

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Juan Valencia v. Ann Miller Naber

Valencia · No. 2:25-cv-07867-WLH-RAO · Decided September 16, 2025

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff Juan Valencia to show cause why the court should exercise supplemental jurisdiction over his California Unruh Civil Rights Act and related state-law claims. The order discusses 28 U.S.C. § 1367(c), California pleading requirements for construction-related accessibility claims, and the interests of fairness and comity in cases involving potential high-frequency litigants. Plaintiff was directed to identify the statutory damages sought and provide declarations addressing the high-frequency-litigant requirements within 14 days.

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	September 16, 2025
DOCKET	2:25-cv-07867-WLH-RAO
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause directing Plaintiff to explain why the court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and related state-law claims.
STANDARD OF REVIEW	Discretionary determination under 28 U.S.C. § 1367(c), guided by judicial economy, convenience, fairness, and comity.
PRECEDENTIAL VALUE	Unknown; district-court order to show cause
PARTIES	Juan Valencia v. Ann Miller Naber, et al.

TOPICS

- civil procedure
- ada / disability
- public accommodations discrimination
- pleadings

PRACTICE AREAS

- Civil procedure
- Civil rights
- Disability discrimination

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over Plaintiff's Unruh Civil Rights Act claim and any related state-law claims under 28 U.S.C. § 1367.
2. Whether Plaintiff and counsel must provide information and declarations addressing Plaintiff's claimed statutory damages and potential status as a high-frequency litigant under California law.

HOLDINGS

1. Supplemental jurisdiction is discretionary rather than a plaintiff's right, and a federal district court may decline supplemental jurisdiction when one of the circumstances identified in 28 U.S.C. § 1367(c) exists, while weighing judicial economy, convenience, fairness, and comity.
2. The court required Plaintiff to show cause in writing why supplemental jurisdiction should be exercised over the Unruh Act claim and related state-law claims, and required Plaintiff and counsel to provide declarations addressing the high-frequency-litigant issue.

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)

FACTUAL BACKGROUND

The complaint alleged a violation of the Americans with Disabilities Act and sought injunctive relief. It also sought damages under California's Unruh Civil Rights Act based on alleged construction-related accessibility barriers. The court noted California statutes imposing heightened pleading requirements and fees in certain disability-access actions, and considered California's interest in discouraging unverified or abusive claims.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim for injunctive relief and a claim for damages under California's Unruh Civil Rights Act. Plaintiff requested supplemental jurisdiction over the state-law claim under 28 U.S.C. § 1367. Before determining whether to exercise that jurisdiction, the court ordered Plaintiff and counsel to provide written responses and declarations concerning the amount of damages and whether Plaintiff qualifies as a high-frequency litigant.

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)

OPINION

Juan Valencia v. Ann Miller Naber

PER CURIAM.

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UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 11 JUAN VALENCIA Case No. 2:25-cv-07867-WLH-RAO Plaintiff(s), 12 v. 13

ORDER TO SHOW CAUSE

ANN MILLER NABER, et al.

14 WHY THE COURT

Defendant(s). SHOULD

15 EXERCISE

16 SUPPLEMENTAL

JURISDICTION OVER THE

17 STATE LAW CLAIMS

18 19 The Complaint filed in this action asserts a claim for injunctive relief arising 20 out of an
alleged violation of the Americans with Disabilities Act (the “ADA”) and 21 claim for damages
pursuant to California’s Unruh Civil Rights Act (the “Unruh 22 Act”), Cal. Civ. Code §§ 51-53. In
the Complaint, Plaintiff requests the court 23 exercise supplemental jurisdiction over the Unruh
Act claim pursuant to 24 28 U.S.C. § 1367. 25 The United States Supreme Court has recognized
supplemental jurisdiction 26 “is a doctrine of discretion, not of plaintiff’s right, and that district
courts can 27 2 The supplemental jurisdiction statute codifies these principles. After 3 establishing
that supplemental jurisdiction encompasses “other claims” in the same 4 case or controversy as a
claim within the district courts’ original jurisdiction, 5 § 1367(a), the statute confirms the
discretionary nature of supplemental 6 jurisdiction by enumerating the circumstances in which
district courts can refuse 7 its exercise: 8 (c) The district courts may decline to exercise
supplemental jurisdiction over a claim under subsection (a) if -- 9

(1) the claim raises a novel or complex issue of State law,

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(2) the claim substantially predominates over the claim or claims

