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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

THERESA BROOKE,
Plaintiff,
v.
H&K PARTNERSHIP, a California
partnership dba Best Economy Inn & Suites,
Defendant.

Case No.: 1:16-cv-1406-AWI-JLT
ORDER GRANTING 14-DAY EXTENSION OF
TIME TO RESPOND TO ORDER TO SHOW
CAUSE

THERESA BROOKE,
Plaintiff,
v.
C & S CHONG INVESTMENT
CORPORATION, a California corporation
dba La Quinta Inn Bakersfield North,
Defendant.

Case No.: 1:16-cv-1407-LJO-JLT

THERESA BROOKE,
Plaintiff,
v.
JDS HOSPITALITY GROUP, LLC, a
California limited liability company dba
Days Inn Bakersfield,
Defendant.

Case No.: 1:16-cv-1408-DAD-JLT

1 THERESA BROOKE,

2 Plaintiff,

3 v.

4 JHP HOSPITALITY GROUP, INC., a
5 California corporation dba Ramada Limited
6 Bakersfield North,

7 Defendant.

Case No.: 1:16-cv-1409-AWI-JLT

8 THERESA BROOKE,

9 Plaintiff,

10 v.

11 D.P.R.L. INVESTMENTS, LLC, a
12 California limited liability company dba
13 Hotel Rosedale,

14 Defendant.

Case No.: 1:16-cv-1410-LJO-JLT

15 THERESA BROOKE,

16 Plaintiff,

17 v.

18 KOO JIN HYUN & CHU MYUNG HEE,
19 trustees of the KOO JIN HYUN & CHU
20 MYUNG HEE TRUST dba Hampton Inn &
21 Suites Bakersfield North-Airport,

22 Defendants.

Case No.: 1:16-cv-1411-DAD-JLT

23 THERESA BROOKE,

24 Plaintiff,

25 v.

26 PRIME HOSPITALITY SERVICES, LLC, a
27 California limited liability company dba
28 Hampton Inn & Suites Bakersfield/Hwy 58,

Defendant.

Case No.: 1:16-cv-1414- LJO-JLT

1 THERESA BROOKE,

2 Plaintiff,

3 v.

4 RP GOLDEN STATE MGT, LLC, a
5 California limited liability company dba
Garden Suites Inn,

6 Defendant.

Case No.: 1:16-cv-1415-LJO-JLT

8 THERESA BROOKE,

9 Plaintiff,

10 v.

11 KPK, INC., a California corporation dba
12 Travelodge Turlock,

13 Defendant.

Case No.: 1:16-cv-1449-LJO -JLT

14 THERESA BROOKE,

15 Plaintiff,

16 v.

17 LILJENQUIST MODESTO COMPANY,
18 LLC, a California limited liability company
19 dba Modesto Hotel,

20 Defendant.

Case No.: 1:16-cv-1454-DAD-JLT

22 THERESA BROOKE,

23 Plaintiff,

24 v.

25 METRO HOSPITALITY SERVICES, INC.,
26 a California corporation dba Hampton Inn
Fresno NW,

27 Defendant.

Case No.: 1:16-cv-1455- DAD-JLT

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THERESA BROOKE,

Plaintiff,

v.

JAYESHKUMAR PATEL, an individual;
PRAFULBHAI PATEL, an individual, both
individuals dba Budget Inn Modesto,

Defendants.

Case No.: 1:16-cv-1456-LJO-JLT

THERESA BROOKE,

Plaintiff,

v.

KHATRI BROTHERS, L.P., a California
limited partnership dba Clarion Modesto,

Defendant.

Case No.: 1:16-cv-1465-AWI-JLT

THERESA BROOKE,

Plaintiff,

v.

A&A TARZANA PLAZA, LP, a California
limited partnership dba Hilton Garden Inn
Clovis,

Defendant.

Case No.: 1:16-cv-1499-AWI- JLT

THERESA BROOKE,

Plaintiff,

v.

THANDI ENTERPRISES, LLC, a California
limited liability company dba Holiday Inn
Express Fresno,

Defendant.

Case No.: 1:16-cv-1503-DAD- JLT

1 THERESA BROOKE,

2 Plaintiff,

3 v.

4 FRESNO AIRPORT HOTELS, LLC, a
5 California limited liability company dba
6 Ramada Fresno Airport,

7 Defendant.

Case No.: 1:16-cv-1506-DAD- JLT

8 THERESA BROOKE,

9 Plaintiff,

10 v.

11 KAINTH BROTHERS, INC., a California
12 corporation dba Country Inn Suites Fresno
13 North,

14 Defendant.

Case No.: 1:16-cv-1508-LJO- JLT

15 THERESA BROOKE,

16 Plaintiff,

17 v.

