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90012  
Duffy-Lewis

**FILED**  
Superior Court Of California  
County Of Los Angeles

**FEB 01 2017**

Sherri R. Carter, Executive Officer/Clerk  
By Charlie L. Coleman, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

JEROME BOYD, GARY CARPENTER,  
ANDRE JOHNSON, GLENN MARTINEZ,  
DAVID RILES, and AARON WALKER,

Plaintiffs,  
  
vs.

CITY OF LOS ANGELES, a government  
entity; LOS ANGELES FIRE  
DEPARTMENT, a government entity; FIRE  
CHIEF RALPH M. TERRAZAS, in his  
official and personal capacity; FIRE  
MARSHAL JOHN VIDOVICH, in his  
official and personal capacity; ASSISTANT  
CHIEF KWAME COOPER, in his official  
and personal capacity; and DOES 1 through  
100, Inclusive,

Defendants.

CASE NO. **BC 6 4 8 8 7 9**

**COMPLAINT FOR DAMAGES**

1. Discrimination in Violation of FEHA  
(Cal. Gov't Code § 12940 *et seq.*)
2. Harassment in Violation of FEHA  
(Cal. Gov't Code § 12940 *et seq.*)
3. Retaliation in Violation of FEHA  
(Cal. Gov't Code § 12940 *et seq.*)
4. Retaliation in Violation of Labor  
Code § 1102.5

COME NOW Plaintiffs JEROME BOYD, GARY CARPENTER, ANDRE JOHNSON,  
GLENN MARTINEZ, DAVID RILES, and AARON WALKER (collectively "Plaintiffs"),  
demand a trial by jury, and based on information and belief and allege as follows:

02/01/2017

RECEIPT #: 0224321046  
DATE PAID: 02/01/17 02:57 PM  
PAYMENT: \$435.00  
RECEIVED: 310  
CHECK: \$435.00  
CASH: \$0.00  
CHANGE: \$0.00  
CARD: \$0.00

CITY/CASE: BC648879  
LEAFLET#:

**THE PARTIES**

1  
2           1.     At all relevant times herein, Plaintiff Jerome Boyd was an individual residing in Los  
3 Angeles County, State of California.

4           2.     At all relevant times herein, Plaintiff Gary Carpenter was an individual residing in  
5 Los Angeles County, State of California.

6           3.     At all relevant times herein, Plaintiff Andre Johnson was an individual residing in  
7 Los Angeles County, State of California.

8           4.     At all relevant times herein, Plaintiff Glenn Martinez was an individual residing in  
9 Los Angeles County, State of California.

10          5.     At all relevant times herein, Plaintiff David Riles was an individual residing in Los  
11 Angeles County, State of California.

12          6.     At all relevant times herein, Plaintiff Aaron Walker was an individual residing in  
13 Los Angeles County, State of California.

14          7.     Plaintiffs are informed and believe and thereon allege that, at all times relevant  
15 herein, Defendant CITY OF LOS ANGELES (“City” or “Defendant”) was a public entity violating  
16 laws within the State of California in the County of Los Angeles. At all times pertinent herein,  
17 Defendant City owned, controlled, and operated the law enforcement agency known as the Los  
18 Angeles Fire Department (“LAFD” or “Department”).

19          8.     Plaintiffs are informed and believe and thereupon allege that Defendants DOES 1  
20 through 100, inclusive, and each of them, at all times relevant hereto, were individuals or public,  
21 business, and/or other entities whose form is unknown committing torts in and/or engaged in  
22 purposeful economic activity within the County of Los Angeles, State of California.

23          9.     The true names and capacities of the Defendants DOES 1 through 100, and each of  
24 them, whether individual, corporate, associate or otherwise, are unknown to Plaintiffs at this time,  
25 and therefore Plaintiffs sue said Defendants by such fictitious names. Plaintiffs will file DOE  
26 amendments, and/or ask leave of court to amend this Complaint to assert the true names and  
27 capacities of these Defendants when they have been ascertained. Plaintiffs are informed and  
28 believe, and upon such information and belief allege, that each Defendant herein designated as a

02/01/2017

1 DOE was and is in some manner, negligently, wrongfully, or otherwise, responsible and liable to  
2 Plaintiffs for the injuries and damages hereinafter alleged, and that Plaintiffs' damages as herein  
3 alleged were proximately caused by their conduct.

4 10. Plaintiffs are informed and believe and thereon allege that, at all times material  
5 herein, the Defendants, and each of them, were the agents, servants, or employees, or ostensible  
6 agents, servants, and employees of each other Defendant, and as such, were acting within the  
7 course and scope of said agency and employment or ostensible agency and employment, except on  
8 those occasions when Defendants were acting as principals, in which case, said Defendants, and  
9 each of them, were negligent in the selection, hiring, and use of the other Defendants.

10 11. At all times mentioned herein, each of the Defendants was the co-tortfeasor of each  
11 of the other Defendants in doing the things hereinafter alleged.

12 12. Plaintiffs are further informed and believe that at all times relevant herein,  
13 Defendants, and each of them, acted in concert and in furtherance of the interests of each other  
14 Defendant. The conduct of each Defendant combined and cooperated with the conduct of each of  
15 the remaining Defendants so as to cause the herein described incidents and the resulting injuries  
16 and damages to Plaintiffs.

17 **VENUE AND JURISDICTION**

18 13. This Court is the proper court because the wrongful acts that are the subject of this  
19 action occurred here, at least one Defendant now resides in its jurisdictional area, and injury to  
20 person or damage to personal property occurred in its jurisdictional area.

