

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Bernard Taruc v. Valente Melendez, et al.

Taruc v. Melendez · No. CV 25-07003 PA (RAOx) · Decided August 4, 2025

SUMMARY

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 any other state-law claims. The court also requires the plaintiff to identify the statutory damages sought and requires the plaintiff and counsel to provide declarations addressing whether they qualify as high-frequency litigants under California law. A response is due by August 18, 2025, and failure to respond may result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Percy Anderson
JURISDICTION	United States District Court for the Central District of California
DECIDED	August 4, 2025
DOCKET	CV 25-07003 PA (RAOx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause requiring the plaintiff to explain why the court should exercise supplemental jurisdiction over state-law claims and to provide information relevant to California's high-frequency litigant definition.
PRECEDENTIAL VALUE	Unknown; district court order to show cause
PARTIES	Bernard Taruc v. Valente Melendez, et al.

TOPICS

- subject matter jurisdiction
- civil procedure
- public accommodations discrimination
- damages

PRACTICE AREAS

- Civil procedure
- Federal jurisdiction
- Americans with Disabilities Act
- Unruh Civil Rights Act

QUESTIONS PRESENTED

1. Whether the plaintiff should show cause why the district court should exercise supplemental jurisdiction over the Unruh Act claim and any other state-law claims.
2. What information plaintiff and counsel must provide regarding statutory damages and potential classification as high-frequency litigants under California law.

HOLDINGS

1. Because the complaint appeared to invoke federal-question jurisdiction for the ADA claim and only supplemental jurisdiction for the Unruh Act and other state-law claims, the court ordered plaintiff to show cause in writing why the court should exercise supplemental jurisdiction over those state-law claims.
2. The court required plaintiff to identify the amount of statutory damages sought and required plaintiff and counsel to submit sworn declarations providing facts necessary to determine whether they satisfy California's definition of a high-frequency litigant.

KEY QUOTATIONS

“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.” (unpaginated order)

“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” (unpaginated order)

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 required information about the amount of statutory damages sought and facts bearing on whether plaintiff and counsel qualify as high-frequency litigants under California law.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting injunctive relief under the Americans with Disabilities Act and damages under California's Unruh Civil Rights Act. The district court determined that it appeared to possess only supplemental jurisdiction over the Unruh Act and any other state-law claims, and ordered plaintiff to respond by August 18, 2025. The order warned that failure to respond could result in dismissal without prejudice or declination of supplemental jurisdiction over the state-law claims.

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)

OPINION

CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL Case No. CV 25-07003 PA (RAOx) Date August 4, 2025 Title Bernard Taruc v. Valente Melendez, et al. Present: The Honorable PERCY ANDERSON, UNITED STATES DISTRICT JUDGE Dominique Carr Not Reported Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None None Proceedings: IN CHAMBERS — ORDER TO SHOW CAUSE 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, 118 S. Ct.

523, 534, 139 L. Ed. 2d 525 (1997) (emphasis added) (quoting *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350, 108 S. Ct. 614, 619, 98 L. Ed. 2d 720 (1988)). 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 August 18, 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).