisdictional determination.
PRECEDENTIAL VALUE	unpublished
PARTIES	Latanya Williams v. Huzzah Toys LLC, et al.

TOPICS

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

PRACTICE AREAS

Civil procedure

Americans with Disabilities Act

Supplemental jurisdiction

California disability-access law

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over Plaintiff's Unruh Act, Disabled Persons Act, Health and Safety Code, and negligence claims.
2. Whether Plaintiff must provide information and sworn declarations concerning the amount of statutory damages sought and Plaintiff's and counsel's potential high-frequency-litigant status before the court decides whether to exercise supplemental jurisdiction.

HOLDINGS

1. The court deferred the jurisdictional decision and ordered Plaintiff to show cause within ten days why the court should exercise supplemental jurisdiction over the Unruh Act and other state-law claims.
2. Plaintiff and counsel were ordered to submit declarations under penalty of perjury providing facts necessary to determine whether they satisfy California's definitions of high-frequency litigant, including the number of relevant claims filed or handled during the preceding twelve months.

KEY QUOTATIONS

“However, supplemental jurisdiction “is a doctrine of discretion, not of plaintiffs right,” and district courts “can decline to exercise jurisdiction over pendent claims for a number of valid reasons.”” (Order to Show Cause)

“In light of the foregoing, the Court orders Plaintiff to show cause in writing within 10 days why the Court should exercise supplemental jurisdiction over the Unruh Act claim and any other state law claim asserted in the Complaint.” (Order to Show Cause)

FACTUAL BACKGROUND

The complaint alleges an ADA violation involving disability access and seeks injunctive relief under federal law. It also asserts California-law claims, including an Unruh Civil Rights Act claim seeking damages. The court focused on California's heightened pleading and disclosure requirements for construction-related disability-access claims and the possibility that Plaintiff or counsel may qualify as high-frequency litigants.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim for injunctive relief and state-law claims for damages and related relief under the Unruh Civil Rights Act, the Disabled Persons Act, the California Health and Safety Code, and negligence. Before resolving the jurisdictional issue, the court ordered Plaintiff to respond in writing within ten days and to submit declarations addressing whether Plaintiff and counsel qualify as high-frequency litigants under California law.

DISPOSITION

other

CASES CITED

- City of Chicago v. International College of Surgeons, 522 U.S. 156, 172-73 (1997)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 (1988)
- Schutza v. Cuddeback, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017)
- Arroyo v. Rosas, 19 F.4th 1202, 1211 (9th Cir. 2021)

OPINION

Latanya Williams v. Huzzah Toys LLC

PER CURIAM.

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 25-01051-AS Date June 5, 2025 Title Latanya Williams v. Huzzah Toys LLC, et al.
Present: The Honorable Alka Sagar, United States Magistrate Judge Alma Felix N/A Deputy Clerk
Court Smart / Recorder Attorneys Present for Plaintiff: Attorneys Present for Defendants:
N/A N/A

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THE COURT
SHOULD NOT DECLINE TO EXERCISE SUPPLEMENTAL
JURISDICTION OVER PLAINTIFF’S STATE LAW CLAIMS

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. §§ 12010–12213, and a claim for damages pursuant to California’s Unruh Civil Rights Act (“Unruh Act”), Cal. Civ. Code §§ 51–53. It appears that the Court has supplemental jurisdiction over Plaintiff’s Unruh Act claim, Disabled Persons Act claim, Health and Safety Code claim, and negligence claim. See 28 U.S.C. § 1367(a). The supplemental jurisdiction statute “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.’” City of Chicago v. Int’l Coll. of Surgeons, 522 U.S. 156, 173 (1997) (emphasis added) (quoting Carnegie-Mellon Univ. v. Cohill, 484 U.S. 343, 350 (1988)). However, supplemental jurisdiction “is a doctrine of discretion, not of plaintiffs right,” and district courts “can decline to exercise jurisdiction over pendent claims for a number of valid reasons.” Id. at 172 (internal quotation marks and citations omitted). This discretion is codified in § 1367(c): The district courts may decline to exercise supplemental jurisdiction over a claim under subsection (a) if—

- (1) the claim raises a novel or complex issue of State law,
- (2) the claim substantially predominates over the claim or claims over which the district court has original jurisdiction,

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 25-01051-AS Date June 5, 2025 Title Latanya Williams v. Huzzah Toys LLC, et al.

