

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Mario Mendoza v. A and SJ Markets LLC

Mendoza · No. 5:25-cv-01040-JAK (JDEx) · Decided May 5, 2025

SUMMARY

The United States District Court for the Central District of California orders the plaintiff to show cause why the court should not decline supplemental jurisdiction over state-law claims under 28 U.S.C. § 1367. The order addresses California’s heightened pleading requirements and high-frequency litigant provisions for construction-related accessibility claims and requires the plaintiff to disclose requested statutory damages and provide a supporting declaration.

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	May 5, 2025
DOCKET	5:25-cv-01040-JAK (JDEx)
DISPOSITION	other
PROCEDURAL POSTURE	At the outset of the federal action, the court sua sponte issued an order to show cause concerning whether it should exercise supplemental jurisdiction over the plaintiff's California state-law claims.
STANDARD OF REVIEW	Discretionary consideration of whether to exercise supplemental jurisdiction under 28 U.S.C. § 1367, including the values of judicial economy, convenience, fairness, and comity.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive authority only

TOPICS

- subject matter jurisdiction
- civil procedure
- ada / disability
- construction law

PRACTICE AREAS

- Civil procedure
- Americans with Disabilities Act
- Unruh Civil Rights Act
- Supplemental jurisdiction
- Construction accessibility litigation

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over plaintiff's Unruh Act and other state-law claims under 28 U.S.C. § 1367.
2. Whether plaintiff must show cause and provide information concerning statutory damages and his alleged status as a high-frequency litigant before the court determines whether to retain the state-law claims.

HOLDINGS

1. The court may decline to exercise supplemental jurisdiction over the state-law claims when the circumstances identified in 28 U.S.C. § 1367(c), considered in light of judicial economy, convenience, fairness, and comity, weigh against retaining those claims.

KEY QUOTATIONS

"This "is a doctrine of discretion, not of plaintiff's right." (at 1)

"Because accepting supplemental jurisdiction over such claims would permit high-frequency plaintiffs to side-step those state-law requirements by pursuing the claims in a federal forum, many district courts, including this one, have declined to exercise such jurisdiction." (at 2)

FACTUAL BACKGROUND

The complaint alleges that defendants violated the Americans with Disabilities Act, the Unruh Civil Rights Act, and other California laws based on construction-related accessibility issues. The court determined from the District's docket that plaintiff had filed more than ten actions advancing construction-related accessibility claims during the year preceding this action, potentially making him a high-frequency litigant under California law.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting claims under the Americans with Disabilities Act, California's Unruh Civil Rights Act, and other California law. The court reviewed the complaint and ordered plaintiff and permitted defendants to respond regarding whether the court should decline supplemental jurisdiction over the state-law claims 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)

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