

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Adam Ghadiri v. L&C Tire Supply et al.

Ghadiri · No. SACV 23-00445-CJC (ADSx) · Decided March 16, 2023

SUMMARY

The Central District of California ordered Plaintiff Adam Ghadiri to show cause why the court should not decline supplemental jurisdiction over his California Unruh Civil Rights Act and negligence claims accompanying his ADA claim. The order relies on 28 U.S.C. § 1367(c) and Ninth Circuit precedent concerning high-frequency litigants and California’s procedural requirements, and directs Plaintiff to provide information about the statutory damages sought and his litigation history.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Cormac J. Carney
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 16, 2023
DOCKET	SACV 23-00445-CJC (ADSx)
DISPOSITION	other
PROCEDURAL POSTURE	At the commencement of an action asserting claims under the Americans with Disabilities Act, California's Unruh Civil Rights Act, and negligence, the district court issued an order to show cause why it should not decline supplemental jurisdiction over the state-law claims.
STANDARD OF REVIEW	Supplemental jurisdiction is discretionary, and a district court may decline to exercise it under 28 U.S.C. § 1367(c), including when state-law claims substantially predominate or exceptional circumstances provide compelling reasons to decline jurisdiction.
PRECEDENTIAL VALUE	Nonprecedential district-court order; interlocutory order to show cause

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should decline to exercise supplemental jurisdiction over plaintiff's Unruh Act claim under 28 U.S.C. § 1367(c), particularly because the state claim may substantially predominate or exceptional circumstances may exist.
2. What information plaintiff and counsel must provide to permit the court to determine whether plaintiff satisfies California's definition of a high-frequency litigant.
3. Whether the negligence claim should remain within the court's supplemental jurisdiction if the court declines jurisdiction over the Unruh Act claim.

HOLDINGS

1. The court did not finally determine whether to exercise supplemental jurisdiction; instead, it ordered plaintiff to show cause why the court should not decline supplemental jurisdiction over the Unruh Act claim and warned that failure to respond could result in declining jurisdiction over the Unruh Act and negligence claims.

KEY QUOTATIONS

“Supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right.”” (at 1)

“The Court therefore orders Plaintiff to show cause as to why it should not decline to exercise supplemental jurisdiction over his Unruh Act claim based on the Ninth Circuit’s reasoning in Arroyo.” (at 2)

FACTUAL BACKGROUND

Adam Ghadiri sued L&C Tire Supply and related defendants, alleging violations of the ADA, California's Unruh Civil Rights Act, and negligence. He sought ADA injunctive relief and Unruh Act statutory damages. The court focused on the possibility that the Unruh Act claim could substantially predominate over the ADA claim and that exercising supplemental jurisdiction could permit circumvention of California's procedural requirements for high-frequency litigants.

PROCEDURAL HISTORY

Plaintiff filed the action on March 11, 2023. The complaint alleged a federal ADA claim and state-law Unruh Act and negligence claims, invoking federal-question jurisdiction for the ADA claim and supplemental jurisdiction for the state claims. The district court did not resolve the jurisdictional issue in this order; it directed plaintiff to respond and provide information concerning claimed statutory damages and whether plaintiff and counsel qualified as high-frequency litigants.

DISPOSITION

other

CASES CITED

- United Mine Workers v. Gibbs, 383 U.S. 715, 726 (1966)
- Schutza v. Cuddeback, 262 F. Supp. 3d 1025, 1030–31 (S.D. Cal. 2017)
- Arroyo v. Rosas, 19 F.4th 1202, 1211 (9th Cir. 2021)

OPINION

Adam Ghadiri v. L and C Tire Supply

PER CURIAM.

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 23-00445-CJC (ADSx) Date: March 16, 2023 Title: ADAM GHADIRI V. L&C TIRE SUPPLY ET AL. PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal N/A Deputy Clerk Court Reporter ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT: None Present None Present

PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE AS TO WHY

THIS COURT SHOULD NOT DECLINE TO EXERCISE SUPPLEMENTAL JURISDICTION OVER PLAINTIFF’S UNRUH ACT CLAIM AND RELATED STATE LAW CLAIMS

On March 11, 2023, Plaintiff Adam Ghadiri filed this action against Defendants, alleging violations of the Americans with Disabilities Act (“ADA”), California’s Unruh Civil Rights Act (“Unruh Act”), and a negligence claim. (Dkt. 1 [Complaint, hereinafter “Compl.”].) Plaintiff seeks injunctive relief under the ADA and statutory damages under the Unruh Act. (Id.) Plaintiff contends that this Court has jurisdiction over his ADA claim based on the existence of a federal question and jurisdiction over his state law claims based on supplemental jurisdiction. (Id.) Supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right.” United Mine Workers v. Gibbs, 383 U.S. 715, 726 (1966). District courts have discretion to decline to exercise supplemental jurisdiction 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). Case 8:23-cv-00445-CJC-ADS Document 10 Filed 03/16/23 Page 2 of 2 Page ID #:31

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES – GENERAL

Case No. SACV 23-00445-CJC (ADSx) Date: March 16, 2023 Page 2 A number of federal district courts across California have declined to exercise supplemental jurisdiction over Unruh Act claims brought alongside ADA claims, citing 28 U.S.C. §§ 1367(c)(2) & (c)(4). See, e.g., *Schutza v. Cuddeback*, 262 F. Supp. 3d 1025, 1030–31 (S.D. Cal. 2017) (declining to exercise supplemental jurisdiction because

(1) “Plaintiff’s state law claim under the Unruh Act substantially predominates over his federal claim” and, (2) because “it would be improper to allow Plaintiff to use federal court as an end-around to California’s pleading requirements.”). And the Ninth Circuit has found “exceptional circumstances” within the meaning of 28 U.S.C. § 1367(c)(4) when a plaintiff would be allowed to circumvent and render ineffectual California’s “procedural requirements aimed at limiting suits by high-frequency litigants” by filing an Unruh Act claim in federal court and invoking the court’s supplemental jurisdiction. *Arroyo v. Rosas*, 19 F.4th 1202, 1211 (9th Cir. 2021). The Court therefore orders Plaintiff to show cause as to why it should not decline to exercise supplemental jurisdiction over his Unruh Act claim based on the Ninth Circuit’s reasoning in *Arroyo*. Plaintiff shall file a response to this Order to Show Cause by Monday, March 10, 2023. In his response, Plaintiff shall identify the amount of statutory damages he seeks to recover. Plaintiff and his counsel shall also include declarations in their responses which provide all facts necessary for the Court to determine if they satisfy the definition of a “high-frequency litigant” as provided by California Civil Procedure Code §§ 425.55(b)(1) & (2). Failure to respond to this Order may result in the Court declining to exercise supplemental jurisdiction over Plaintiff’s Unruh Act claim and negligence claim. qr

MINUTES FORM 11

CIVIL-GEN Initials of Deputy Clerk RRP