

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Kenneth Davidson v. Ink N Stitch, et al.

Davidson v. Ink N Stitch · No. 2:25-cv-10226-WLH-E · Decided November 7, 2025

SUMMARY

The United States District Court for the Central District of California orders Plaintiff Kenneth Davidson to show cause why the court should exercise supplemental jurisdiction over claims under California’s Unruh Civil Rights Act and related state law. The court directs Plaintiff and counsel to identify the statutory damages sought and submit declarations addressing whether they qualify as high-frequency litigants under California law. The response is due within fourteen days, and failure to respond may result in dismissal of the state law claims without further notice.

CASE DETAILS

COURT	United States District Court for the Central District of California
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 7, 2025
DOCKET	2:25-cv-10226-WLH-E
DISPOSITION	other
PROCEDURAL POSTURE	On review of the complaint at the initial pleading stage, the district court sua sponte ordered the plaintiff to show cause why it should exercise supplemental jurisdiction over the state-law claims.
STANDARD OF REVIEW	The court exercises discretion under 28 U.S.C. § 1367(c) and considers judicial economy, convenience, fairness, and comity in deciding whether to exercise supplemental jurisdiction.
PRECEDENTIAL VALUE	unpublished district court order; precedential status not stated

TOPICS

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

PRACTICE AREAS

- Civil procedure
- Americans with Disabilities Act
- California Unruh Civil Rights Act
- Supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the district court should exercise supplemental jurisdiction over the plaintiff's Unruh Civil Rights Act claim and any related state-law claims.
2. What information plaintiff and counsel must provide to permit the court to evaluate whether declining supplemental jurisdiction is appropriate under 28 U.S.C. § 1367(c).

HOLDINGS

1. Supplemental jurisdiction is discretionary rather than a right of the plaintiff, and the district court may decline to exercise it under the circumstances enumerated in 28 U.S.C. § 1367(c), including when state-law issues are novel or complex, substantially predominate, all federal claims have been dismissed, or exceptional circumstances provide compelling reasons to decline jurisdiction.
2. In responding to the order to show cause, plaintiff and counsel must submit declarations under penalty of perjury providing facts necessary for the court to determine whether they satisfy California's definition of a high-frequency litigant and must identify the statutory damages sought.

KEY QUOTATIONS

“is a doctrine of discretion, not of plaintiff’s right” (at 2)

“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.” (at 2)

“Failure to timely or adequately respond to this Order to Show Cause may result in the court declining to exercise supplemental jurisdiction over the Unruh Act claim and any related state law claims and dismissing such claim or claims without further notice, pursuant to 28 U.S.C. § 1367(c).” (at 4)

FACTUAL BACKGROUND

The complaint alleges a violation of the Americans with Disabilities Act involving access to a place of public accommodation and seeks injunctive relief. It also asserts a claim for damages under California's Unruh Civil Rights Act. The court noted California's statutory efforts to address allegedly baseless or vexatious disability-access litigation, including heightened pleading requirements and a high-frequency litigant fee.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an Americans with Disabilities Act claim for injunctive relief and a California Unruh Civil Rights Act claim for damages. Plaintiff requested supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367. The court issued an order to show cause requiring plaintiff and counsel to provide information concerning the statutory damages sought and whether plaintiff qualifies as a high-frequency litigant; no final jurisdictional disposition was entered in the opinion.

DISPOSITION

other

CASES CITED

- *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988)
- *Acri v. Varian Assocs.*, 114 F.3d 999, 1000 (9th Cir. 1997)
- *Schutza v. Cuddeback*, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017)

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