

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

Bernard Taruc v. Medas Upholstery Inc., et al.

No. 5:25-cv-01559-WLH-BFM, United States District Court for the Central District of California (July 15, 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 claims. The court directs the plaintiff and counsel to identify the statutory damages sought and submit declarations addressing whether they qualify as high-frequency litigants under California law. The response is due within 14 days, and failure to respond may result in dismissal of the state-law claims without further notice.

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            | July 15, 2025                                                                                                                                                                                                                                                                                                                                                                          |
| DOCKET             | 5:25-cv-01559-WLH-BFM                                                                                                                                                                                                                                                                                                                                                                  |
| DISPOSITION        | other                                                                                                                                                                                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE | The plaintiff filed a federal Americans with Disabilities Act claim for injunctive relief and a related California Unruh Civil Rights Act claim for damages, requesting that the court exercise supplemental jurisdiction over the state-law claim. The district court issued an order to show cause requiring plaintiff to explain why supplemental jurisdiction should be exercised. |
| STANDARD OF REVIEW | Supplemental jurisdiction under 28 U.S.C. § 1367 is discretionary; the court must consider the statutory grounds for declining jurisdiction and weigh judicial economy, convenience, fairness, and comity.                                                                                                                                                                             |
| PRECEDENTIAL VALUE | unpublished district court order                                                                                                                                                                                                                                                                                                                                                       |

TOPICS

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

## PRACTICE AREAS

civil procedure

civil rights

Americans with Disabilities Act

supplemental jurisdiction

## QUESTIONS PRESENTED

1. Whether the district court should exercise supplemental jurisdiction over the plaintiff's Unruh 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), including the amount of statutory damages sought and whether plaintiff or counsel qualifies as a high-frequency litigant.

## HOLDINGS

1. Supplemental jurisdiction is discretionary rather than a right of the plaintiff, and the district court may decline to exercise it under the circumstances identified in 28 U.S.C. § 1367(c).
2. Before determining whether to exercise supplemental jurisdiction, the court may require plaintiff and counsel to show cause and provide declarations addressing the amount of statutory damages sought and whether they qualify as high-frequency litigants under California law.

## 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)

*"Failure to timely or adequately respond to this Order to Show Cause may result in the court declining to exercise supplemental jurisdiction over the Unruh Act claim and any related state law claims and dismissing such claim or claims without further notice, pursuant to 28 U.S.C. § 1367(c)."* (at 4)

## FACTUAL BACKGROUND

The complaint alleged a violation of the Americans with Disabilities Act and sought injunctive relief, along with damages under California's Unruh Civil Rights Act. The plaintiff asked the federal court to exercise supplemental jurisdiction over the Unruh Act claim. The order references California's heightened pleading requirements and high-frequency-litigant provisions for construction-related disability-access claims, and requires information bearing on whether those provisions apply.

## PROCEDURAL HISTORY

The complaint asserted an ADA claim and an Unruh Act claim arising from alleged disability-access violations. Before deciding whether to exercise supplemental jurisdiction over the state-law claims, the district court ordered plaintiff and counsel to provide information concerning the claimed statutory damages and whether they qualify as high-frequency litigants under California law. The court warned that an inadequate or untimely response 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 (1988)
- Acri v. Varian Assocs., 114 F.3d 999 (9th Cir. 1997)
- Schutza v. Cuddeback, 262 F. Supp. 3d 1025 (S.D. Cal. 2017)

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