11 over which the district court has original jurisdiction, 12 (3) the district court has dismissed all
claims over which it has 13 original jurisdiction, or 14 (4) in exceptional circumstances, there are
other compelling reasons for declining jurisdiction. 15 16 28 U.S.C. § 1367(c). 17 Depending on a
host of factors, then -- including the circumstances of the 18 particular case, the nature of the state
law claims, the character of the governing 19 state law, and the relationship between the state and
federal claims -- district 20 courts may decline to exercise jurisdiction over supplemental state law
claims. 21 The statute thereby reflects the understanding that, when deciding whether to 22
exercise supplemental jurisdiction, “a federal court should consider and weigh 23 in each case, and

at every stage of the litigation, the values of judicial economy, 24 convenience, fairness, and comity.” Id. at 173 (quoting *Carnegie-Mellon Univ. 25 v. Cohill*, 484 U.S. 343, 350 (1988)); see also *Acri v. Varian Assocs.*, 114 F.3d 26 999, 1000 (9th Cir. 1997) (recognizing district courts have discretion to decline 27 2 brought under the Unruh Act to combat the influx of baseless claims and 3 vexatious litigation in the disability access litigation sphere. Cal. Code Civ. Proc. 4 § 425.50. The stricter pleading standard requires a plaintiff bringing construction- 5 access claims¹ to file a verified complaint alleging specific facts concerning the 6 plaintiff’s claim, including the specific barriers encountered or how the plaintiff 7 was deterred and each date on which the plaintiff encountered each barrier or 8 was deterred. See id. § 425.50(a). California also imposed a “high-frequency 9 litigant fee” in 2015 in response to the “special and unique circumstances” 10 presented by certain plaintiffs and law firms filing an outsized number of Unruh 11 Act lawsuits. Cal. Gov’t Code § 70616.5. 12 In recognition of California’s efforts to reduce the abuse of California’s 13 disability access laws, district courts within the state have determined that the 14 interests of fairness and comity counsel against exercising supplemental jurisdiction 15 over construction-access claims brought under the Unruh Act. See, e.g., *Schutz 16 v. Cuddeback* 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017) (“[T]he Court finds it 17 would be improper to allow Plaintiff [a high frequency litigant] to use federal court 18 as an end-around to California’s pleading requirements. Therefore, as a matter of 19 20 21 1 “Construction-related accessibility claim’ means any civil claim in a civil action with respect to a place of public accommodation, including, but not limited to, a 22 claim brought under [Cal. Civ. Code] Section 51, 54, 54.1, or 55, based wholly or in part on an alleged violation of any construction-related accessibility standard, as 23 defined in paragraph (6).” Cal. Civ. Code § 55.52(a)(1). “Construction-related accessibility standard’ means a provision, standard, or regulation under state or 24 federal law requiring compliance with standards for making new construction and existing facilities accessible to persons with disabilities, including, but not 25 limited to, any provision, standard, or regulation set forth in Section 51, 54, 54.1, or 55 of this code, Section 19955.5 of the Health and Safety Code, the California 26 Building Standards Code (Title 24 of the California Code of Regulations), the federal Americans with Disabilities Act of 1990 (Public Law 101-336; 27 I comity, and in aereference to Cahtromia § substantial interest 1n discouraging 2 unverified disability discrimination claims, the Court declines supplemental 3 jurisdiction over Plaintiff’s Unruh Act claim.”). 4 In light of the foregoing, the Court ORDERS Plaintiff to show cause in writing 5 why the court should exercise supplemental jurisdiction over the Unruh Act claim 6 and any related state law claims. See 28 U.S.C. § 1367(c). In responding to this 7 Order to Show Cause, Plaintiff shall identify the amount of statutory damages 8 || Plaintiff seeks to recover. Plaintiff and his or her counsel also shall support their || responses to the Order to Show Cause with declarations, signed under penalty 10|| of perjury, providing all facts necessary for the court to determine if they satisfy || the definition of a “high-frequency litigant” as provided by Cal. Code Civ. Proc. § 425.55(b)(1) & (2). 13 Plaintiff shall file a Response to this Order to Show Cause within fourteen 14|| (14) days

of this Order. Failure to timely or adequately respond to this Order to 15|| Show Cause may result in the court declining to exercise supplemental jurisdiction 16|| over the Unruh Act claim and any related state law claims and dismissing such 17|| claim or claims without further notice, pursuant to 28 U.S.C. § 1367(c). The || Court may set a hearing on the Order to Show Cause after reviewing the 19|| parties' responses, if necessary. 20 21 IT IS SO ORDERED. 22 24 ||Dated: September 16, 2025 25

26 UNITED STATES DISTRICT JUDGE

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