

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Yuri Doering v. Jose M. Castro et al.

Doering v. Castro · No. 2:25-cv-08187-JLS-MAR · Decided September 11, 2025

SUMMARY

The United States District Court for the Central District of California ordered the plaintiff to show cause why the court should not decline supplemental jurisdiction over state-law claims under 28 U.S.C. § 1367(c). The order focuses on California’s heightened pleading and filing requirements for construction-related accessibility claims and high-frequency litigants. Plaintiff was directed to identify the statutory damages sought and submit declarations addressing whether the plaintiff and counsel qualify as high-frequency litigants, with failure to respond potentially resulting in dismissal without prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Josephine L. Staton
JURISDICTION	United States District Court for the Central District of California
DECIDED	September 11, 2025
DOCKET	2:25-cv-08187-JLS-MAR
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause directing Plaintiff to explain why the court should not decline supplemental jurisdiction over state-law claims accompanying an Americans with Disabilities Act claim.
STANDARD OF REVIEW	A district court has discretion under 28 U.S.C. § 1367(c) to decline supplemental jurisdiction, considering factors including the circumstances of the case, the nature of the state-law claims, the character of the governing state law, and the relationship between the state and federal claims.
PRECEDENTIAL VALUE	Unknown; civil minutes order to show cause
PARTIES	Yuri Doering v. Jose M. Castro et al.

TOPICS

subject matter jurisdiction

civil procedure

ada / disability

public accommodations discrimination

PRACTICE AREAS

Civil procedure

Supplemental jurisdiction

Americans with Disabilities Act

California disability-access litigation

QUESTIONS PRESENTED

1. Whether the court should require Plaintiff to show cause why it should not decline supplemental jurisdiction over the Unruh Act, Disabled Persons Act, Health and Safety Code, and negligence claims.
2. What information Plaintiff must provide concerning the amount of statutory damages sought and whether Plaintiff or Plaintiff's counsel is a high-frequency litigant.
3. Whether failure to comply with the order could support dismissal under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. Because the complaint combines a federal ADA claim with related state-law claims, the court may evaluate whether to decline supplemental jurisdiction under 28 U.S.C. § 1367(c) and may order Plaintiff to show cause on that issue.
2. Plaintiff must respond in writing within ten days, identify the amount of statutory damages sought, and submit declarations from Plaintiff and Plaintiff's counsel addressing facts necessary to determine whether either is a high-frequency litigant.
3. Failure to respond, or an inadequate response, may result in dismissal without prejudice, including dismissal of the state-law claims for lack of continued supplemental jurisdiction and potentially dismissal of the entire action under Rule 41(b).

KEY QUOTATIONS

“Even if supplemental jurisdiction exists, however, district courts have discretion to decline to exercise supplemental jurisdiction.”

“Failure to respond may, without further warning, result in dismissal of the entire action without prejudice.”

FACTUAL BACKGROUND

The complaint alleges a violation of the federal Americans with Disabilities Act and seeks injunctive relief. It also asserts state-law damages claims under California's Unruh Act, Disabled Persons Act, Health and Safety Code, and negligence theories. The court identified California heightened pleading, filing-fee, and disclosure requirements for construction-related accessibility claims and high-frequency litigants.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting a federal ADA claim for injunctive relief and state-law claims for damages under the Unruh Act, the California Disabled Persons Act, the California Health and Safety Code, and negligence. Before resolving supplemental jurisdiction, the court ordered Plaintiff to respond within ten days and provide information concerning requested statutory damages and whether Plaintiff or counsel qualified as a high-frequency litigant.

DISPOSITION

other

CASES CITED

- Velez v. Il Fornaio (America) Corp., CV 3:18-1840 CAB (MDD), 2018 WL 6446169, at *6 (S.D. Cal. Dec. 10, 2018)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 173 (1997)
- Link v. Wabash Railroad Co., 370 U.S. 626, 629-33 (1962)
- Hells Canyon Preservation Council v. U.S. Forest Service, 403 F.3d 683, 689 (9th Cir. 2005)

OPINION

Yuri Doering v. Jose M. Castro

PER CURIAM.

