



Adelfo Cerame, Jr. v. Gloria J. Kim et al

2020 | Cited 0 times | C.D. California | March 13, 2020

JS-6 UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL Case No. 8:20-cv-00208-RGK-AFM Date March 13, 2020 Title Adelfo Cerame, Jr. v. Gloria J. Kim et al

Present: The Honorable

R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Sharon Williams (not present) Not Reported

Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants:

None None Proceedings: IN CHAMBERS — ORDER DISMISSING PLAINTIFF'S COMPLAINT

On February 03, 2019, Plaintiff filed a Complaint seeking injunctive relief for alleged violations of the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12010-12213, and damages pursuant to California's Unruh Civil Rights Act ("Unruh Act"), Cal. Civ. Code §§ 51-53. On February 11, 2019, this Court issued an Order to Show Cause ("OSC") directing Plaintiff to submit declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if Plaintiff or Plaintiff's counsel satisfies the definition of a "high-frequency litigant" as provided by California Civil Procedure Code sections 425.55(b)(1) & (2). The Court's OSC directed Plaintiff to respond by February 18.

On February 18, rather than responding to this Court's Order, Plaintiff filed a Notice of Voluntary Withdrawal of his Second Cause of Action under the Unruh Act. (ECF No. 14.) On March 10, however, Plaintiff filed a First Amended Complaint ("FAC"), again alleging claims under both the ADA and the Unruh Act. (ECF No. 19.)

Plaintiff has never responded to the Court's OSC. The Court therefore DISMISSES Plaintiff's Complaint without prejudice for failure to comply with its Order.

IT IS SO ORDERED.



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