

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Larry Dunn v. Robert Burns Liquor, Inc., et al.

Dunn v. Robert Burns Liquor · No. 2:25-cv-04575-WLH-PD · Decided June 9, 2025

SUMMARY

The United States District Court for the Central District of California orders the plaintiff to show cause why the court should exercise supplemental jurisdiction over claims under California’s Unruh Civil Rights Act and related state law. The order discusses 28 U.S.C. § 1367(c), California’s efforts to address disability-access litigation, and decisions declining supplemental jurisdiction over certain construction-access claims. Plaintiff must identify the statutory damages sought and provide declarations addressing whether plaintiff and counsel qualify as high-frequency litigants.

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	June 9, 2025
DOCKET	2:25-cv-04575-WLH-PD
DISPOSITION	other
PROCEDURAL POSTURE	After Plaintiff filed a complaint asserting an Americans with Disabilities Act claim for injunctive relief and a California Unruh Civil Rights Act claim for damages, the district court issued an order requiring Plaintiff to show cause why the court should exercise supplemental jurisdiction over the state-law claims.
STANDARD OF REVIEW	The exercise of supplemental jurisdiction under 28 U.S.C. § 1367 is discretionary and requires consideration of judicial economy, convenience, fairness, and comity.
PRECEDENTIAL VALUE	Unknown; unpublished federal district court order

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should exercise supplemental jurisdiction over Plaintiff's Unruh Civil Rights Act claim and any related state-law claims.
2. What information Plaintiff and counsel must provide to permit the court to evaluate whether declining supplemental jurisdiction is appropriate under 28 U.S.C. § 1367(c).

HOLDINGS

1. Supplemental jurisdiction is discretionary rather than a right of the plaintiff, and a district court may decline to exercise it under the circumstances identified in 28 U.S.C. § 1367(c), after weighing judicial economy, convenience, fairness, and comity.
2. The court did not yet decide whether to exercise supplemental jurisdiction; it ordered Plaintiff to show cause why the Unruh Act claim and related state-law claims should remain in federal court.

KEY QUOTATIONS

“is a doctrine of discretion, not of plaintiff’s right” (at 2)

“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 2)

FACTUAL BACKGROUND

Plaintiff alleged a violation of the Americans with Disabilities Act and sought injunctive relief. Plaintiff also asserted a claim for damages under California's Unruh Civil Rights Act based on alleged disability-access violations. The court noted California's statutory efforts to address allegedly baseless or vexatious disability-access litigation, including heightened pleading requirements and a high-frequency litigant fee.

PROCEDURAL HISTORY

The complaint invoked federal-question jurisdiction for an ADA claim and requested supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367. The court did not decide the jurisdictional question in this order; instead, it directed Plaintiff and counsel to provide written responses and declarations addressing the statutory damages sought and whether they qualify as high-frequency litigants. The court warned that failure to respond could result in declining supplemental jurisdiction and dismissing the state-law claims.

DISPOSITION

other

CASES CITED

- *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988)

- *Acri v. Varian Assocs.*, 114 F.3d 999, 1000 (9th Cir. 1997)
- *Schutz v. Cuddeback*, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017)

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