

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Robert Cauley v. Sharlize Jon LLC

Cauley v. Sharlize Jon LLC · No. 2:25-cv-05539-SB-BFM · Decided June 26, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause regarding Plaintiff Robert Cauley’s Unruh Act claim accompanying his ADA claim. Citing 28 U.S.C. § 1367(c)(4) and Arroyo v. Rosas, the Court directed Plaintiff to explain why the Court should not decline supplemental jurisdiction and dismiss the Unruh Act claim without prejudice, including by identifying the requested statutory damages and providing facts concerning high-frequency-litigant status.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stanley Blumenfeld, Jr.
JURISDICTION	United States District Court for the Central District of California
DECIDED	June 26, 2025
DOCKET	2:25-cv-05539-SB-BFM
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why Plaintiff's Unruh Act claim should not be dismissed without prejudice for declining supplemental jurisdiction under 28 U.S.C. § 1367(c)(4).
STANDARD OF REVIEW	Supplemental jurisdiction under 28 U.S.C. § 1367 is discretionary; a district court may decline jurisdiction under § 1367(c)(4) when exceptional circumstances and compelling reasons exist.
PRECEDENTIAL VALUE	Unknown; district court order to show cause with no reporter citation.

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court may decline supplemental jurisdiction over Plaintiff's ADA-based Unruh Act claim under 28 U.S.C. § 1367(c)(4) based on the federal-state comity concerns identified in *Arroyo v. Rosas*.
2. Whether Plaintiff should be required to show cause why the Unruh Act claim should not be dismissed without prejudice at this early stage of the litigation.

HOLDINGS

1. A district court may decline supplemental jurisdiction over an ADA-based Unruh Act claim under § 1367(c)(4) when the circumstances create exceptional concerns regarding California's statutory reforms, federal-state comity, and the role of California courts in enforcing those reforms.
2. The court should require Plaintiff to show cause, within 14 days, why the Unruh Act claim should not be dismissed without prejudice for lack of supplemental jurisdiction, including by identifying the damages sought and providing facts relevant to whether Plaintiff and counsel are high-frequency litigants.

KEY QUOTATIONS

“retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California’s carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms.” (19 F.4th at 1213)

“If Plaintiff fails to file a response within 14 days after entry of this Order, the Court will decline to exercise supplemental jurisdiction over his Unruh Act claim, and the Unruh Act claim will be automatically dismissed without prejudice without further order of the Court.” (Order at 3)

FACTUAL BACKGROUND

Plaintiff Robert Cauley requires a wheelchair while traveling in public. He alleged that Defendant Sharlize Jon LLC's facilities contain physical barriers that impede his access, in violation of the ADA and the California Unruh Act. The court had not yet addressed or adjudicated the merits of any claim.

PROCEDURAL HISTORY

Plaintiff filed an action alleging that Defendant's facilities contain physical barriers that impede wheelchair access, asserting claims under the Americans with Disabilities Act and the California Unruh Civil Rights Act. Before adjudicating the merits of any claim, the district court concluded that it appeared appropriate to decline supplemental jurisdiction over the Unruh Act claim and ordered Plaintiff to show cause within 14 days. The order states that failure to respond would result in dismissal of the Unruh Act claim without prejudice without further order.

DISPOSITION

other

CASES CITED

- City of Chi. v. Int’l Coll. of Surgeons, 522 U.S. 156 (1997)
- Arroyo v. Rosas, 19 F.4th 1202 (9th Cir. 2021)

OPINION

Robert Cauley v. Sharlize Jon LLC

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ROBERT CAULEY, Case No. 2:25-cv-05539-SB-BFM Plaintiff,

v. ORDER TO SHOW CAUSE

SHARLIZE JON LLC,

Defendant. Plaintiff Robert Cauley, who requires the use of a wheelchair while traveling in public, filed this suit alleging that Defendant’s facilities impose physical barriers that impede his access, in violation of, inter alia, the Americans with Disabilities Act (ADA) and the Unruh Act. Dkt. No.

1. Because Plaintiff’s Unruh Act claim is closely related to his ADA claim, the Court has authority to exercise supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(a). However, supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right,” and district courts “can decline to exercise jurisdiction over pendent claims for a number of valid reasons.” City of Chi. v. Int’l Coll. of Surgeons, 522 U.S. 156, 172 (1997) (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,

(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 a published decision, the Ninth Circuit explained that the California Legislature’s 2012 and 2015 amendments to the Unruh Act, which were intended to protect businesses from abusive litigation by high-frequency litigants bringing construction-related claims, had led to a surge of filings in federal courts of ADA cases seeking statutory damages under the Unruh Act. Arroyo v. Rosas, 19 F.4th 1202 (9th Cir. 2021). The Ninth Circuit agreed with the district court that this shift in filings from state courts to federal courts had circumvented the state legislature’s goals and “rendered [the new statutory requirements] largely

toothless, because they can now be readily evaded.” Id. at 1213. The court explained that “retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California’s carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms.” Id. Thus, the court held that these circumstances are “exceptional” within the meaning of § 1367(c)(4) and therefore potentially justified declining supplemental jurisdiction over the plaintiff’s Unruh Act claim. See id. (“The district court did not abuse its discretion in concluding that this extraordinary situation threatens unusually significant damage to federal-state comity and presents ‘exceptional circumstances’ within the meaning of § 1367(c)(4).”). However, because the district court had waited to decline supplemental jurisdiction until after granting summary judgment on the plaintiff’s ADA claim, thereby effectively deciding the Unruh Act claim, the Ninth Circuit reversed the court’s decision to decline supplemental jurisdiction, holding that it had waited too long to invoke the comity interest. Id. at 1215–17. Unlike Arroyo, this case is still at a very early stage, and this Court has not yet addressed or adjudicated the merits of any of Plaintiff’s claims. This appears to be a case in which the Court should decline supplemental jurisdiction over Plaintiff’s Unruh Act claim under § 1367(c)(4) to protect the comity interests identified in Arroyo. Accordingly, the Court ORDERS Plaintiff within 14 days after entry of this Order to show cause in writing why the Court should not dismiss without prejudice his Unruh Act claim under § 1367(c)(4). Plaintiff’s response must identify the amount of statutory damages Plaintiff seeks to recover and must be supported by declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if Plaintiff and his counsel satisfy the definition of a “high-frequency litigant” as provided by Cal. Civ. Proc. Code § 425.55(b)(1)–(2). If Plaintiff fails to file a response within 14 days after entry of this Order, the Court will decline to exercise supplemental jurisdiction over his Unruh Act claim, and the Unruh Act claim will be automatically dismissed without prejudice without further order of the Court. Date: June 26, 2025

Stanley Blumenfeld, Jr. United States District Judge