

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Robert Cauley v. Hong Kong Garden Incorporated

Cauley · No. 2:25-cv-11012-SB-E · Decided December 1, 2025

SUMMARY

The United States District Court for the Central District of California orders Plaintiff Robert Cauley to show cause why his California Unruh Civil Rights Act claim should not be dismissed without prejudice under 28 U.S.C. § 1367(c)(4). Relying on Ninth Circuit precedent concerning federal-state comity and California's regulation of high-frequency litigants, the Court states that declining supplemental jurisdiction appears appropriate because the case remains at an early stage. The Court directs Plaintiff to identify the statutory damages sought and provide sworn declarations addressing whether he and his counsel qualify as high-frequency litigants.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stanley Blumenfeld, Jr.
JURISDICTION	United States District Court for the Central District of California
DECIDED	December 1, 2025
DOCKET	2:25-cv-11012-SB-E
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause directing Plaintiff to explain why his California Unruh Act claim should not be dismissed without prejudice for lack of supplemental jurisdiction under 28 U.S.C. § 1367(c)(4).
STANDARD OF REVIEW	Abuse-of-discretion principles govern a district court's decision whether to exercise supplemental jurisdiction; the court applied the discretionary factors in 28 U.S.C. § 1367(c), particularly subsection (c)(4).
PRECEDENTIAL VALUE	Unpublished district court order; persuasive authority only within the district and not binding precedent.

TOPICS

subject matter jurisdiction

civil procedure

public accommodations discrimination

ada / disability

federalism

PRACTICE AREAS

Civil procedure

Americans with Disabilities Act

California Unruh Civil Rights Act

Federal jurisdiction

QUESTIONS PRESENTED

1. Whether the Unruh Act claim falls within the court's supplemental jurisdiction because it is closely related to the ADA claim.
2. Whether exceptional circumstances under 28 U.S.C. § 1367(c)(4), including the federal-state comity concerns identified in *Arroyo v. Rosas*, appear to justify declining supplemental jurisdiction over the Unruh Act claim at this early stage of the litigation.
3. What response and factual information Plaintiff must provide before the court decides whether to dismiss the Unruh Act claim without prejudice.

HOLDINGS

1. Because Plaintiff's Unruh Act claim is closely related to his ADA claim, the court has authority to exercise supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(a).
2. Supplemental jurisdiction is discretionary rather than a plaintiff's right, and the circumstances described in *Arroyo v. Rosas* may constitute exceptional circumstances under 28 U.S.C. § 1367(c)(4) justifying declining jurisdiction over an ADA-based Unruh Act claim.
3. The court did not yet dismiss the Unruh Act claim; instead, it ordered Plaintiff to show cause within 14 days why the claim should not be dismissed without prejudice under § 1367(c)(4), with automatic dismissal without prejudice if Plaintiff failed to respond.

KEY QUOTATIONS

“supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right,” and district courts “can decline to exercise jurisdiction over pendent claims for a number of valid reasons.””

“retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California’s carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms.” (19 F.4th at 1213)

FACTUAL BACKGROUND

Plaintiff Robert Cauley has paraplegia and is substantially limited in his ability to walk. He alleged that Defendant's facilities contain physical barriers impeding his access, in violation of the ADA and the California Unruh Act. The action remained at an early stage, and the court had not adjudicated the merits of any claim.

PROCEDURAL HISTORY

Plaintiff filed federal Americans with Disabilities Act and California Unruh Act claims alleging physical barriers at Defendant's facilities. Before adjudicating the merits of any claim, the court determined that the Unruh Act claim was closely related to the ADA claim and therefore within its supplemental jurisdiction, but indicated that it appeared appropriate to decline that jurisdiction based on the exceptional circumstances identified in *Arroyo v. Rosas*. The court gave Plaintiff 14 days to respond and stated that failure to respond would result in automatic dismissal without prejudice of the Unruh Act claim.

DISPOSITION

other

CASES CITED

- *City of Chi. v. Int'l Coll. of Surgeons*, 522 U.S. 156, 172 (1997)
- *Arroyo v. Rosas*, 19 F.4th 1202 (9th Cir. 2021)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA ROBERT CAULEY, Case No. 2:25-cv-11012-SB-E Plaintiff, v. ORDER TO SHOW CAUSE HONG KONG GARDEN INCORPORATED, Defendant. Plaintiff Robert Cauley, who suffers from paraplegia and is substantially limited in his ability to walk, filed this suit alleging that Defendants' facilities impose physical barriers that impede his access, in violation of, inter alia, the Americans with Disabilities Act (ADA) and the Unruh Act.

Because Plaintiff's Unruh Act claim is closely related to his ADA claim, the Court has authority to exercise supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(a). However, supplemental jurisdiction "is a doctrine of discretion, not of plaintiff's right," and district courts "can decline to exercise jurisdiction over pendent claims for a number of valid reasons." *City of Chi. v. Int'l Coll. of Surgeons*, 522 U.S. 156, 172 (1997) (internal quotation marks and citations omitted).

This discretion is codified in § 1367(c): The district courts may decline to exercise supplemental jurisdiction over a claim under subsection (a) if— (1) the claim raises a novel or complex issue of State law, (2) the claim substantially predominates over the claim or claims over which the district court has original jurisdiction, (3) the district court has dismissed all claims over which it has original jurisdiction, or (4) in exceptional circumstances, there are other compelling reasons for declining jurisdiction.

28 U.S.C. § 1367(c). In a published decision, the Ninth Circuit explained that the California Legislature's 2012 and 2015 amendments to the Unruh Act, which were intended to protect businesses from abusive litigation by high-frequency litigants bringing construction-related

claims, had led to a surge of filings in federal courts of ADA cases seeking statutory damages under the Unruh Act.

Arroyo v. Rosas, 19 F.4th 1202 (9th Cir. 2021). The Ninth Circuit agreed with the district court that this shift in filings from state courts to federal courts had circumvented the state legislature's goals and "rendered [the new statutory requirements] largely toothless, because they can now be readily evaded." *Id.* at 1213.

The court explained that "retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California's carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms." *Id.* Thus, the court held that these circumstances are "exceptional" within the meaning of § 1367(c)(4) and therefore potentially justified declining supplemental jurisdiction over the plaintiff's Unruh Act claim.

See *id.* ("The district court did not abuse its discretion in concluding that this extraordinary situation threatens unusually significant damage to federal-state comity and presents 'exceptional circumstances' within the meaning of § 1367(c)(4).").

However, because the district court had waited to decline supplemental jurisdiction until after granting summary judgment on the plaintiff's ADA claim, thereby effectively deciding the Unruh Act claim, the Ninth Circuit reversed the court's decision to decline supplemental jurisdiction, holding that it had waited too long to invoke the comity interest. *Id.* at 1215–17.

Unlike *Arroyo*, this case is still at a very early stage, and this Court has not yet addressed or adjudicated the merits of any of Plaintiff's claims. This appears to be a case in which the Court should decline supplemental jurisdiction over Plaintiff's Unruh Act claim under § 1367(c)(4) to protect the comity interests identified in *Arroyo*.

Accordingly, the Court ORDERS Plaintiff within 14 days after entry of this Order to show cause in writing why the Court should not dismiss without prejudice his Unruh Act claim under § 1367(c)(4). Plaintiff's response must identify the amount of statutory damages Plaintiff seeks to recover and must be supported by declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if Plaintiff and his counsel satisfy the definition of a "high-frequency litigant" as provided by Cal. Civ.

Proc. Code § 425.55(b)(1)–(2). If Plaintiff fails to file a response within 14 days after entry of this Order, the Court will decline to exercise supplemental jurisdiction over his Unruh Act claim, and the Unruh Act claim will be automatically dismissed without prejudice without further order of the Court. Date: December 1, 2025 _____ Stanley Blumenfeld, Jr. United States District Judge

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