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12
13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF LOS ANGELES**
15 **UNLIMITED JURISDICTION**
16

17
18 BRANDON TAULLI,) **CASE NO.: 24ST CV 20782**
19)
20 Plaintiff,) **COMPLAINT FOR DAMAGES AND**
21) **OTHER RELIEF**
22 vs.) **DEMAND FOR JURY TRIAL**
23 CITY OF LOS ANGELES and DOES 1)
24 through 100, inclusive,)
25)
26 Defendants)
27)
28)

1 Plaintiff Brandon Taulli (“plaintiff”) alleges as follows:

2 **GENERAL ALLEGATIONS**

3
4 1. At all relevant times hereto, plaintiff Brandon Taulli (“Taulli”) was and is a white
5 Caucasian male employed as a firefighter of the rank of Captain 1 by the City of Los
6 Angeles Fire Department (“LAFD”), a public agency and a department of the defendant
7 City of Los Angeles (“City”), in the County of Los Angeles, State of California, and was
8 and is a competent adult.

9
10 2. At all relevant times hereto, LAFD Afara Lalaind (“Lalaind”), was and is a black
11 African American female, and was and is employed as a firefighter of the rank of Arson
12 Investigator/Firefighter III by the LAFD and the City, in the County of Los Angeles, State
13 of California.

14
15 3. Plaintiff is informed and believes and thereon alleges that, at all relevant times
16 hereto, defendant City was an entity committing torts in and engaged as a matter of
17 commercial actuality in purposeful economic activity within the County of Los Angeles,
18 State of California, and owned, controlled, or operated the LAFD. Plaintiff is informed
19 and believes and thereon alleges that, at all relevant times hereto, the LAFD was a
20 department of defendant City.

21
22 4. Plaintiff is informed and believes and thereupon alleges that defendants DOES 1
23 through 33, inclusive, and each of them, were, at all relevant times hereto, public,
24 business or other entities whose form is unknown, committing torts in or engaged as a
25 matter of commercial actuality in purposeful economic activity within the County of Los
26 Angeles, State of California.

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28 5. Plaintiff is informed and believes and thereupon alleges that defendants DOES

1 34 through 67, inclusive, and each of them, were at all relevant times hereto, individuals
2 residing in or committing torts within the County of Los Angeles, State of California.

3 6. Plaintiff is informed and believes and thereupon alleges that defendants DOES
4 68 through 100, inclusive, and each of them, at all relevant times hereto, were residents
5 of the County of Los Angeles, State of California, and were officers, directors,
6 managing agent, principals, agents, partners, or joint venturers of defendants City of
7 Los Angeles, or DOES 1 through 67, acting as officers, directors, managing agents,
8 principals, agents, partners, joint venturers, supervisors, managers, administrators,
9 owners, or in some other unknown capacity.
10

11 7. The true names and capacities of defendants DOE 1 through 100, and each of
12 them, whether individual, corporate, associate or otherwise, are unknown to plaintiff at
13 this time, who therefore sues said defendants by such fictitious names. Plaintiff will file
14 DOE amendments, or ask leave of court to amend this complaint to assert the true
15 names and capacities of these defendants when they have been ascertained. Plaintiff
16 is informed and believes, and upon such information and belief alleges, that each
17 defendant herein designated as a DOE was and is in some manner, negligently,
18 wrongfully, or otherwise responsible and liable to plaintiff for the injuries and damages
19 herein alleged, and that plaintiff's damages as herein alleged were legally caused by
20 their conduct.
21

22 8. Plaintiff is informed and believes, and thereon alleges, that at all times material
23 herein, the defendants, and each of them, were the agents, servants, or employees, or
24 ostensible agents, servants, or employees of each other defendant, and as such, were
25 acting within the course and scope of said agency and employment or ostensible
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1 agency and employment, except on those occasions when defendants were acting as
2 principals, in which case, said defendants, and each of them, were negligent or
3 otherwise acted in a wrongful manner in the selection, hiring, and use of the other
4 defendants.
5