18 SHIV HOTELS, LLC, a California limited
19 liability company dba Hampton Inn Fresno,

20 Defendant.

Case No.: 1:16-cv-1509-LJO- JLT

21 THERESA BROOKE,

22 Plaintiff,

23 v.

24 SHIVKRUPA INVESTMENTS, INC., a
25 California corporation dba La Quinta Inn
26 Suites Fresno,

27 Defendant.

Case No.: 1:16-cv-1510-LJO- JLT

1 THERESA BROOKE,

2 Plaintiff,

3 v.

4 SHRIGI, INC., a California corporation dba
Welcome Inn Fresno,

5 Defendant.
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Case No.: 1:16-cv-1511-LJO- JLT

7 THERESA BROOKE,

8 Plaintiff,

9 v.

10 THE DAE SUNG & HEE JAE CHA TRUST
11 dba Quality Inn Tulare,

12 Defendant.
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Case No.: 1:16-cv-1520-LJO- JLT

14 THERESA BROOKE,

15 Plaintiff,

16 v.

17 HANFORD INVESTORS, INC., a
18 California corporation dba Comfort Inn
Hanford,

19 Defendant.
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Case No.: 1:16-cv-1521-AWI- JLT

21 THERESA BROOKE,

22 Plaintiff,

23 v.

24 INTERLINK PROPERTIES L.P., a
25 California limited partnership dba Hampton
Inn Visalia,

26 Defendant.
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Case No.: 1:16-cv-1522-LJO- JLT

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THERESA BROOKE,

Plaintiff,

v.

NMA HOSPITALITY LLC, a California
limited liability company dba La Quinta
Tulare,

Defendant.

Case No.: 1:16-cv-1529-DAD- JLT

THERESA BROOKE,

Plaintiff,

v.

TERRA INVESTMENTS I, LLC, a
California limited liability company dba
Charter Inn Suites,

Defendant.

Case No.: 1:16-cv-1530-DAD- JLT

THERESA BROOKE,

Plaintiff,

v.

PICADILLY INN UNIVERSITY, dba
University Square Hotel,

Defendant.

Case No.: 1:16-cv-1594-AWI- JLT

THERESA BROOKE,

Plaintiff,

v.

DAYS INN OF FRESNO PARTNERSHIP,
dba Days Inn Fresno Central,

Defendant.

Case No.: 1:16-cv-1595-DAD- JLT

1 THERESA BROOKE,

2 Plaintiff,

3 v.

4 PICADILLY INN EXPRESS,

5 Defendant.

Case No.: 1:16-cv-1596-DAD- JLT

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8 The Court has issued an order to show cause based upon what appears to be a lack of standing
9 and subject matter jurisdiction. In the order to show cause, the Court observed that the plaintiff *admits*
10 to never having visited *any* of the locations at issue.

11 The plaintiff has now sought a 14-day extension of time to respond to the order. In part, she
12 reports that her attorney is experiencing hardship caused by a medical imperative suffered by his wife;
13 this is grounds for the extension of time. However, in larger part, she claims she needs time to *now*
14 visit each of the locations *in order to establish* standing. In doing so, impliedly, the plaintiff admits that
15 the claims she made in her complaints—that she intended to visit each of the defendants’ locations due
16 to “several upcoming planned visits”—was untrue. Thus, basis is improper and does not support the
17 request for the extension of time. Rather her planned tactic when coupled with her earlier allegations
18 appears to run afoul of Rule 11(b)(3) [“By presenting to the court a pleading, written motion, or other
19 paper--whether by signing, filing, submitting, or later advocating it--an attorney or unrepresented party
20 certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry
21 reasonable under the circumstances . . . the factual contentions have evidentiary support or, if
22 specifically so identified, will likely have evidentiary support after a reasonable opportunity for further
23 investigation or discovery.”] Thus, the Court **ORDERS**:

- 24 1. The request for the extension of time to **November 23, 2016** is **GRANTED**;
- 25 2. Regardless of whether the plaintiff files amended complaints, plaintiff¹ and her counsel
26 **SHALL** show cause also why sanctions should not be imposed for making false allegations in the

27 ¹ Plaintiff **SHALL** either explain how her earlier allegations were made in error or she **SHALL**
28 provide evidence to demonstrate that she, indeed, had “upcoming planned visits” to the areas where
the hotels are located and given these trips, where she stayed or intends to stay instead.

1 complaints;

2 3. Regardless of whether the plaintiff files amended complaints, plaintiff **SHALL** file
3 points and authorities that demonstrates that she has stated a claim given the current posture of the
4 case—where she had not visited the sites at issue at the time she filed her complaints but then, in an
5 attempt to establish standing, purposefully visited the sites despite her “actual knowledge” that they
6 failed to comply with the Americans with Disabilities Act.

7
8 IT IS SO ORDERED.

9 Dated: October 28, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE