

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Robert Mena v. Dana Shore Offices, Ltd.

Mena · No. 8:25-00675 ADS · Decided August 25, 2025

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff Robert Mena to show cause why the court should exercise supplemental jurisdiction over his state-law claims accompanying an Americans with Disabilities Act claim. The court cited Ninth Circuit authority concerning exceptional circumstances in ADA/Unruh Act litigation and required Plaintiff to identify the statutory damages sought and provide declarations addressing whether he qualifies as a high-frequency litigant under California law.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Autumn D. Spaeth
JURISDICTION	United States District Court for the Central District of California
DECIDED	August 25, 2025
DOCKET	8:25-00675 ADS
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause requiring Plaintiff to explain why the court should exercise supplemental jurisdiction over his state-law claims.
STANDARD OF REVIEW	Discretionary review under 28 U.S.C. § 1367(c); supplemental jurisdiction is a doctrine of discretion rather than a plaintiff's right.
PRECEDENTIAL VALUE	nonprecedential interlocutory district-court order

TOPICS

- subject matter jurisdiction
- civil procedure
- ada / disability

PRACTICE AREAS

- civil procedure
- Americans with Disabilities Act
- supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over Plaintiff's California state-law claims accompanying his ADA claim.
2. Whether Plaintiff must identify the statutory damages sought and provide facts establishing whether Plaintiff and counsel satisfy California's definition of a high-frequency litigant.

HOLDINGS

1. Supplemental jurisdiction is discretionary, not a plaintiff's right, and a district court may decline to exercise it when one of the circumstances specified in 28 U.S.C. § 1367(c) is present, including exceptional circumstances with compelling reasons for declining jurisdiction.

KEY QUOTATIONS

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

“Plaintiff is ORDERED TO SHOW CAUSE why supplemental jurisdiction should be exercised by the Court over the state law claims.” (at 2)

FACTUAL BACKGROUND

Robert Mena alleged that Defendant Kelly Allen and unnamed Doe defendants violated the Americans with Disabilities Act, California's Unruh Civil Rights Act, the Disabled Persons Act, and the Health and Safety Code, and were negligent. He sought ADA injunctive relief and statutory damages under the Unruh Act and Disabled Persons Act. The court identified the possibility that the ADA and state-law claims presented exceptional circumstances warranting declination of supplemental jurisdiction, particularly in light of California procedural requirements applicable to high-frequency litigants.

PROCEDURAL HISTORY

Plaintiff filed a federal action asserting claims under the Americans with Disabilities Act and several California statutes, including the Unruh Civil Rights Act, the Disabled Persons Act, and the Health and Safety Code, as well as negligence. Plaintiff invoked federal-question jurisdiction for the ADA claim and supplemental jurisdiction for the state-law claims. The district court ordered Plaintiff to show cause why it should exercise supplemental jurisdiction and required information concerning statutory damages and whether Plaintiff and counsel qualify as high-frequency litigants under California law.

DISPOSITION

other

CASES CITED

- United Mine Workers v. Gibbs, 383 U.S. 715, 726 (1966)
- Arroyo v. Rosas, 19 F.4th 1202, 1205, 1211 (9th Cir. 2021)
- Vo v. Choi, 49 F.4th 1167, 1171, 1174 (9th Cir. 2022)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES – GENERAL Case No.: 8:25-00675 ADS Date: August 25, 2025 Title: Robert Mena v. Dana Shore Offices, Ltd., et al. Present: The Honorable Autumn D. Spaeth, United States Magistrate Judge Kristee Hopkins None Reported Deputy Clerk Court Reporter / Recorder Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s): None Present None Present Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: SUPPLEMENTAL JURISDICTION In this case, Plaintiff Robert Mena alleges claims against Defendant Kelly Allen, and unnamed Does under the Americans with Disabilities Act (“ADA”), California’s Unruh Civil Rights Act (“Unruh Act”), Disabled Persons Act, and Health and Safety Code, and for negligence.

(Dkt. 1 (“Compl.”).) Plaintiff seeks injunctive relief under the ADA and statutory damages under the Unruh Act and Disabled Persons Act. Plaintiff contends that the Court has federal question jurisdiction over the ADA claim and supplemental jurisdiction over the state law claims. (Compl. ¶¶ 6–7.) State law claims may be brought in federal court under the doctrine of supplemental jurisdiction.

Supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right.” *United Mine Workers v. Gibbs*, 383 U.S. 715, 726 (1966). District courts have discretion to decline to exercise supplemental jurisdiction 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).

The Ninth Circuit has found that ADA/Unruh cases such as this one can present exceptional circumstances that warrant the declination of supplemental jurisdiction over state law claims. *Arroyo v. Rosas*, 19 F.4th 1202, 1205, 1211 (9th Cir. 2021) (finding UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES – GENERAL Case No.: 8:25-00675 ADS Date: August 25, 2025 Title: Robert Mena v. Dana Shore Offices, Ltd., et al. exceptional circumstances where generally litigants filing ADA/Unruh cases in federal court were circumventing California procedural requirements specifically designed to limit litigation); see also *Vo v. Choi*, 49 F.4th 1167, 1171, 1174 (9th Cir.

2022) (affirming district court’s declination of supplemental jurisdiction in an ADA/Unruh case, where litigants evaded California procedural requirements and the declination “best served the principles of economy, convenience, fairness, and comity”). Plaintiff is ORDERED TO SHOW CAUSE why supplemental jurisdiction should be exercised by the Court over the state law claims.

Plaintiff must file a response to this Order to Show Cause by September 8, 2025. In the response, Plaintiff shall identify the amount of statutory damages being sought. Plaintiff and counsel shall

also include declarations in the response which provide 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 §§ 425.55(b)(1) & (2).

Failure to respond to this Order may result in the Court declining to exercise supplemental jurisdiction over Plaintiff’s state law claims. IT IS SO ORDERED. Initials of Clerk kh

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