

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Theresa Brooke v. Mehta N. Bharat, et al.

Brooke · No. 1:25-cv-01145 JLT CDB · Decided October 1, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in Theresa Brooke’s action against Mehta N. Bharat and Nita Bharat. The court declined to exercise supplemental jurisdiction over the California Unruh Civil Rights Act claim under 28 U.S.C. § 1367(c)(4) and dismissed that claim without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jennifer L. Thurston
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 1, 2025
DOCKET	1:25-cv-01145 JLT CDB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's Findings and Recommendations after Plaintiff failed to file timely objections, declined supplemental jurisdiction over the state-law claim, and dismissed that claim without prejudice.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	Unknown
PARTIES	Theresa Brooke v. Mehta N. Bharat, Nita Bharat

TOPICS

- subject matter jurisdiction
- civil procedure
- ada / disability

PRACTICE AREAS

- Civil procedure
- Federal jurisdiction
- Disability rights

QUESTIONS PRESENTED

1. Whether the district court should exercise supplemental jurisdiction over Plaintiff's California Unruh Civil Rights Act claim.
2. Whether the magistrate judge's Findings and Recommendations should be adopted after Plaintiff failed to file timely objections.

HOLDINGS

1. The court declined to exercise supplemental jurisdiction over Plaintiff's state-law claim pursuant to 28 U.S.C. § 1367(c)(4).
2. Plaintiff's claim for violations of the California Unruh Civil Rights Act was dismissed without prejudice.

KEY QUOTATIONS

“The Court DECLINES to exercise supplemental jurisdiction over Plaintiff's claim arising under state law pursuant to 28 U.S.C. § 1367(c)(4).” (2)

FACTUAL BACKGROUND

Theresa Brooke asserted claims against Mehta N. Bharat and Nita Bharat under the Americans with Disabilities Act and California's Unruh Civil Rights Act. The district court issued an order to show cause concerning jurisdiction, and the magistrate judge recommended declining supplemental jurisdiction over the state-law claim. Plaintiff did not file objections to those recommendations.

PROCEDURAL HISTORY

Plaintiff sued Defendants under the Americans with Disabilities Act and California's Unruh Civil Rights Act. After issuing an order to show cause regarding jurisdiction, the magistrate judge recommended declining supplemental jurisdiction over the Unruh Act claim under 28 U.S.C. § 1367(c)(4). Plaintiff did not object within the prescribed 14-day period. The district court conducted de novo review, adopted the Findings and Recommendations in full, declined supplemental jurisdiction, and dismissed the Unruh Act claim without prejudice.

DISPOSITION

dismissed

CASES CITED

- Wilkerson v. Wheeler, 772 F.3d 834, 838-839 (9th Cir. 2014)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 THERESA BROOKE, Case No. 1:25-cv-01145 JLT CDB 12 Plaintiff,
ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DECLINING 13 v.
SUPPLEMENTAL JURISDICTION OVER PLAINTIFF'S STATE LAW CLAIM 14 MEHTA N.

BHARAT, et al., (Doc. 6) 15 Defendants. 16 17 Theresa Brooke seeks to hold Mehta N. Bharat and Nita Bharat liable for violations of the 18 Americans with Disabilities Act and California's Unruh Civil Rights Act.

(Doc. 1.) Following 19 an order to show cause regarding jurisdiction (Doc. 4), the assigned magistrate judge issued 20 Findings and Recommendations, recommending the Court decline to exercise supplemental 21 jurisdiction over Plaintiff's state law claim and dismiss the Unruh Act claim without prejudice 22 pursuant to 28 U.S.C. § 1367(c)(4). (Doc. 6.) 23 The Court served the Findings and Recommendations on Plaintiff1 and informed her that 24 any objections must be filed within 14 days of the date of service.

(Doc. 6 at 8.) The Court 25 advised her that "failure to file objections within the specified time may result in the waiver of 26 rights on appeal." (Id., citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-839 (9th Cir. 2014).) 27 Plaintiff did not file objections, and the time to do so has expired. 1 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of the case.

2 | Having carefully reviewed the matter, the Court concludes the Findings and Recommendations
3 | are supported by the record and by proper analysis. Thus, the Court ORDERS: 4 1. The Findings and Recommendations dated September 15, 2025 (Doc. 6) are 5 ADOPTED in full. 6 2.

The Court DECLINES to exercise supplemental jurisdiction over Plaintiff's claim 7 arising under state law pursuant to 28 U.S.C. § 1367(c)(4). 8 3. Plaintiffs claim for violations of the Unruh Act are DISMISSED without 9 prejudice. 10 IT IS SO ORDERED. 12 Dated: _ October 1, 2025 Cerin
| Tower TED STATES DISTRICT JUDGE 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28