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-08187-JLS-MAR Date: September 11, 2025 Title: Yuri Doering v. Jose M. Castro et al

Present: HONORABLE JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE

Kelly Davis N/A Deputy Clerk Court Reporter ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANT: Not Present Not Present

PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE RE

SUPPLEMENTAL JURISDICTION

The Complaint filed in this action asserts a claim for injunctive relief arising out of an alleged violation of the federal Americans with Disabilities Act and a claim for damages pursuant to California’s Unruh Act, California’s Disabled Persons Act, California Health & Safety Code, and negligence. Accordingly, the Court ORDERS Plaintiff to show cause why the Court should not decline to exercise supplemental jurisdiction over Plaintiff’s Unruh Act, Disabled Persons Act, Health & Safety Code, and negligence claims. See 28 U.S.C. § 1367(c). “In 2012, in an attempt to deter baseless claims and vexatious litigation, California adopted heightened pleading requirements for disability discrimination lawsuits under the Unruh Act.” Velez v. Il Fornaio (America) Corp., CV 3:18-1840 CAB (MDD), 2018 WL 6446169, at *6 (S.D. Cal. Dec. 10, 2018). These heightened pleading requirements apply to actions alleging a “construction-related

accessibility claim,” which California law defines as “any civil claim in a civil action with respect to a place of public accommodation, including but not limited to, a claim brought under Section 51, 54, 54.1, or 55, based wholly or in part on an alleged violation of any construction-related accessibility standard.” Cal. Civ. Code § 55.52(a)(1). Moreover, California imposes additional limitations on “high-frequency litigants,” defined as: A plaintiff who has filed 10 or more complaints alleging a construction-related accessibility violation within the 12-month period immediately

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-08187-JLS-MAR Date: September 11, 2025 Title: Yuri Doering v. Jose M. Castro et al preceding the filing of the current complaint alleging a construction-related accessibility violation. Cal. Civ. Proc. Code § 425.55(b)(1). The definition of “high-frequency litigant” also extends to attorneys. See Cal. Civ. Proc. Code § 425.55(b)(2). “High frequency litigants” are subject to a special filing fee and further heightened pleading requirements. See Cal. Gov. Code § 70616.5; Cal. Civ. Proc. Code § 425.50(a)(4)(A). By enacting restrictions on the filing of construction-related accessibility claims, California has expressed a desire to limit the financial burdens California’s businesses may face for claims for statutory damages under the Unruh Act. Plaintiffs who file these actions in federal court evade these limits and pursue state law damages in a manner inconsistent with the state law’s requirements. In an action over which a district court possesses original jurisdiction, that court “shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.” 28 U.S.C. § 1367(a). Even if supplemental jurisdiction exists, however, district courts have discretion to decline to exercise supplemental jurisdiction. 28 U.S.C. § 1367(c). Such discretion may be exercised “[d]epending on a host of factors” including “the circumstances of the particular case, the nature of the state law claims, the character of the governing state law, and the relationship between the state and federal claims.” *City of Chicago v. Int’l Coll. of Surgeons*, 522 U.S. 156, 173 (1997). Accordingly, Plaintiff is ORDERED to show cause, in writing, no later than ten (10) days from the date of this Order, why the Court should not decline to exercise supplemental jurisdiction over Plaintiff’s Unruh Act, Disabled Persons Act, Health & Safety Code, and negligence claims. In so responding, Plaintiff is further ORDERED to:

- (1) identify the amount of statutory damages Plaintiff seeks to recover; and
- (2) provide declarations from Plaintiff and Plaintiff’s counsel, signed under penalty of perjury, providing all facts necessary for the Court to determine if each is a “high-frequency litigant.” Failure to respond may, without further warning, result in dismissal of the entire action without prejudice. Fed. R. Civ. P. 41(b) (stating that dismissal is warranted “[i]f the plaintiff fails to ... comply with ... a court order”); see *Link v. Wabash R. Co.*, 370

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CIVIL MINUTES – GENERAL

Case No. 2:25-cv-08187-JLS-MAR Date: September 11, 2025 Title: Yuri Doering v. Jose M. Castro et al U.S. 626, 629-33 (1962) (holding that while Rule 41(b) explicitly authorizes motions to dismiss by defendants, it also permits the district court to dismiss sua sponte); see also Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005). Further, an inadequate response will result in the Court declining to exercise supplemental jurisdiction over Plaintiff's Unruh Act, Disabled Persons Act, Health & Safety Code, and negligence claims and the dismissal of those claims pursuant to 28 U.S.C. § 1367(c). Initials of Deputy Clerk: kd