21 14. Plaintiff Jerome Boyd has complied with the claim presentation requirement of  
22 California Government Code § 945.4 and § 912.4. He filed a Government Claim on July 15, 2016.  
23 The City of Los Angeles rejected his claim on August 19, 2016. Plaintiff Jerome Boyd filed a  
24 Complaint with the Department of Fair Employment and Housing on December 29, 2016; Plaintiff  
25 Jerome Boyd received his Right to Sue Letter on December 29, 2016.

26 15. Plaintiff Gary Carpenter has complied with the claim presentation requirement of  
27 California Government Code § 945.4 and § 912.4. He filed a Government Claim on June 30, 2016.  
28 The City of Los Angeles rejected his claim on August 5, 2016. Plaintiff Gary Carpenter filed a

1 Complaint with the Department of Fair Employment and Housing on December 29, 2016; Plaintiff  
2 Gary Carpenter received his Right to Sue Letter on December 29, 2016.

3 16. Plaintiff Andre Johnson has complied with the claim presentation requirement of  
4 California Government Code § 945.4 and § 912.4. He filed a Government Claim on July 15, 2016.  
5 The City of Los Angeles rejected his claim on August 19, 2016. Plaintiff Andre Johnson filed a  
6 complaint with the Department of Fair Employment and Housing on December 29, 2016; Plaintiff  
7 Andre Johnson received his Right to Sue Letter on December 29, 2016.

8 17. Plaintiff Glenn Martinez has complied with the claim presentation requirement of  
9 California Government Code § 945.4 and § 912.4. He filed a Government Claim on June 30, 2016.  
10 The City of Los Angeles rejected his claim on August 5, 2016. Plaintiff Glenn Martinez filed a  
11 complaint with the Department of Fair Employment and Housing on January 10, 2017; Plaintiff  
12 Glenn Martinez received his Right to Sue Letter on January 10, 2017.

13 18. Plaintiff Aaron Walker has complied with the claim presentation requirement of  
14 California Government Code § 945.4 and § 912.4. He filed a Government Claim on June 30, 2016.  
15 The City of Los Angeles rejected his claim on August 5, 2016. Plaintiff Aaron Walker filed a  
16 complaint with the Department of Fair Employment and Housing on December 29, 2016; Plaintiff  
17 Aaron Walker received his Right to Sue Letter on December 29, 2016.

18 **GENERAL ALLEGATIONS**

19 19. The City of Los Angeles Fire Department (LAFD)'s Fire Prevention Bureau  
20 ("FPB") is responsible for various duties associated with public safety and the prevention of fires,  
21 including the investigation of the cause, origin, and circumstances of fires; the elimination of fire  
22 and life safety hazards in public buildings, marine vessels, aircraft, and vehicles; the regulation of  
23 storage, use, and handling of hazardous materials and hazardous substances; and enforcement of  
24 the basic building regulations and codes of the State Fire Marshal as they apply to the City of Los  
25 Angeles in matters regarding fire, panic, and explosion safety.

26 20. At all relevant times herein, Plaintiff Jerome Boyd, an African-American male, was  
27 a Battalion Chief of the Public Safety Section within FPB. Chief Boyd was qualified for the  
28 position by reason of his education and training. Since Chief Boyd joined the LAFD, he has

1 received numerous positive performance evaluations, as well commendations from both private  
2 citizens and the Department for his outstanding contributions and achievements in the LAFD.

3 21. At all relevant times herein, Plaintiff Gary Carpenter, an African-American male,  
4 was a Captain I of the Schools, Churches and Institutions Unit within FPB. Captain Carpenter was  
5 qualified for the position by reason of his education and training. Since Captain Carpenter joined  
6 the LAFD, he has received numerous positive performance evaluations, as well commendations  
7 from both private citizens and the Department for his outstanding contributions and achievements  
8 in the LAFD.

9 22. At all relevant times herein, Plaintiff Andre Johnson, an African-American male,  
10 was a Captain II of the High Rise Unit within FPB until Fire Marshal ("Vidovich") ordered his  
11 pre-textual transfer to Fire Station 36. Vidovich told Captain Johnson that his unit was being  
12 phased out and Captain Johnson's position was being eliminated. However, shortly after Captain  
13 Johnson was removed from the High Rise Unit, Vidovich replaced him with Thomas Gikas, a  
14 white male. Captain Johnson was qualified for the position by reason of his education and training.  
15 Since Captain Johnson joined the LAFD, he has received numerous positive performance  
16 evaluations, as well commendations from both private citizens and the Department for his  
17 outstanding contributions and achievements in the LAFD.

18 23. At all relevant times herein, Plaintiff Glenn Martinez, a Hispanic male who  
19 associated with the African-American firefighters at FPB, was an Inspector I of the Public  
20 Assemblage Unit within FPB. Inspector Martinez was qualified for the position by reason of his  
21 education and training. Since Inspector Martinez joined the LAFD, he has received numerous  
22 positive performance evaluations, as well as commendations from both private citizens and the  
23 Department for his outstanding contributions and achievements in the LAFD.

24 24. At all relevant times herein, Plaintiff David Riles, an African-American male, was a  
25 Captain II at Fire Station 68 of FPB. Captain Riles was qualified for the position by reason of his  
26 education and training. Since Captain Riles joined the LAFD, he has received numerous positive  
27 performance evaluations, as well commendations from both private citizens and the Department for  
28 his outstanding contributions and achievements in the LAFD.

1           25.     At all relevant times herein, Plaintiff Aaron Walker, an African-American male, was  
2 an Inspector I of the Schools, Churches and Institutions Unit of FPB. Inspector Walker was  
3 qualified for the position by reason of his education and training. Since Inspector Walker joined  
4 the LAFD, he has received numerous positive performance evaluations, as well as commendations  
5 from both private citizens and the Department for his outstanding contributions and achievements  
6 in the LAFD.