6 9. Plaintiff is informed and believes that each defendant principal or employer
7 herein had advance knowledge of the unfitness of each defendant agent or employee,
8 and employed each such agent or employee with a conscious disregard of the rights or
9 safety of others or otherwise authorized or ratified the wrongful conduct of each such
10 agent or employee. As to each such corporate or other entity defendant herein, the
11 knowledge and conscious disregard, authorization, ratification, or act of oppression,
12 fraud, or malice was on the part of an officer, director, or managing agent of the
13 corporation or other entity.
14

15 10. Plaintiff is informed and believes that the interests and business dealings of
16 defendants, and each of them, are so closely related and intertwined that the apparent
17 separateness of the entities is a fiction. Treating these defendants as separate would
18 result in great inequity to plaintiff. Plaintiff is informed and believe, and thereon allege,
19 that each of these defendants had and has a unity and commingling of interest, control,
20 and ownership with its parent/dominant corporation, limited liability company, or other
21 entity, with its predecessors or successors corporation, limited liability company, or
22 other entity, or with its individual principals, officers, directors, managing agents,
23 owners, or shareholders. Plaintiff is further informed and believe, and thereon allege,
24 that each defendant named herein was and is so completely dominated and controlled
25 in the affairs of a said defendant by such defendant's parent/dominant corporation,
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1 limited liability company, or other entity, with its predecessors or successors
2 corporation, limited liability company, or other entity, or with its individual principals,
3 officers, directors, managing agents, owners, or shareholders that all individuality and
4 formalities of each such corporate, limited liability or other entity defendant had and
5 have ceased and had and have been ignored by the actions or omissions of the
6 parent/dominant corporation, limited liability company, or other entity, with its
7 predecessors or successors corporation, limited liability company, or other entity, or
8 with its individual principals, officers, directors, managing agents, owners, or
9 shareholders, so as to make recognition of the separate existence of each such
10 corporation, limited liability company, or other entity a sham, and inequitable, unjust,
11 and fraudulent. The interests and business dealings of defendants, and each of them,
12 are so closely related and intertwined that the alleged separateness of the individual
13 and entity defendants is a fiction. Treating these defendants as separate would result
14 in great inequity to plaintiff.

18 11. Plaintiff is informed and believes that at all times relevant hereto, defendants,
19 and each of them, acted in concert and in furtherance of the interests of each other
20 defendant.

22 12. This court is the proper court in which to file suit because the misconduct of
23 defendants, and each of them, or the injury or damage to plaintiff caused thereby
24 occurred in its jurisdictional area. Plaintiff has exhausted all applicable administrative
25 remedies, claims, or other prerequisites for filing this action, or is excused from
26 complying with same.

28 13. At all times pertinent hereto, plaintiff has been employed by defendant City as a

1 firefighter with the LAFD. From the date and time that plaintiff was first employed by
2 defendant City, through the entire tenure of plaintiff's employment with defendant City,
3 plaintiff competently and properly performed all of the essential and other functions,
4 responsibilities, and obligations of plaintiff's employment with defendant City.
5

6 14. Plaintiff is a Captain 1 employed by defendant City and the LAFD assigned to
7 the B Platoon at LAFD Fire Station 17 located at 1616 Santa Fe Avenue, Los Angeles,
8 California.
9