(3) the district court has dismissed all claims over which it has original jurisdiction,

or

(4) in exceptional circumstances, there are other compelling reasons for declining jurisdiction. 28 U.S.C. § 1367(c). In 2012, California adopted a heightened pleading standard for lawsuits brought under the Unruh Act to combat the influx of baseless claims and vexatious litigation in the disability access litigation sphere. Cal. Civ. Code § 55.52(a)(1). The stricter pleading standard requires a plaintiff bringing construction-access claims to file a verified complaint alleging specific facts concerning the plaintiff's claim, including the specific barriers encountered or how the plaintiff was deterred and each date on which the plaintiff encountered each barrier or was deterred. See Cal. Civ. Proc. Code § 425.50(a). California also imposed a "high-frequency litigant fee" in 2015 in response to the "special and unique circumstances" presented by certain plaintiffs and law firms filing an outsized number of Unruh Act lawsuits. Cal. Gov't Code § 70616.5. A "high-frequency litigant" is "a plaintiff who has filed 10 or more complaints alleging a construction-related accessibility violation within the 12-month period immediately preceding the filing of the current complaint alleging a construction-related accessibility violation" and "an attorney who has represented as attorney of record 10 or more high-frequency litigant plaintiffs in actions that were resolved within the 12-month period immediately preceding the filing of the current complaint alleging a construction-related accessibility violation." Cal. Civ. Proc. Code §§ 425.55(b)(1) & (2). High frequency litigants are also required to state: (1) whether the complaint is filed by, or on behalf of, a high-frequency litigant; (2) in the case of a high-frequency litigant who is a plaintiff, the number of complaints alleging construction-related accessibility claim filed by the high-frequency litigant during the 12 months prior to filing the instant complaint; (3) the reason the individual was in the geographic area of the defendant's business; and (4) the reason why the individual desired to access the defendant's business." See *id.* § 425.50(a)(4)(A). In recognition of California's efforts to reduce the abuse of California's disability access laws, some district courts within the state have determined that the interests of fairness and comity counsel against exercising supplemental jurisdiction over construction-access claims brought under the Unruh Act. See, e.g., *Schutza v. Cuddeback*, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017) ("[T]he Court finds it would be improper to allow Plaintiff [a high frequency litigant] to use federal court as an end-around to California's pleading requirements. Therefore, as a matter of comity, and in deference to California's substantial interest in discouraging unverified disability

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 25-01051-AS Date June 5, 2025 Title Latanya Williams v. Huzzah Toys LLC, et al.

discrimination claims, the Court declines supplemental jurisdiction over Plaintiffs Unruh Act claim.”); see also *Arroyo v. Rosas*, 19 F.4th 1202, 1211 (9th Cir. 2021) (“The district court’s principal justification for declining supplemental jurisdiction was that the distinctive configuration of California-law rules . . . would be rendered ineffectual if the district court were to exercise supplemental jurisdiction. We hold that the district court did not abuse its discretion in concluding that, for this reason, this case presents ‘exceptional circumstances’ within the meaning of § 1367(c)(4).”). In light of the foregoing, the Court orders Plaintiff to show cause in writing within 10 days why the Court should exercise supplemental jurisdiction over the Unruh Act claim and any other state law claim asserted in the Complaint. See 28 U.S.C. § 1367(c). In responding to this Order to Show Cause, Plaintiff shall identify the amount of statutory damages Plaintiff seeks to recover. Plaintiff and counsel shall also support their responses to the Order to Show Cause with declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if they satisfy the definition of a “high-frequency litigant” as provided by California Civil Procedure Code §§ 425.55(b)(1) & (2). This includes, but is not limited to, (1) the number of construction-related accessibility claims filed by Plaintiff in the twelve months preceding the filing of the present claim, and (2) the number of construction-related accessibility claims in which Plaintiff’s counsel has represented high-frequency litigant plaintiffs in the twelve months preceding the filing of the present claim. Failure to timely respond to this Order to Show Cause may, without further warning, result in the Court declining to exercise supplemental jurisdiction over the Unruh Act claim and other state law claims and the dismissal of any such claims pursuant to 29 U.S.C. § 1367(c). Failure to timely respond may also result in involuntary dismissal of this action for failure to prosecute and/or for failure to obey a court order. See Fed. R. Civ. P. 41(b). IT IS SO ORDERED.