7           26.     From the outset of FPB's creation, and continuing on an ongoing basis up to and  
8 including the present, African-American and female firefighters, and anyone associated with them  
9 within the FPB have been referred to, labeled, characterized, identified, regarded and branded by  
10 others within the LAFD as lazy and afraid to fight fires, which is why they go to FPB. Due to this  
11 Department wide systemic racial and gender animus, Plaintiffs have continuously and  
12 systematically been looked down upon and subjected to discrimination, harassment, and retaliation  
13 because of their African-American race and association with other African-American firefighters.  
14 The LAFD is essentially an all white boys club, and anyone who fails to align themselves with this  
15 mentality is looked down upon and treated differently.

16           27.     The LAFD's systemic racial and gender animus is evidenced by the referral to  
17 several fire stations, including Station 66, Station 33, and Station 14, as "Black [African-American]  
18 free zones." African-American and female firefighters are also subjected to different standards in  
19 passing background checks and being admitted into the Department, which prevents most African-  
20 American and female applicants from becoming LAFD firefighters.

21           28.     Furthermore, African-American and female firefighters within the Department are  
22 subjected to unwarranted prejudicial, higher levels of scrutiny designed to prevent them from  
23 promoting. All of their assignments, work performance, projects, and/or complaints are scrutinized  
24 more closely than their white male counterparts. This prevents most African-American and female  
25 firefighters, and any associated with them, from promoting to higher positions within the FPB and  
26 LAFD as a whole.

27           29.     The perception of African-American and female firefighters, and anyone associated  
28 with them within FPB, is so negative that in or around 2005, immediately after Inspector Glenn

1 Martinez had made Inspector, he was called ordered to a meeting with his Chief, Captain II, and  
2 Captain I. At this meeting, all three of Inspector Martinez's supervisors attempted to dissuade him  
3 from joining FPB because of the Department-wide perception and negative stigma associated with  
4 African-American and female firefighters at FPB.

5 30. In addition, in or around 1988, Terrance Palmer, an African-American firefighter,  
6 was in his fire house studying for the Fire Inspector exam when Brian Ing, a white firefighter,  
7 openly and loudly stated that [he] "hopes Palmer can hurry up and promote out of here because he  
8 is a slug." Plaintiff Andre Johnson was present when this remark was publicly stated. African-  
9 American and female firefighters, and anyone associated with them within the FPB, are often  
10 referred to as "slugs."

11 31. The discrimination, harassment, and retaliation against Plaintiffs intensified when  
12 Plaintiffs reported, identified, informed, described, and otherwise disclosed various acts of  
13 misconduct and activity they reasonably believed to be a violation of statute and noncompliance  
14 with a local, state and/or federal regulation to their supervisors and others in the chain of command  
15 at LAFD. Plaintiffs further refused to engage in certain activities that they reasonably believed  
16 would have violated state and/or federal regulations, rules, and statutes.

17 32. In addition, Plaintiffs, and others similarly situated reported the various acts of  
18 misconduct and activity they reasonably believed to be unlawful to their union, the United  
19 Firefighters of Los Angeles City ("UFLAC"), with the intent that UFLAC would report the issues  
20 to LAFD and help protect Plaintiffs. The Union, in turn, reported all this information, and more,  
21 up the chain of command at LAFD for and on behalf of Plaintiffs and others similarly situated.

22 33. All of the above is protected activity under Labor Code Section 1102.5. More  
23 specifically, Plaintiffs engaged in protected activity by reporting up the chain of command that  
24 sending untrained, unqualified, unsupervised inspectors to inspect public facilities, engaging in  
25 rushed inspections, failing to complete inspections and/or otherwise not following the various  
26 codes and regulations that govern the inspections they are required to do in the greater Los Angeles  
27 area, is dangerous and misleads the public into believing their buildings are safe when they are not.

28 34. These substandard, incomplete and unlawful inspections were part of Vidovich's

1 "Operation Catch-Up,". Vidovich implemented the program when it was revealed in the media  
2 that the LAFD had thousands of overdue inspections. In order to deceive the public, Vidovich  
3 authorized untrained, inexperienced, unqualified "inspectors" to conduct the inspections. The  
4 newly minted "inspectors" produced incomplete, inaccurate, unreliable, flimsy fire inspection  
5 reports and results as the inspections were conducted by unsupervised, untrained, unqualified  
6 personnel. Moreover, Vidovich ratified the aforementioned reports that were accepted by and  
7 "signed-off" by individuals at Fire Prevention Bureau when the reports should have been rejected.  
8 In turn, the public was duped into believing that the public buildings they frequented were "safe"  
9 and met the requirements of applicable state and local statutes, regulations and codes when they did  
10 not. Thus, Plaintiffs were reporting what they reasonably believed to be violations of various fire  
11 codes, safety codes, building codes, health and safety codes, and other state and/or federal  
12 regulations, rules, and statutes as well as City codes and ordinances.

13 35. Plaintiffs also reported that inspections conducted in "Operation Catch-Up"  
14 deprived the citizens' whose property was being inspected of the services they were being charged  
15 for. Some of the inspections have fees associated with them. These fees are based on formulas  
16 that presume a certain expense per square foot based on the number of personnel and hours each  
17 square foot will take to inspect. When you fail to take the requisite time and fail to deploy the  
18 requisite personnel, the citizen is paying for something they are not getting, which could amount to  
19 an unlawful taking and/or fraud and/or theft by the City.