10 15. On or about July 11, 2023, plaintiff performed a routine check of Fire Station 17
11 premises when he found an unlocked vehicle and an unsecured loaded firearm therein
12 in violation of *California Penal Code* §25140 and other state or federal statutes, or
13 violation of or noncompliance with one or more local, state, or federal rules or
14 regulations. Upon inquiry, plaintiff determined that Lalaind was responsible for the
15 unlocked vehicle and unsecured loaded firearm. Lalaind was and is as an arson
16 investigator employed by the LAFD, a sworn peace officer, a member of law
17 enforcement, and an active member and executive officer of Stentorians, an activist
18 organization whose stated agenda is the favoring in the treatment, recruiting, hiring, and
19 promoting of African Americans within the LAFD and the City. Plaintiff informed Lalaind
20 that having an unlocked vehicle and unsecured loaded firearm in or near the Fire
21 Station premises was dangerous and against protocol, and further that she should
22 always secure her vehicle and lock her firearm.
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25 16. Plaintiff thereafter consulted with multiple LAFD Captains and his LAFD Battalion
26 Commander. Plaintiff was then directed by the Battalion 1 Battalion Commander to
27 enter a summary of the events and circumstances set forth above into the LAFD
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1 Complaint Tracking System (“CTS”) including, *inter alia*, on or about July 15, 2023,
2 reporting and disclosing violations of LAFD Department Policies and Rules and
3 Regulations by Lalaind. In or around July 2023 and to the present and continuing,
4 Lalaind and the City harassed, discriminated against, and retaliated against plaintiff by,
5 *inter alia*, making false and malicious statements about him regarding illegal vehicle
6 search, theft, blackmail, extortion, racism, and sexism. Lalaind’s and the City’s
7 statements were made outside the scope of any privileged communications.
8

9
10 17. On or about July 28, 2023, plaintiff was notified via phone that he had been
11 detailed from his regular work assignment (Fire Station 17, B Platoon) to Fire Station
12 76, B Platoon, effective immediately, and was to report to the new work location on July
13 29, 2023. The LAFD Emergency Operations Commander and LAFD Professional
14 Standards Division Commander refused to explain (written or oral) the reason for the
15 immediate detail. The unjustified detail was and is an adverse employment action.
16

17 **FIRST CAUSE OF ACTION FOR**
18 **RETALIATION (LABOR CODE SECTION 1102.5)**
19 **(BY PLAINTIFF AGAINST DEFENDANT CITY)**
20

21 18. Plaintiff repeats and re-alleges each and every general allegation set forth above
22 and incorporate same by reference as though set forth fully herein.

23 19. Plaintiff disclosed or reported information to defendant City, the LAFD, the Los
24 Angeles Police Department (“LAPD”), or to other government and law enforcement
25 agencies, or to person(s) with authority over the plaintiff, or to other co-employee(s)
26 who had and have the authority to investigate, discover, or correct the violation or
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1 noncompliance, or provided information to or testified before, public body(s) conducting
2 an investigation, hearing, or inquiry, that plaintiff had reasonable cause to believe
3 disclosed one or more violations of state or federal statutes, or one or more violations of
4 or noncompliance with one or more local, state, or federal rules or regulations,
5 including, *inter alia*, violations of or conspiracies to violate *Government Code* §§ 3250,
6 et seq., *Government Code* §§ 12940, et seq., *Labor Code* § 1102.5, *California Penal*
7 *Code* §§ 25140, et seq., the *Constitution of the State of California*, Article I § 8,
8 *California Constitution*, Article I, § 31, federal civil rights laws including 42 *USC* §
9 2000e, et seq., and 42 *USC* § 12112(d)(4)(A), the First and Fourteenth Amendments to
10 the United States Constitution, Section 5(a)(1) of the *Occupational Safety and Health*
11 *Act of 1970* (OSHA standards for workplace safety from workplace violence) and other
12 violations of local, state, or federal statutes, codes, or regulations, committed by
13 Lalaind, the City, the City, and others. Said disclosures and reports are and remain a
14 contributing cause or factor for defendant City's engaging, *inter alia*, in actions and a
15 course or pattern of conduct that, taken as a whole, materially and adversely affected
16 and continue to affect the terms, conditions, or privileges of plaintiff's employment,
17 including a plethora of conduct that was and is reasonably likely to impair plaintiff's job
18 performance or prospects for advancement or promotion, including but not limited to: a)
19 subjecting plaintiff to adverse details or transfers; b) denying plaintiff coveted or
20 favorable job positions and assignments; c) subjecting plaintiff to ostracism; d) moving
21 plaintiff's work locations to less desirable work locations which impeded plaintiff's ability
22 to perform plaintiff's job duties; e) removing from plaintiff job responsibilities which
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1 would further plaintiff's career; f) knowingly making false, misleading or malicious
2 statements regarding plaintiff which were and are reasonably calculated to harm or
3 destroy the reputation, authority or official standing of the plaintiff; g) causing plaintiff to
4 sustain loss of wages, income, and other compensation; h) causing plaintiff to lose
5 opportunities to earn overtime compensation; i) denying plaintiff other compensation or
6 benefits; j) falsely accusing plaintiff of misconduct; k) making plaintiff the subject of
7 multiple unfounded charges subjecting plaintiff to specious, illegal, improper, and
8 unfounded internal and investigations; l) subjecting plaintiff to repeated violations of
9 *Government Code* §§3250 and 12940, et seq. and *Labor Code* § 1102.5; m) repeatedly
10 violations of the rules, regulations, policies, and procedures of defendant City or the
11 LAFD which were and are terms and conditions of plaintiff's employment; n) engaging
12 in a pattern of acts and conduct that collectively had a substantial and material adverse
13 effect on the terms, conditions, and privileges of plaintiff's employment and that
14 collectively were and are reasonably likely to impair plaintiff's job performance or
15 prospects for advancement in vocational, employment, and other opportunities; and o)
16 other actions having a substantial and material adverse effect on plaintiff's employment.
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21 20. A contributing cause or contributing factor for defendant City and the Los
22 Angeles Fire Department engaging in the foregoing adverse employment actions
23 against plaintiff was to retaliate for the plaintiff engaging in the protected activities of
24 disclosing or reporting information to defendant City, the LAFD, the LAPD, or other
25 government or law enforcement agencies, which the plaintiff had reasonable cause to
26 believe disclosed violations of state or federal statutes, or violations or noncompliance
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1 with local, state or federal rules or regulations, in violation of *Labor Code* § 1102.5, et
2 seq.

