

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Julio Cruz v. Hang Vo

Cruz v. Vo · No. 8:25-cv-00589-JLS-ADS · Decided April 2, 2025

SUMMARY

The Central District of California ordered Plaintiff Julio Cruz to show cause why the court should not decline supplemental jurisdiction over state-law claims arising alongside an alleged Americans with Disabilities Act violation. The court required Plaintiff to identify the statutory damages sought and provide declarations addressing whether Plaintiff and counsel are high-frequency litigants under California law, warning that failure or an inadequate response could result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Josephine L. Staton
JURISDICTION	United States District Court for the Central District of California
DECIDED	April 2, 2025
DOCKET	8:25-cv-00589-JLS-ADS
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause directing Plaintiff to explain why the court should not decline supplemental jurisdiction over the state-law claims asserted alongside the federal Americans with Disabilities Act claim.
STANDARD OF REVIEW	Abuse-of-discretion framework for a district court's decision whether to decline supplemental jurisdiction under 28 U.S.C. § 1367(c); no final jurisdictional determination was made in this order.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- subject matter jurisdiction
- civil procedure
- ada / disability
- damages
- pleadings

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should require Plaintiff to show cause why it should not decline supplemental jurisdiction over the Unruh Act, Disabled Persons Act, California Health and Safety Code, and negligence claims.
2. What information Plaintiff must provide concerning statutory damages and the potential high-frequency-litigant status of Plaintiff and counsel.

HOLDINGS

1. Although supplemental jurisdiction may exist over related state-law claims, the district court has discretion under 28 U.S.C. § 1367(c) to decline exercising that jurisdiction after considering the circumstances of the case, the nature and governing character of the state-law claims, and their relationship to the federal claims.
2. Plaintiff must identify the amount of statutory damages sought and provide sworn declarations from Plaintiff and counsel containing facts necessary to determine whether either is a high-frequency litigant.

KEY QUOTATIONS

“Even if supplemental jurisdiction exists, however, district courts have discretion to decline to exercise supplemental jurisdiction.”

“Accordingly, Plaintiff is ORDERED to show cause, in writing, no later than ten (10) days from the date of this Order, why the Court should not decline to exercise supplemental jurisdiction over Plaintiff’s Unruh Act, Disabled Persons Act, California Health & Safety Code, and negligence claims.”

FACTUAL BACKGROUND

The complaint alleges a federal ADA violation and related state-law claims concerning accessibility at a place of public accommodation. The state-law claims seek statutory damages under California law, and the order notes California's heightened pleading, filing-fee, and disclosure requirements for construction-related accessibility claims and high-frequency litigants. The court required information about the amount of statutory damages and the litigation histories of Plaintiff and counsel to evaluate whether exercising supplemental jurisdiction would be appropriate.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim for injunctive relief and state-law claims under the Unruh Act, the California Disabled Persons Act, the California Health and Safety Code, and negligence. Before adjudicating the merits, the district court ordered Plaintiff to respond within ten days regarding supplemental jurisdiction, statutory damages, and whether Plaintiff or counsel qualified as a high-frequency litigant. The order warned that failure to respond could result in dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Velez v. Il Fornaio (America) Corp., CV 3:18-1840 CAB (MDD), 2018 WL 6446169, at *6 (S.D. Cal. Dec. 10, 2018)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 173 (1997)
- Link v. Wabash Railroad Co., 370 U.S. 626, 629-633 (1962)
- Hells Canyon Preservation Council v. U.S. Forest Service, 403 F.3d 683, 689 (9th Cir. 2005)

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