

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Brooke v. United Ventures Bakersfield, LLC

Brooke · No. 1:25-cv-01257-CDB · Decided September 24, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered Plaintiff Theresa Brooke to show cause why the court should not decline supplemental jurisdiction over her California Unruh Civil Rights Act claim in an action also asserting claims under the Americans with Disabilities Act. The order relies on Ninth Circuit authority concerning California’s filing restrictions for construction-related accessibility claims and high-frequency litigants. Plaintiff was directed to identify the statutory damages sought and provide declarations addressing high-frequency-litigant status by October 1, 2025.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 24, 2025
DOCKET	1:25-cv-01257-CDB
DISPOSITION	other
PROCEDURAL POSTURE	After Plaintiff filed an action asserting claims under the Americans with Disabilities Act and California's Unruh Civil Rights Act, the district court sua sponte ordered Plaintiff to show cause why the court should not decline supplemental jurisdiction over the Unruh Act claim.
STANDARD OF REVIEW	The order concerns the district court's discretionary authority under 28 U.S.C. § 1367(c) to decline supplemental jurisdiction; no appellate standard of review was applied.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive value only

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should require Plaintiff to show cause why it should not decline supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(c).
2. What information Plaintiff must provide to permit the court to evaluate the amount of statutory damages sought and whether Plaintiff and counsel qualify as high-frequency litigants under California law.

HOLDINGS

1. The court required Plaintiff to show cause in writing why the court should not decline to exercise supplemental jurisdiction over the Unruh Act claim.
2. Plaintiff was required to identify the statutory damages sought and submit declarations from Plaintiff and counsel, under penalty of perjury, providing facts necessary to determine whether each is a high-frequency litigant.

KEY QUOTATIONS

“Even if supplemental jurisdiction exists, however, district courts have discretion to decline to exercise supplemental jurisdiction.” (at 2)

“The Court of Appeals has also expressed “concerns about comity and fairness” by permitting plaintiffs to circumvent “California’s procedural requirements.”” (at 2)

FACTUAL BACKGROUND

Theresa Brooke filed an action against United Ventures Bakersfield, LLC asserting ADA claims for injunctive relief and an Unruh Act claim for statutory damages. The complaint merely stated that supplemental jurisdiction over the Unruh Act claim was appropriate. The court found that Brooke and her attorney had filed more than 15 ADA and Unruh Act cases in the Eastern District of California between September 7 and September 24, 2025, and that Brooke had filed more than 10 similar cases in the Central District of California during 2025.

PROCEDURAL HISTORY

Plaintiff initiated the action on September 22, 2025. The court reviewed the complaint and filings in related cases, identified potential concerns regarding Plaintiff's status as a high-frequency litigant and the circumvention of California procedural requirements, and issued an order requiring a written response by October 1, 2025. The court did not finally decide whether to exercise supplemental jurisdiction or dismiss the action.

DISPOSITION

other

CASES CITED

- Vo v. Choi, 49 F.4th 1167 (9th Cir. 2022)

- Arroyo v. Rosas, 19 F.4th 1202 (9th Cir. 2021)
- City of Chicago v. International College of Surgeons, 522 U.S. 156 (1997)
- Hells Canyon Preservation Council v. U.S. Forest Service, 403 F.3d 683 (9th Cir. 2005)

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