20 36. Plaintiffs also refused to engage in the above activities and performed their  
21 inspections thoroughly, completely and pursuant to their training. Specifically, Chief Boyd,  
22 Captain Carpenter, Captain Johnson and Captain Riles instructed their Inspectors to not take any  
23 short cuts and to not perform rushed inspections, or sign off on inspections that should not be  
24 signed off on.

25 37. Inspectors Martinez and Walker further refused to participate in rushed inspections  
26 and refused to sign off as "okay" buildings and other public areas that should not be approved.

27 38. The above pattern and practice was a result of "Operation Catch Up," which was  
28 implemented by the Fire Prevention Bureau in response to a Los Angeles Times' article published

1 on or about June 16, 2015, which revealed the LAFD's severe backlog in conducting fire  
2 inspections.

3 39. Plaintiffs further engaged in protected activity by meeting with their union at  
4 various times to discuss their various concerns with public safety and violations of law alleged  
5 herein. Those violations of law included: violations of various fire codes, safety codes, building  
6 codes, health and safety codes, and other state statutes and regulations, and were discussed openly  
7 and repeatedly at the union hall. The Command Staff at LAFD became aware of this, and  
8 subsequently sent Department personnel to the union meetings to create a list of all individuals  
9 attending the meetings. This act, while also retaliatory for engaging in the above-referenced  
10 activities, was in and of itself a violation of the Meyers-Milias-Brown Act because it was also  
11 retaliatory against Plaintiffs for seeking the assistance of their union. This list was created to send  
12 the message that "we know who you are, and we are coming for you." The Department did, in  
13 fact, come for them, and has discriminated and retaliated against Plaintiffs based on their  
14 attendance at such meetings. This list making is akin to McCarthyism of the past.

15 40. In addition, between November 2015 and November 2016, Fire Marshal Vidovich  
16 stated, on several occasions, that "we want to weed out the internal terrorists," referring to  
17 Plaintiffs and the individuals who spoke out against the unlawful businesses practices of the LAFD  
18 and FPB, and who opposed Operation Catch-Up. These statements were made at weekly staff  
19 meetings as well as weekly all supervisors meetings.

20 41. On or about June 29, 2016, Inspector Walker filed an official complaint (Complaint  
21 Number 2016000274) against Fire Marshal, Chief John Vidovich for Vidovich's statements in a  
22 speech to all new fire inspectors, that those members who were critical of Operation Catch-Up in  
23 the LA Times news article would be "dealt with." Inspector Walker's official complaint further  
24 reported, on behalf of all Plaintiffs, that in response to speaking out about the safety concerns with  
25 Operation Catch-Up, Plaintiffs were subjected to retaliation, harassment, and a hostile work  
26 environment, and feared for their careers.

27 42. On or about December 20, 2016, the Professional Standards Division ("PSD")  
28 closed Inspector Walker's complaint without investigating the allegations. PSD found "insufficient

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1 evidence to substantiate the allegations.” In further retaliation for reporting Chief Vidovich’s  
2 statements that all members who were critical of Operation Catch-Up in the LA Times news article  
3 would be “dealt with,” on or about January 13, 2017, Inspector Walker was falsely accused of  
4 misconduct in a Professional Standards Division investigation, alleging that Inspector Walker  
5 “made inappropriate comments about Battalion Chief Thomas Gikas.”

6 43. As a result of the department-wide, systematic discrimination, harassment, and  
7 retaliation against African-American and female firefighters, and anyone associated with them, and  
8 in retaliation for engaging in protected activity, Plaintiff Chief Boyd has been denied promotions,  
9 overtime opportunities, and valued assignments. Plaintiff Boyd has been falsely accused of theft  
10 and fraud, subjected to fabricated charges of misconduct, subjected to false investigations, and  
11 threatened with discipline and loss of pay, among other adverse employment actions. Chief Boyd’s  
12 career is now over as he has been targeted by the LAFD. These are continuing and ongoing  
13 violations and therefore subject to the continuing violation doctrine.

14 44. As a result of the department wide systematic discrimination, harassment, and  
15 retaliation against African-American and female firefighters, and anyone associated with them, and  
16 in retaliation for engaging in protected activity, Plaintiff Captain Carpenter has been denied  
17 promotions, overtime opportunities, and valued assignments. Plaintiff Carpenter has been falsely  
18 accused of theft and fraud, subjected to fabricated charges of misconduct, subjected to false  
19 investigations, and threatened with discipline and loss of pay, among other adverse employment  
20 actions, throughout his career at the LAFD. Furthermore, Plaintiff Captain Carpenter has been  
21 systematically excluded from the decision-making process attendant to his rank and assignment  
22 and has been alienated from any and all projects because of his refusal to go along with “Operation  
23 Catch Up.” In addition, Captain Carpenter’s ability to adequately run his unit has been hindered as  
24 a result of the Fire Marshal’s failure to assign the requisite staff and resources to the unit, an  
25 attempt to justify removing Captain Carpenter and/or set him up to fail and push him out. Captain  
26 Carpenter has been stripped of all his responsibilities, therefore stripping him of his captain status.  
27 Captain Carpenter is essentially a sitting captain with no one reporting to him. Captain Carpenter’s  
28 career is now over as he has been targeted by the LAFD. These are continuing and ongoing

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1 violations and therefore subject to the continuing violation doctrine.

2 45. As a result of the department wide systematic discrimination, harassment, and  
3 retaliation against African-American and female firefighters, and anyone associated with them, and  
4 in retaliation for engaging in protected activity, Plaintiff Captain Johnson has, among other adverse  
5 employment actions, has been alienated, shunned, given lesser assignments, had duties and  
6 responsibilities taken away, given poor reviews and evaluations, had negative paperwork  
7 improperly placed in his file, denied working opportunities, denied overtime opportunities, denied  
8 promotions, and put in a position where he can never promote or transfer to where he wants to  
9 transfer. Furthermore, Captain Johnson has been forced to transfer, falsely accused of theft and  
10 fraud, subjected to fabricated charges of misconduct, subjected to false investigations, and  
11 threatened with discipline and loss of pay. Captain Johnson's career is now over as he has been  
12 targeted by the LAFD. These are continuing and ongoing violations and therefore subject to the  
13 continuing violation doctrine.

14 46. As a result of the department wide systematic discrimination, harassment, and  
15 retaliation against African-American and female firefighters, and anyone associated with them, and  
16 in retaliation for engaging in protected activity, Plaintiff Inspector Martinez has, among other  
17 adverse employment actions, been alienated, shunned, given lesser assignments, had duties and  
18 responsibilities taken away, given poor reviews and evaluations, had negative paperwork  
19 improperly placed in his file, denied working opportunities, denied overtime opportunities, denied  
20 promotions, and put in a position where he can never promote or transfer to where he wants to  
21 transfer. Furthermore, Inspector Martinez has been falsely accused of theft and fraud, subjected to  
22 fabricated charges of misconduct, subjected to false investigations, and threatened with discipline,  
23 termination, loss of pay, and criminal charges. Inspector Martinez's career is now over as he has  
24 been targeted by the LAFD. These are continuing and ongoing violations and therefore subject to  
25 the continuing violation doctrine.

26 47. As a result of the department wide systematic discrimination, harassment, and  
27 retaliation against African-American and female firefighters, and anyone associated with them, and  
28 in retaliation for engaging in protected activity, Plaintiff Captain Riles has, among other adverse

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1 employment actions, has been alienated, shunned, given lesser assignments, had duties and  
2 responsibilities taken away, given poor reviews and evaluations, had negative paperwork  
3 improperly placed in his file, denied working opportunities, denied overtime opportunities, denied  
4 promotions, and put in a position where he can never promote or transfer to where he wants to  
5 transfer. Furthermore, Captain Riles has been falsely accused of theft and fraud, subjected to  
6 fabricated charges of misconduct, subjected to false investigations, and threatened with discipline  
7 and loss of pay. Captain Riles' career is now over as he has been targeted by the LAFD. These are  
8 continuing and ongoing violations and therefore subject to the continuing violation doctrine.

9 48. As a result of the department wide systematic discrimination, harassment, and  
10 retaliation against African-American and female firefighters, and anyone associated with them, and  
11 in retaliation for engaging in protected activity, Plaintiff Inspector Walker has, among other  
12 adverse employment actions, has been alienated, shunned, given lesser assignments, had duties and  
13 responsibilities taken away, given poor reviews and evaluations, had negative paperwork  
14 improperly placed in his file, denied working opportunities, denied overtime opportunities, denied  
15 promotions, and put in a position where he can never promote or transfer to where he wants to  
16 transfer. Furthermore, Inspector Walker has been falsely accused of theft and fraud, subjected to  
17 fabricated charges of misconduct, and threatened with discipline and loss of pay. Inspector  
18 Walker's career is now over as he has been targeted by the LAFD. These are continuing and  
19 ongoing violations and therefore subject to the continuing violation doctrine.

20 49. As a result of engaging in the protected activities described above, Plaintiffs have  
21 been discriminated against and retaliated against on a continuing and ongoing basis. Higher ups at  
22 the Fire Prevention Bureau and the LAFD have openly stated that Plaintiffs will be "dealt with."  
23 Such retaliation is known by all Defendants, throughout the chain of command and FPB, and has  
24 been carried out and/or ratified by Defendants, and/or Defendants have otherwise failed to take  
25 steps to prevent or undo the retaliation, or both. Defendants have created, ratified, condoned, and  
26 failed to remedy the retaliation.

27 50. The harassment, discrimination, and retaliation have caused damage to: Plaintiffs'  
28 professional reputation; their ability to promote; and their ability to work. The harassment,

1 discrimination, and retaliation: will cause Plaintiffs to have to take a different retirement path; has  
2 caused Plaintiffs to lose overtime opportunities and pay; and will adversely affect Plaintiffs'  
3 income, pension, and other benefits. The discrimination, harassment, and retaliation have  
4 adversely affected Plaintiffs' personal health and wellbeing, which may include medical expenses  
5 that persist into the future, and may force an early retirement. Plaintiffs have also suffered  
6 extensive general damages in the form of anxiety, anguish, and mental suffering. Plaintiffs'  
7 damages are continuing and in an amount not yet determined, but in excess of \$25,000.

8 51. The conduct of Defendants', and each of them, was a violation of Plaintiffs' rights  
9 under the Firefighter's Bill of Rights, as well as under both state and federal law, including but not  
10 limited to the Fair Employment and Housing Act (CAL. GOV'T C. §§ 12940, *et seq.*), and the  
11 Meyers Milias Brown Act. Defendants are further liable under California Labor Code section  
12 1102.5, and are liable for retaliation in violation of public policy as identified in *Tameny v. Atlantic*  
13 *Richfield Co.* 27 Cal. 3d 167 (1980) and its progeny. The wrongful conduct of Defendants, and  
14 each of them, is continuing and ongoing as of the present date. Such wrongful conduct was  
15 allowed, permitted, condoned, ratified, and enabled by Fire Marshal John Vidovich, Fire Chief  
16 Ralph M. Terrazas, Fire Commissioner Andrew Glazer, Inspector Chris D'Brois, Chief Andy  
17 Warden, Captain Duc Nguyen, Captain Chris Lewis, Captain Tom Gikas, Captain Gatewood, Luke  
18 Milick, and Chief Richter, among other command staff and supervisors.