3
4 21. Defendant City and the LAFD further retaliated against plaintiff for refusing to
5 participate in activities that would result in violation of one of more state or federal
6 statutes, or a violation or noncompliance with one or more local, state or federal rules or
7 regulations.

8
9 22. Further, defendant City and the LAFD made, adopted, or enforced one or more
10 rules, regulations, or policies preventing plaintiff from disclosing or reporting information
11 to a government or law enforcement agency, to a person with authority over plaintiff, or
12 to another employee who has authority to investigate, discover, or correct the violation
13 or noncompliance, or from providing information to, or testifying before, one or more
14 public bodies conducting an investigation, hearing, or inquiry, that plaintiff had
15 reasonable cause to believe that the information disclosed or reported a violation of
16 one or more state or federal statutes, or a violation of or noncompliance with one or
17 more local, state, or federal rules or regulations.

18
19 23. *Labor Code* § 1102.5 and Government Code §§ 3250, et seq. set forth
20 fundamental public policies which protect employees in the State of California from
21 being subjected to retaliation and adverse employment actions based upon the
22 protected classes, activities, and conduct set forth therein. During the term of plaintiff's
23 employment, plaintiff was subjected and continue to be subjected to retaliation based
24 upon plaintiff's activities and conduct protected by *Labor Code* § 1102.5 and
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1 loss, or harm.

2 24. As a legal result of the above-described conduct of defendant City, plaintiff has
3 sustained and will continue to sustain physical, mental, and emotional injuries, pain,
4 distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
5 mortification, injured feelings, mental suffering, shock, humiliation and indignity, as well
6 as other unpleasant physical, mental, and emotional reactions, damages to good name,
7 reputation, standing in the community, and other non-economic damages.
8

9 25. As a further legal result of the above-described conduct of defendant City,
10 plaintiff was required, or in the future may be required, to engage the services of health
11 care providers, and incurred expenses for medicines, health care appliances,
12 modalities, or other related expenses in a sum to be ascertained according to proof.
13

14 26. As a further legal result of the above-described conduct of defendant City,
15 plaintiff were or may be hindered, prevented, or precluded from performing plaintiff's
16 usual activities, school work, education, and occupation, causing the plaintiff to sustain
17 damages for loss of income, wages, earning, and earning capacity, and other economic
18 damages, in an amount to be ascertained according to proof.
19

20 27. As a further legal result of the above-described conduct of defendant City,
21 plaintiff suffered incidental, consequential, or special damages, in an amount according
22 to proof.
23

