

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Moises Villalobos v. Calstate Auto Repair, et al.

No. CV 25-3265 PA (PDx), United States District Court for the Central District of California (April 16, 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 any other state-law claims. The court required the plaintiff to identify the statutory damages sought and submit declarations addressing whether the plaintiff and counsel qualify as high-frequency litigants under California law. A response was due by April 30, 2025, with failure to respond potentially resulting in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Percy Anderson
JURISDICTION	United States District Court for the Central District of California
DECIDED	April 16, 2025
DOCKET	CV 25-3265 PA (PDx)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause requiring plaintiff to explain why the court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and any other state-law claims.
STANDARD OF REVIEW	Under 28 U.S.C. § 1367, the court exercises discretion over supplemental jurisdiction by considering judicial economy, convenience, fairness, and comity, including at every stage of the litigation.
PRECEDENTIAL VALUE	Unknown; interlocutory district-court order to show cause
PARTIES	Moises Villalobos v. Calstate Auto Repair, et al.

TOPICS

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

PRACTICE AREAS

civil procedure

civil rights

Americans with Disabilities Act

supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and any other state-law claims under 28 U.S.C. § 1367.
2. What amount of statutory damages plaintiff seeks and whether plaintiff and counsel qualify as high-frequency litigants under California Code of Civil Procedure § 425.55(b)(1) and (2).

KEY QUOTATIONS

“The supplemental jurisdiction statute “reflects the understanding that, when deciding whether to exercise supplemental jurisdiction, ‘a federal court should consider and weigh in each case, and at every stage of the litigation, the values of judicial economy, convenience, fairness, and comity.’””

FACTUAL BACKGROUND

The complaint alleges a violation of the Americans with Disabilities Act and seeks injunctive relief. It also seeks damages under California's Unruh Civil Rights Act and may assert other state-law claims. The court required factual declarations concerning whether plaintiff and counsel satisfy California's definition of a high-frequency litigant.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim for injunctive relief and a California Unruh Civil Rights Act claim for damages. The district court determined that it appeared to possess only supplemental jurisdiction over the state-law claims and ordered plaintiff to respond by April 30, 2025, warning that failure to respond could result in dismissal without prejudice or declining supplemental jurisdiction.

DISPOSITION

other

CASES CITED

- City of Chicago v. Int’l Coll. of Surgeons, 522 U.S. 156, 173, 118 S. Ct. 523, 534, 139 L. Ed. 2d 525 (1997)
- Carnegie-Mellon Univ. v. Cohill, 484 U.S. 343, 350, 108 S. Ct. 614, 619, 98 L. Ed. 2d 720 (1988)

OPINION

CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL Case No. CV 25-3265 PA (PDx) Date April 16, 2025 Title Moises Villalobos v. Calstate Auto Repair, et al. Present: The Honorable PERCY ANDERSON, UNITED STATES DISTRICT JUDGE Kamilla Sali-Suleyman Not Reported Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None None Proceedings: IN CHAMBERS — ORDER TO SHOW

CAUSE 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. §§ 12010-12213, and a claim for damages pursuant to California’s Unruh Civil Rights Act (“Unruh Act”), Cal. Civ.

Code §§ 51-53. It appears that the Court possesses only supplemental jurisdiction over the Unruh Act claim, and any other state law claim that plaintiff may have alleged, pursuant to the Court’s supplemental jurisdiction. See 28 U.S.C. § 1367(a).

The supplemental jurisdiction statute “reflects the understanding that, when deciding whether to exercise supplemental jurisdiction, ‘a federal court should consider and weigh in each case, and at every stage of the litigation, the values of judicial economy, convenience, fairness, and comity.’” *City of Chicago v. Int’l Coll. of Surgeons*, 522 U.S. 156, 173, 118 S. Ct.

523, 534, 139 L. Ed. 2d 525 (1997) (emphasis added) (quoting *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350, 108 S. Ct. 614, 619, 98 L. Ed. 2d 720 (1988)). The Court therefore orders plaintiff to show cause in writing why the Court should exercise supplemental jurisdiction over the Unruh Act claim and any other state law claim asserted in the Complaint.

See 28 U.S.C. § 1367(c). In responding to this Order to Show Cause, plaintiff shall identify the amount of statutory damages plaintiff seeks to recover. Plaintiff and plaintiff’s counsel shall also support their responses to the Order to Show Cause with declarations, signed under penalty of perjury, providing 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 sections 425.55(b)(1) & (2).

Plaintiff shall file a Response to this Order to Show Cause by no later than April 30, 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 declining to exercise supplemental jurisdiction over the Unruh Act and other state law claims, if any, and the dismissal of any such claims pursuant to 28 U.S.C. § 1367(c).