19  
20 **FIRST CAUSE OF ACTION**

21 **BY PLAINTIFFS AGAINST ALL DEFENDANTS**

22 DISCRIMINATION IN VIOLATION OF FEHA, CAL. GOV'T C. §§ 12940, *ET SEQ.*

23 52. Plaintiffs re-allege and incorporate by reference each and every allegation contained  
24 in paragraphs 1-51 of this complaint as though fully set forth herein again.

25 53. At all times herein mentioned, Government Code §§ 12940, *et seq.* was in full force  
26 and effect and was binding upon Defendants, and each of them.

27 54. At all times herein mentioned, Plaintiffs were in the protected class of persons, *i.e.*,  
28 race, national origin, gender, and/or association with a protected class of persons, and engaged in

1 protected activities contemplated by Government Code §§ 12940, *et seq.* Plaintiffs are informed  
2 and believe that Defendants, and each of them, harassed them based on their African-American  
3 race, national origin, and/or association with a protected class of persons, and for reporting and  
4 speaking out against wrongful and discriminatory treatment based on their race, national origin,  
5 and/or association with a protected class of persons, speaking out against improper conduct, and for  
6 generally attempting to protect and secure their rights and the rights of others under the FEHA.

7 55. Commencing before and during 1986, and continuing to the present, Defendants  
8 created and allowed to exist a hostile work environment and discriminated against Plaintiffs on the  
9 basis of their African-American race, national origin, gender, and/or association with a protected  
10 class of persons. Such discrimination was in violation of Government Code §§ 12940, *et seq.* and  
11 the public policy embodied therein.

12 56. At all times herein mentioned, Defendants, and each of them, had actual and/or  
13 constructive knowledge of the discriminatory conduct levied against Plaintiffs by Defendants,  
14 fellow employees and superiors. Moreover, such retaliation, harassment, and discriminatory  
15 conduct was also conducted and/or condoned by Defendants, and each of them.

16 57. As a direct, foreseeable and proximate result of Defendants' discriminatory conduct  
17 and failure to act, Plaintiffs suffered and continue to suffer humiliation, embarrassment, anxiety,  
18 mental anguish and emotional distress. Plaintiffs were required to and did employ, and will in the  
19 future employ, physicians and health care providers to examine, treat and care for plaintiffs, and  
20 did, and will in the future, incur medical and incidental expenses. The exact amount of such  
21 expenses is unknown to Plaintiff at this time.

22 58. As a direct, foreseeable and proximate result of the Defendants' discriminatory  
23 conduct, Plaintiffs suffered and continue to suffer losses in earnings and other employment benefits  
24 all to their damage in an amount in excess of the minimum jurisdictional limits of this court, the  
25 precise amount of which will be proven at trial.

26 59. As a further legal result of the above-described conduct of Defendants, and each of  
27 them, Plaintiffs have and will continue to incur attorneys' fees and costs in an amount according to  
28 proof.

1 **SECOND CAUSE OF ACTION**

2 **BY PLAINTIFF AGAINST ALL DEFENDANTS**

3 HARASSMENT IN VIOLATION OF FEHA, CAL. GOV'T C. §§ 12940, *ET SEQ.*

4 60. Plaintiffs re-allege and incorporate by reference each and every allegation contained  
5 in paragraphs 1-59 of this complaint as though fully set forth herein again.

6 61. At all times herein mentioned, Government Code §§ 12940, *et seq.* was in full force  
7 and effect and was binding upon Defendants, and each of them. Said law required Defendants, and  
8 each of them, to refrain from harassing any employee based upon race, national origin, gender,  
9 and/or association with a protected class of persons, and to provide each employee with a working  
10 environment free from harassment based on race, national origin, and/or association with a  
11 protected class of persons.

12 62. At all times herein mentioned, Plaintiffs were in the protected class of persons, *i.e.*,  
13 race, national origin, gender, and/or association with a protected class of persons, and who engaged  
14 in protected activities contemplated by Government Code §§ 12940, *et seq.* Plaintiffs are informed  
15 and believe that Defendants, and each of them, harassed Plaintiffs based on their African-American  
16 race, national origin, and/or association with a protected class of persons, and for reporting and  
17 speaking out against wrongful and discriminatory treatment based on their race, national origin,  
18 association with a protected class of persons, speaking out against improper conduct, and for  
19 generally attempting to protect and secure their rights and the rights of others under the FEHA.

20 63. Commencing before and during 1986, and continuing on an ongoing basis to the  
21 present, Defendants created and allowed to exist a hostile work environment and harassed Plaintiffs  
22 on the basis of their African-American race, national origin, gender, and/or association with a  
23 protected class of persons. Such harassment was in violation of Government Code §§ 12940, *et*  
24 *seq.* and the public policy embodied therein.

25 64. At all times herein mentioned, Defendants, and each of them, had actual and/or  
26 constructive knowledge of the harassing conduct levied against Plaintiffs by Defendants, fellow  
27 employees and superiors. Moreover, such retaliation, harassment, and discriminatory conduct was  
28 also conducted and/or condoned by Defendants, and each of them.



1 with a protected class of persons, speaking out against improper conduct, and for generally  
2 attempting to protect and secure their rights and the rights of others under the FEHA.

3 71. Commencing before and occurring in 1986, and continuing to the present,  
4 Defendants created and allowed to exist a hostile work environment and retaliated against Plaintiffs  
5 on the basis of their African-American race, national origin, gender, and/or association with a  
6 protected class of persons. Such retaliation was in violation of Government Code §§ 12940, *et seq.*  
7 and the public policy embodied therein.

