

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

Guri Gonzalez v. Live DTLA, LLC

Gonzalez · No. 2:25-cv-11272-SB-KES · Decided December 4, 2025

SUMMARY

The United States District Court for the Central District of California orders Plaintiff Guri Gonzalez to show cause why his Unruh Act claim should not be dismissed without prejudice under 28 U.S.C. § 1367(c)(4). Relying on *Arroyo v. Rosas*, the Court identifies exceptional circumstances involving California’s regulation of high-frequency disability-access litigation and directs Plaintiff to provide information concerning his requested statutory damages and 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               | December 4, 2025                                                                                                                                                                                                         |
| DOCKET                | 2:25-cv-11272-SB-KES                                                                                                                                                                                                     |
| DISPOSITION           | other                                                                                                                                                                                                                    |
| PROCEDURAL POSTURE    | The federal district court issued an order to show cause requiring Plaintiff to explain why his California Unruh Civil Rights Act claim should not be dismissed without prejudice for lack of supplemental jurisdiction. |
| STANDARD OF REVIEW    | Abuse-of-discretion framework governing a district court's decision whether to exercise supplemental jurisdiction; the Court applied the statutory discretionary standard under 28 U.S.C. § 1367(c)(4).                  |
| PRECEDENTIAL VALUE    | unpublished district court order; precedential status unknown                                                                                                                                                            |

TOPICS

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

PRACTICE AREAS

- Civil procedure
- Disability rights
- Federal courts
- Supplemental jurisdiction

## QUESTIONS PRESENTED

1. Whether the Court has supplemental jurisdiction over Plaintiff's Unruh Act claim because it is closely related to his ADA claim.
2. Whether the circumstances identified by the Ninth Circuit in *Arroyo v. Rosas* constitute exceptional circumstances under 28 U.S.C. § 1367(c)(4) that may justify declining supplemental jurisdiction over an ADA-based Unruh Act claim.
3. Whether Plaintiff should be required to show cause why the Unruh Act claim should not be dismissed without prejudice.

## HOLDINGS

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).
2. The circumstances identified in *Arroyo v. Rosas*, including the effect of retaining federal supplemental jurisdiction on California's statutory reforms addressing high-frequency litigants, may constitute exceptional circumstances under 28 U.S.C. § 1367(c)(4) justifying declination of supplemental jurisdiction.

## KEY QUOTATIONS

*“supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right,””*

*“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.” (at 1213)*

## FACTUAL BACKGROUND

Plaintiff Guri Gonzalez has tetraplegia and is substantially limited in his ability to walk. He alleged that Defendant's public parking facilities impose physical barriers that impede his access, violating the ADA and the California Unruh Act. The Court noted that the action remained at an early stage and that it had not adjudicated the merits of any claim.

## PROCEDURAL HISTORY

Plaintiff filed suit alleging that Defendant's public parking facilities contain physical barriers violating the Americans with Disabilities Act and the California Unruh Act. Before adjudicating the merits of any claim, the Court determined that it had supplemental jurisdiction over the Unruh Act claim but ordered Plaintiff to show cause why the Court should not decline to exercise that jurisdiction under 28 U.S.C. § 1367(c)(4).

## DISPOSITION

other

## CASES CITED

- *City of Chi. v. Int’l Coll. of Surgeons*, 522 U.S. 156, 172 (1997)
- *Arroyo v. Rosas*, 19 F.4th 1202 (9th Cir. 2021)

## OPINION

Guri Gonzalez v. Live DTLA, LLC

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

GURI GONZALEZ, Case No. 2:25-cv-11272-SB-KES Plaintiff,

v. ORDER TO SHOW CAUSE

LIVE DTLA, LLC,

Defendant. Plaintiff Guri Gonzalez, who has tetraplegia and is substantially limited in his ability to walk, filed this suit alleging that Defendant’s public parking facilities impose physical barriers that impede his access, in violation of, inter alia, the Americans with Disabilities Act (ADA) and the Unruh Act. 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: December 4, 2025

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Stanley Blumenfeld, Jr. United States District Judge