

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Jesus Garcia v. Jinyou, Inc., et al.

No. CV 25-9010-MWF(PVCx), United States District Court for the Central District of California (October 15, 2025)

SUMMARY

The United States District Court for the Central District of California ordered the plaintiff to show cause why the court should exercise supplemental jurisdiction over claims under California's Unruh Civil Rights Act and other state laws. The court directed plaintiff to address the amount of statutory damages sought and provide sworn facts concerning whether plaintiff or counsel qualifies as a high-frequency litigant, warning that failure to respond could result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Michael W. Fitzgerald
JURISDICTION	United States District Court for the Central District of California
DECIDED	October 15, 2025
DOCKET	CV 25-9010-MWF(PVCx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause requiring Plaintiff to explain why the court should exercise supplemental jurisdiction over the Unruh Act and other state-law claims.
PRECEDENTIAL VALUE	Nonprecedential interlocutory district-court order

TOPICS

- subject matter jurisdiction
- civil procedure
- ada / disability

PRACTICE AREAS

- Civil procedure
- Federal jurisdiction
- Disability rights
- California civil rights

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over Plaintiff's Unruh Civil Rights Act claim and other state-law claims under 28 U.S.C. § 1367.
2. Whether Plaintiff must provide information concerning the amount of Unruh Act damages sought and whether Plaintiff or Plaintiff's counsel meets California's definition of a high-frequency litigant.

HOLDINGS

1. A federal district court may raise the question of subject matter jurisdiction sua sponte at any time during the pendency of the action and must confirm that subject matter jurisdiction exists.

KEY QUOTATIONS

“This Court has a sua sponte obligation to confirm that it has subject matter jurisdiction.” (at 1)

“Failure to timely or adequately respond to this Order to Show Cause may, without further warning, result in the dismissal of the entire action without prejudice or the Court’s declining to exercise supplemental jurisdiction over the Unruh Act claim and the dismissal of that claim pursuant to 28 U.S.C. § 1367(c).” (at 2)

FACTUAL BACKGROUND

The complaint alleges a violation of the Americans with Disabilities Act and seeks injunctive relief. It also asserts a claim for damages under California's Unruh Civil Rights Act and other state-law claims. The court stated that supplemental jurisdiction was the sole basis identified for jurisdiction over the Unruh Act claim and expressed concern about whether exercising that jurisdiction would implicate California's Unruh Act reforms and federal-state comity.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim for injunctive relief, an Unruh Civil Rights Act claim for damages, and other state-law claims. The court identified supplemental jurisdiction under 28 U.S.C. § 1367(a) as the sole stated basis for jurisdiction over the Unruh Act claim and sua sponte ordered Plaintiff to respond regarding the continued exercise of supplemental jurisdiction. The court directed Plaintiff to provide the amount of Unruh Act damages sought and facts concerning whether Plaintiff or counsel qualified as high-frequency litigants.

DISPOSITION

other

CASES CITED

- Arroyo v. Rosas, 19 F.4th 1202, 1211–14 (9th Cir. 2021)
- Nevada v. Bank of Am. Corp., 672 F.3d 661, 673 (9th Cir. 2012)
- Snell v. Cleveland, Inc., 316 F.3d 822, 826 (9th Cir. 2002)

OPINION

CIVIL MINUTES – GENERAL Case No. CV 25-9010-MWF(PVCx) Date: October 15, 2025
Title Jesus Garcia v. Jinyou, Inc., et al. Present: The Honorable: MICHAEL W. FITZGERALD,
United States District Judge Rita Sanchez Not Reported Deputy Clerk Court Reporter / Recorder
Attorneys Present for Plaintiffs: Attorneys Present for Defendants: Not Present Not Present
Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE SUPPLEMENTAL
JURISDICTION The Complaint filed in this action asserts a claim for injunctive relief arising out
of an alleged violation of the Americans With Disabilities Act (“ADA”), 42 U.S.C. §§ 12101-
12213, a claim for damages pursuant to the Unruh Civil Rights Act (“Unruh Act”), Cal. Civ.

Code §§ 51–53, and other state law claims alleged by Plaintiff. The sole basis for jurisdiction over
the Unruh Act claim is supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a). The Court,
however, may decline to exercise supplemental jurisdiction for the reasons delineated in § 1367(c).
See also *Arroyo v. Rosas*, 19 F.4th 1202, 1211–14 (9th Cir. 2021) (holding district courts may
decline supplemental jurisdiction over ADA-based Unruh Act claims because of “very substantial
threat to federal-state comity” presented by plaintiffs’ use of federal courts to evade California’s
Unruh Act reforms).

This Court has a sua sponte obligation to confirm that it has subject matter jurisdiction. *Nevada v.
Bank of Am. Corp.*, 672 F.3d 661, 673 (9th Cir. 2012) (“[I]t is well established that ‘a court may
raise the question of subject matter jurisdiction, sua sponte, at any time during the pendency of the
action....’” (quoting *Snell v. Cleveland, Inc.*, 316 F.3d 822, 826 (9th Cir.

2002))). Therefore, to assist this Court in its duty, Plaintiff is ORDERED to SHOW CAUSE in
writing as to why this Court should exercise supplemental jurisdiction CIVIL MINUTES –
GENERAL Case No. CV 25-9010-MWF(PVCx) Date: October 15, 2025 Title Jesus Garcia v.
Jinyou, Inc., et al. over the Unruh Act claim and the other state law claims alleged by Plaintiff.

The Response to the Order to Show Cause shall include (1) the amount of statutory damages
sought pursuant to the Unruh Act; and (2) sufficient facts for the Court to determine whether
Plaintiff or Plaintiff’s counsel meet the definition of a “high- frequency litigant” as defined in
California Code of Civil Procedure section 425.55(b)(1) & (2). These facts shall be set forth in
declarations signed under penalty of perjury.

The Response shall be filed on or before OCTOBER 29, 2025. Failure to timely or adequately
respond to this Order to Show Cause may, without further warning, result in the dismissal of the
entire action without prejudice or the Court’s declining to exercise supplemental jurisdiction over
the Unruh Act claim and the dismissal of that claim pursuant to 28 U.S.C. § 1367(c).

IT IS SO ORDERED.