8 72. At all times herein mentioned, Defendants, and each of them, had actual and/or  
9 constructive knowledge of the retaliatory conduct levied against Plaintiffs by Defendants, fellow  
10 employees and superiors. Moreover, such retaliation, harassment and discriminatory conduct was  
11 also conducted and/or condoned by Defendants, and each of them.

12 73. As a direct, foreseeable and proximate result of Defendants' retaliatory conduct,  
13 Plaintiffs suffered and continue to suffer humiliation, embarrassment, anxiety, mental anguish and  
14 emotional distress. Plaintiffs were required to and did employ, and will in the future employ,  
15 physicians and health care providers to examine, treat and care for Plaintiffs, and did, and will in  
16 the future, incur medical and incidental expenses. The exact amount of such expenses is unknown  
17 to Plaintiffs at this time.

18 74. As a direct, foreseeable and proximate result of the Defendants' retaliatory conduct,  
19 Plaintiffs suffered and continue to suffer losses in earnings and other employment benefits all to  
20 their damage in an amount in excess of the minimum jurisdictional limits of this court, the precise  
21 amount of which will be proven at trial.

22 75. As a further legal result of the above-described conduct of Defendants, and each of  
23 them, Plaintiffs have and will continue to incur attorneys' fees and costs in an amount according to  
24 proof.

25 **FOURTH CAUSE OF ACTION**

26 **BY PLAINTIFFS AGAINST ALL DEFENDANTS**

27 **RETALIATION IN VIOLATION OF LABOR CODE §1102.5**

28 76. Plaintiffs re-alleges and incorporate by reference each and every allegation

1 contained in paragraphs 1-75 of this complaint as though fully set forth herein again.

2 77. At all times herein mentioned, California Labor Code §1102.5 was in full force and  
3 effect and was binding on the Defendants, and each of them.

4 78. Defendants, and each of them, made, adopted, and/or enforced rules, regulations,  
5 and/or policies designed to prevent employees from disclosing information to a government or law  
6 enforcement agency, which Plaintiffs had reasonable cause to believe disclosed violations of state  
7 or federal statutes, or state or federal rules and regulations, as identified herein.

8 79. All of the complaints mentioned above were made by Plaintiffs to their superiors at  
9 the Los Angeles Fire Department, a law enforcement agency within the meaning of California  
10 Labor Code §110.5, and to their Union, the United Firefighters of Los Angeles City. Plaintiffs had  
11 reasonable cause to believe that the allegations disclosed violations of not only the Los Angeles  
12 Fire Code, but also various fire codes, safety codes, building codes, health and safety codes, and  
13 other state and federal statutes, rules, and regulations. Plaintiffs further refused to participate in  
14 conduct they reasonably believed violated not only the Los Angeles Fire Code, but also various fire  
15 codes, safety codes, building codes, health and safety codes, and other state and federal statutes,  
16 rules, and regulations.

17 80. Defendants, and each of them, retaliated against Plaintiffs for reporting what they  
18 reasonably believed violated not only the Los Angeles Fire Code, but also various fire codes, safety  
19 codes, building codes, health and safety codes, and other state and federal statutes, rules, and  
20 regulations. Defendants, and each of them, further retaliated against Plaintiffs for refusing to  
21 participate in conduct they reasonably believed violated not only the Los Angeles Fire Code, but  
22 also various fire codes, safety codes, building codes, health and safety codes, and other state and  
23 federal statutes, rules, and regulations.

24 81. As a result, Plaintiffs were subjected to adverse employment actions including but  
25 not limited to: being alienated, shunned, given lesser assignments, had duties and responsibilities  
26 taken away, given poor reviews and evaluations, had negative paperwork improperly placed in  
27 their files, denied working opportunities, denied overtime opportunities, denied promotions, and  
28 put in a position where they can never promote or transfer to where they want to transfer.

1 Furthermore, Plaintiffs have been falsely accused of theft and fraud, subjected to fabricated charges  
2 of misconduct, subjected to false investigations, forced to transfer, and threatened with discipline,  
3 termination, loss of pay, and criminal charges.

4 82. As a direct, foreseeable and proximate result of Defendants' retaliatory conduct and  
5 failure to act, Plaintiffs have suffered and continue to suffer humiliation, embarrassment, anxiety,  
6 mental anguish and emotional distress. Plaintiffs were required to and did employ, and will in the  
7 future employ, physicians and health care providers to examine, treat and care for Plaintiffs, and  
8 did, and will in the future, incur medical and incidental expenses. The exact amount of such  
9 expenses is unknown to Plaintiffs at this time.

10 83. As a direct, foreseeable and proximate result of the Defendants' retaliatory conduct,  
11 Plaintiffs have suffered and continue to suffer losses in earnings and other employment benefits all  
12 to their damage in an amount in excess of the minimum jurisdictional limits of this court, the  
13 precise amount of which will be proven at trial.

14 84. As a further legal result of the above-described conduct of Defendants, and each of  
15 them, Plaintiffs have and will continue to incur attorneys' fees and costs in an amount according to  
16 proof.

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02/01/2017

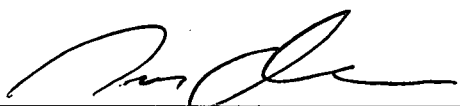
**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs seek judgment against all Defendants, and each of them, as follows:

1. Physical, mental, and emotional injuries, pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame, mortification, injured feelings, shock, humiliation and indignity, as well as other unpleasant physical, mental, and emotional reactions, damages to reputation, and other non-economic damages, in a sum to be ascertained according to proof;
2. Health care, services, supplies, medicines, health care appliances, modalities, and other related expenses in a sum to be ascertained according to proof;
3. Loss of wages, income, earnings, earning capacity, support, domestic services, benefits, and other economic damages in a sum to be ascertained according to proof;
4. Other actual, consequential, and/or incidental damages in a sum to be ascertained according to proof;
5. Attorney fees and costs of suit pursuant to statute;
6. Costs of suit herein incurred;
7. Pre-judgment interest; and
8. Such other and further relief as the Court may deem just and proper.

