

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Luz Zendejas v. Ara Tahmasian-Zarneh

No. 2:25-cv-06039-DSF-SK, United States District Court for the Central District of California (August 20, 2025)

SUMMARY

The United States District Court for the Central District of California ordered the plaintiff to show cause why the court should exercise supplemental jurisdiction over claims under California’s Unruh Civil Rights Act and any other state-law claims. The court required information concerning the statutory damages sought and declarations addressing whether the plaintiff and counsel qualify as high-frequency litigants under California law, warning that failure to respond could result in dismissal of the state-law claims or the entire action without prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Dale S. Fischer
JURISDICTION	United States District Court for the Central District of California
DECIDED	August 20, 2025
DOCKET	2:25-cv-06039-DSF-SK
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause issued after the filing of a complaint asserting an Americans with Disabilities Act claim for injunctive relief and a California Unruh Civil Rights Act claim for damages.
PRECEDENTIAL VALUE	Unpublished district-court order; precedential status unknown

TOPICS

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

PRACTICE AREAS

- Civil procedure
- Americans with Disabilities Act
- Supplemental jurisdiction
- California disability-access litigation

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and any other state-law claims under 28 U.S.C. § 1367(c).
2. Whether plaintiff and plaintiff's counsel satisfy the statutory definition of high-frequency litigants under California Code of Civil Procedure section 425.55(b)(1) and (2).

KEY QUOTATIONS

“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.’” (at 1)

“Failure to timely or adequately respond to this Order to Show Cause may, without further warning, result in the dismissal of the entire action without prejudice” (at 1)

FACTUAL BACKGROUND

The complaint alleges a violation of the Americans with Disabilities Act and seeks injunctive relief. It also seeks damages under California's Unruh Civil Rights Act and may assert other state-law claims. The court noted that California has special pleading and filing-fee requirements for certain high-frequency litigants bringing construction-related disability-access claims.

PROCEDURAL HISTORY

Plaintiff filed a federal complaint alleging an ADA claim and state-law claims, including an Unruh Act claim. The court questioned whether it should exercise supplemental jurisdiction over the state-law claims and ordered plaintiff to show cause, submit information regarding claimed statutory damages, and provide 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, 173 (1997)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 (1988)
- Vo v. Choi, 49 F.4th 1167 (9th Cir. 2022)
- Arroyo v. Rosas, 19 F.4th 1202 (9th Cir. 2021)

OPINION

Luz Zendejas v. Ara Tahmasian-Zarneh

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA
LUZ ZENDEJAS 2:25-cv-06039-DSF-SK

Plaintiff(s),

ORDER TO SHOW CAUSE

v. ARA TAHMASIAN-ZARNEH, et al. Defendant(s). 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 possesses only supplemental jurisdiction over the Unruh Act claim, and any other state law claim that plaintiff may have alleged pursuant to the Court's supplemental jurisdiction. 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)). California has a statutory regime to address "high-frequency litigants" bringing construction-related disability access claims. This includes specific pleading requirements and a higher filing fee for litigants who meet certain criteria. See Cal. Civ. Code § 55.31(b); Cal. Civ. Proc. Code § 425.50; Cal. Civ. Proc. Code § 425.55; Cal. Gov't Code § 70616.5. Numerous district courts have found that this California legislative attempt to regulate the prosecution of disability access cases by certain high-frequency plaintiffs provides "compelling reasons" and constitutes an "exceptional circumstance" justifying the decline of supplemental jurisdiction over disability state law claims in certain cases. This approach has been upheld by the Ninth Circuit multiple times. See *Vo v. Choi*, 49 F.4th 1167 (9th Cir. 2022); *Arroyo v. Rosas*, 19 F.4th 1202 (9th Cir. 2021). The Court therefore orders plaintiff to show cause in writing 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 plaintiff's 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 sections 425.55(b)(1) & (2). Plaintiff shall file a response to this Order to Show Cause by no later than September 3, 2025. Failure to timely or adequately respond to this Order to Show Cause may, without further warning, result in the dismissal of the entire action without prejudice or the Court declining to exercise supplemental jurisdiction over the Unruh Act and other state law claims, if any, and the dismissal of any such claims pursuant to 28 U.S.C. § 1367(c). IT IS SO ORDERED. Ads el he a-¢ je Date: August 20, 2025 Dale S. Fischer United States District Judge

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