

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Ana Ventura v. Partybake Insighters, Inc.

Ventura · No. 2:25-cv-06483-JAK (JPRx) · Decided July 24, 2025

SUMMARY

The United States District Court for the Central District of California orders Plaintiff Ana Ventura to show cause why the Court should not decline supplemental jurisdiction over her state-law claims. The order discusses California pleading and fee requirements for construction-related Unruh Act accessibility claims and Plaintiff’s alleged status as a high-frequency litigant. Plaintiff must identify the statutory damages sought and submit a declaration addressing whether she meets the statutory definition; the state-law claims may be dismissed without prejudice if she does not timely respond.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	John A. Kronstadt
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 24, 2025
DOCKET	2:25-cv-06483-JAK (JPRx)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why it should not decline supplemental jurisdiction over Plaintiff's California state-law claims.
STANDARD OF REVIEW	Whether to exercise supplemental jurisdiction is committed to the district court's discretion and requires consideration of judicial economy, convenience, fairness, and comity at every stage of the litigation.
PRECEDENTIAL VALUE	unpublished

TOPICS

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

PRACTICE AREAS

- civil procedure
- disability rights
- supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over Plaintiff's California state-law claims under 28 U.S.C. § 1367.
2. Whether Plaintiff should be required to provide information concerning the amount of statutory damages sought and her potential status as a high-frequency litigant before the court decides whether to retain supplemental jurisdiction.

HOLDINGS

1. The court did not yet decide whether to exercise supplemental jurisdiction; instead, it ordered Plaintiff to show cause why the court should not decline supplemental jurisdiction over the state-law claims.

KEY QUOTATIONS

“This “is a doctrine of discretion, not of plaintiff’s right.”” (at 1)

“In order to decide whether to exercise jurisdiction over pendent state law claims, a district court should consider . . . at every stage of the litigation, the values of judicial economy, convenience, fairness, and comity.” (at 1)

FACTUAL BACKGROUND

The complaint alleged violations of the ADA, the Unruh Act, and other California laws arising from construction-related accessibility claims. The court reviewed its docket and determined that Plaintiff had filed more than ten actions asserting construction-related accessibility claims during the year preceding this action, potentially qualifying her as a high-frequency litigant under California law.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting claims under the Americans with Disabilities Act, the Unruh Civil Rights Act, and other California law, invoking supplemental jurisdiction for the state-law claims. Before ruling on supplemental jurisdiction, the court ordered Plaintiff and permitted Defendants to respond regarding whether the state-law claims should be dismissed without prejudice under 28 U.S.C. § 1367(c).

DISPOSITION

other

CASES CITED

- United Mine Workers v. Gibbs, 383 U.S. 715, 726 (1966)
- Nishimoto v. Federman-Bachrach & Assocs., 903 F.2d 709, 715 (9th Cir. 1990)
- Whitaker v. RCP Belmont Shore LLC, No. LA CV19-09561 JAK (JEMx), 2020 WL 3800449, at *6–8 (C.D. Cal. Mar. 30, 2020)
- Garibay v. Rodriguez, No. 2:18-cv-09187-PA (AFMx), 2019 WL 5204294, at *1–6 (C.D. Cal. Aug. 27, 2019)
- Perri v. Thrifty Payless, No. 2:19-CV-07829-CJC (SKx), 2019 WL 7882068, at *2 (C.D. Cal. Oct. 8, 2019)

OPINION

Ana Ventura v. Partybake Insighters, Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 ANA VENTURA, No. 2:25-cv-06483-JAK (JPRx) 11 Plaintiff, ORDER RE TO SHOW
CAUSE RE:

12 SUPPLEMENTAL JURISDICTION

v. OVER STATE-LAW CLAIMS

13 PARTYBAKE INSIGHTERS, INC.; 14 DAVID CHAN; and DOES 1 to 10.,

15 Defendants. 16

17 Based on a review of the Complaint (Dkt. 6), the following determinations are 18 made: 19 The
Complaint alleges violations of the Americans with Disabilities Act, 42 20 U.S.C. § 12101 et seq.
(the “ADA”), the Unruh Civil Rights Act (the “Unruh Act”), Cal. 21 Civ. Code §§ 51–55, and
other provisions of California law Supplemental jurisdiction is 22 the basis for the state-law
claims. Dkt. 6 ¶ 7. 23 District courts may exercise “supplemental jurisdiction over all other claims
that 24 are so related to claims in the action within such original jurisdiction that they form part 25
of the same case or controversy under Article III of the United States Constitution.” 28 26 U.S.C.
§ 1367(a). This “is a doctrine of discretion, not of plaintiff’s right.” United Mine 27 1 Workers v.
Gibbs, 383 U.S. 715, 726 (1966). “In order to decide whether to exercise 2 jurisdiction over
pendent state law claims, a district court should consider . . . at every 3 stage of the litigation, the
values of judicial economy, convenience, fairness, and 4 comity.” Nishimoto v. Federman-
Bachrach & Assocs., 903 F.2d 709, 715 (9th Cir. 1990) 5 (citation omitted).

6 In 2012, California imposed heightened pleading requirements for Unruh Act

7 claims. Cal. Civ. Code § 55.52(a)(1); Cal. Code Civ. Proc. § 425.50(a). In 2015, 8 California also
imposed a “high-frequency litigant fee” for plaintiffs and law firms that 9 have brought large
numbers of construction-related accessibility claims. Cal. Gov’t Code 10 70616.5. As detailed in
previous orders by this Court and other district courts in 11 California, these reforms addressed the
small number of plaintiffs and counsel who bring 12 a significant percentage of construction-
related accessibility claims. E.g., Whitaker v. 13 RCP Belmont Shore LLC, No. LA CV19-09561
JAK (JEMx), 2020 WL 3800449, at *6– 14 8 (Mar. 30, 2020); Garibay v. Rodriguez, No. 2:18-cv-
09187-PA (AFMx), 2019 WL 15 5204294, at *1–6 (C.D. Cal. Aug. 27, 2019). These statutes
impose special requirements 16 for construction-related accessibility claims brought by high-
frequency plaintiffs 17 pursuant to the Unruh Act. Because accepting supplemental jurisdiction
over such claims 18 would permit high-frequency plaintiffs to side-step those state-law
requirements by 19 pursuing the claims in a federal forum, many district courts, including this one,
have 20 declined to exercise such jurisdiction. E.g., Whitaker, 2020 WL 3800449, at *6–8; 21

Garibay, 2019 WL 5204294, at *1–6. 22 A review of the docket in this District shows that, in the one-year period preceding 23 the filing of the Complaint, Plaintiff has filed more than ten actions in which she has 24 advanced construction-related accessibility claims. In a California Superior Court, 25 Plaintiff would be deemed a high-frequency litigant. Therefore, “California’s recent 26 legislative enactments confirm that the state has a substantial interest in this case.” Perri 27 1 || v. Thrifty Payless, No. 2:19-CV-07829-CJC (SKx), 2019 WL 7882068, at *2 (C.D. Cal. 2 || Oct. 8, 2019). 3 In light of the foregoing, Plaintiff is ORDERED TO SHOW CAUSE why the 4 | Court should not decline to exercise supplemental jurisdiction over the state-law claims. 5 || Plaintiff shall file a response to this Order to Show Cause, not to exceed ten pages, on or 6 || before August 7, 2025. In responding to this Order to Show Cause, Plaintiff shall 7 || identify the amount of statutory damages Plaintiff seeks to recover. Plaintiff shall also 8 || present a declaration, signed under penalty of perjury, providing the evidence necessary 9 || for the Court to determine if Plaintiff meets the definition of a “high-frequency litigant” as defined in Cal. Code Civ. Proc. § 425.50(b)(1) & (2). Failure to file a timely response 11 || to this Order to Show Cause may result in the dismissal of the state-law claims without 12 || prejudice by declining to exercise supplemental jurisdiction over them, pursuant to 28

13. || U.S.C. § 1367(c). Defendant may also file a response to this Order to Show Cause, not to || exceed ten pages, on or before August 17, 2025. Upon receipt of the response(s), the 15 matter will be taken under submission, and a written order will issue. 16

17. | ITISSO ORDERED.

18 19 IA ‘|| Dated: July 24, 2025 C} hr John A. Kronstadt United States District Judge