Dated: February 1, 2017

McNICHOLAS & McNICHOLAS, LLP

By:   
Matthew S. McNicholas  
Courtney C. McNicholas  
Nicholas S. Alexandroff  
Attorneys for Plaintiffs

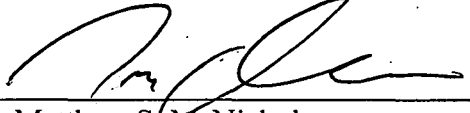
02/01/2017

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial.

Dated: February 1, 2017

McNICHOLAS & McNICHOLAS, LLP

By: 

Matthew S. McNicholas  
Courtney C. McNicholas  
Nicholas S. Alexandroff  
Attorneys for Plaintiffs

02/01/2017

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
McNICHOLAS & McNICHOLAS, LLP Matthew S. McNicholas, SBN 190249  
Courtney C. McNicholas, SBN 130358 / Nicholas S. Alexandroff, SBN 309747  
10866 Wilshire Blvd., Suite 1400  
Los Angeles, CA 90024  
TELEPHONE NO.: 310/474-1582 FAX NO.: 310/475-7871  
ATTORNEY FOR (Name): Plaintiffs JEROME BOYD, et al.

FOR COURT USE ONLY  
**FILED**  
Superior Court Of California  
County Of Los Angeles  
**FEB 01 2017**  
Sherri R. Carter, Executive Officer/Clerk  
By Charlie L. Coleman, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
STREET ADDRESS: 111 N. HILL STREET  
MAILING ADDRESS:  
CITY AND ZIP CODE: LOS ANGELES, CA 90012  
BRANCH NAME: CENTRAL DISTRICT

CASE NAME:  
BOYD, et al. v. CITY OF LOS ANGELES, et al.

**CIVIL CASE COVER SHEET**  
 **Unlimited** (Amount demanded exceeds \$25,000)  
 **Limited** (Amount demanded is \$25,000 or less)

**Complex Case Designation**  
 **Counter**  **Joinder**  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:  
**BC 648879**  
JUDGE:  
DEPT:

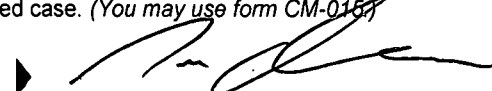
Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
<b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23)	<b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	<b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20)
<b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35)	<b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38)	<b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
<b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	<b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive
4. Number of causes of action (specify): Four (4)
5. This case  is  is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015)

Date: February 1, 2017  
Nicholas S. Alexandroff  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

02/01/2017

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

## Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

## Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
  - Medical Malpractice—Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

## Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

## Employment

- Wrongful Termination (36)
- Other Employment (15)

## Contract

- Breach of Contract/Warranty (06)
- Breach of Rental/Lease
  - Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case—Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

## Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

## Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

## Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ—Administrative Mandamus
  - Writ—Mandamus on Limited Court Case Matter
  - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal—Labor Commissioner Appeals

## Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

## Enforcement of Judgment

- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment (*non-domestic relations*)
  - Sister State Judgment
  - Administrative Agency Award (*not unpaid taxes*)
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case

## Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
  - Declaratory Relief Only
  - Injunctive Relief Only (*non-harassment*)
  - Mechanics Lien
  - Other Commercial Complaint Case (*non-tort/non-complex*)
- Other Civil Complaint (*non-tort/non-complex*)

## Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief From Late Claim
  - Other Civil Petition

SHORT TITLE: <b>BOYD, et al. v. CITY OF LOS ANGELES, et al.</b>	CASE NUMBER <b>BC 648879</b>
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**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL?  YES CLASS ACTION?  YES LIMITED CASE?  YES TIME ESTIMATED FOR TRIAL 14  HOURS/  DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>1. Class actions must be filed in the Stanley Mosk Courthouse, central district.</li> <li>2. May be filed in central (other county, or no bodily injury/property damage).</li> <li>3. Location where cause of action arose.</li> <li>4. Location where bodily injury, death or damage occurred.</li> <li>5. Location where performance required or defendant resides.</li> </ul> | <ul style="list-style-type: none"> <li>6. Location of property or permanently garaged vehicle.</li> <li>7. Location where petitioner resides.</li> <li>8. Location wherein defendant/respondent functions wholly.</li> <li>9. Location where one or more of the parties reside.</li> <li>10. Location of Labor Commissioner Office</li> </ul> |
|---|---|

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

210210120

Auto Tort  
Other Personal Injury/ Property Damage/ Wrongful Death Tort

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress		1., 3.	
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.	

SHORT TITLE:

BOYD, et al. v. CITY OF LOS ANGELES, et al.

CASE NUMBER

Non-Personal Injury/ Property  
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2., 5.
	<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2., 6.
	<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

2103710120

SHORT TITLE:

BOYD, et al. v. CITY OF LOS ANGELES, et al.

CASE NUMBER

<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ/Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

2102710730

SHORT TITLE: BOYD, et al. v. CITY OF LOS ANGELES, et al.	CASE NUMBER
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**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

<b>REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.</b>  <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input checked="" type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 200 North Main Street
CITY: Los Angeles	STATE: CA	ZIP CODE: 90012

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: February 1, 2017

  
 \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

02/01/2017