24 28. As a further legal result of the above-described conduct of defendant City,
25 plaintiff have and will continue to incur attorneys' fees and costs in an amount according
26 to proof.
27

1 **SECOND CAUSE OF ACTION FOR DISPARATE TREATMENT DISCRIMINATION IN**
2 **VIOLATION OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**

3
4 **BASED ON SEX OR GENDER**

5 **(BY PLAINTIFF AGAINST DEFENDANT CITY OF LOS ANGELES)**

6 29. Plaintiff repeats and re-alleges each and every general allegation set forth
7 above, and incorporates same by reference as though set forth fully herein.

8
9 30. At all times relevant hereto, plaintiff was a male firefighter employed by the
10 defendant City.

11 31. At all times relevant hereto, plaintiff was a member of protected class as a male.

12 32. Plaintiff's sex or gender as a male was a substantial motivating reason for
13 defendant City discriminating against plaintiff and perpetrating the adverse employment
14 actions taken against him in violation of the California Fair Employment and Housing
15 Act.
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17 33. The defendant City subjected plaintiff to adverse employment actions, including,
18 *inter alia*: engaging, *inter alia*, in actions and a course or pattern of conduct that, taken
19 as a whole, materially and adversely affected and continue to affect the terms,
20 conditions, or privileges of plaintiff's employment, including a plethora of conduct that
21 was and is reasonably likely to impair plaintiff's job performance or prospects for
22 advancement or promotion, including but not limited to: a) subjecting plaintiff to adverse
23 details or transfers; b) denying plaintiff coveted or favorable job positions and
24 assignments; c) subjecting plaintiff to ostracism; d) moving plaintiff's work locations to
25 less desirable work locations which impeded plaintiff's ability to perform plaintiff's job
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1 duties; e) removing from plaintiff job responsibilities which would further plaintiff's
2 career; f) knowingly making false, misleading or malicious statements regarding plaintiff
3 which were and are reasonably calculated to harm or destroy the reputation, authority
4 or official standing of the plaintiff; g) causing plaintiff to sustain loss of wages, income,
5 and other compensation; h) causing plaintiff to lose opportunities to earn overtime
6 compensation; i) denying plaintiff other compensation or benefits; j) falsely accusing
7 plaintiff of misconduct; k) making plaintiff the subject of multiple unfounded charges
8 subjecting plaintiff to specious, illegal, improper, and unfounded internal and
9 investigations; l) subjecting plaintiff to repeated violations of *Government Code* §§3250
10 and 12940, et seq. and *Labor Code* § 1102.5; m) repeatedly violating the rules,
11 regulations, policies, and procedures of defendant City or the LAFD which were and are
12 terms and conditions of plaintiff's employment; n) engaging in a pattern of acts and
13 conduct that collectively had a substantial and material adverse effect on the terms,
14 conditions, and privileges of his employment and that collectively were and are
15 reasonably likely to impair plaintiff's job performance or prospects for advancement in
16 vocational, employment, and other opportunities; and o) other actions having a
17 substantial and material adverse effect on plaintiff's employment.

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22 34. The aforementioned unlawful employment practices on the part of defendant City
23 were a substantial factor in causing plaintiff to suffer, and to continue to suffer, injury,
24 damage, loss, or harm.

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26 35. As a legal result of the above-described conduct of the defendant City, plaintiff
27 has sustained and will continue to sustain physical, mental, and emotional injuries,
28 pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,

1 mortification, injured feelings, shock, humiliation and indignity, as well as other
2 unpleasant physical, mental, and emotional reactions, damages to good name,
3 standing in the community, loss of or damage to reputation, and other non-economic or
4 general damages in an amount to be ascertained according to proof.

5
6 36. As a further legal result of the above-described conduct of the defendant City,
7 plaintiff was required, or in the future may be required, to engage the services of health
8 care providers, and incurred expenses for medicines, health care appliances,
9 modalities, or other related expenses in an amount to be ascertained according to
10 proof.
11

12 37. As a further legal result of the above-described conduct of the defendant City,
13 plaintiff has suffered and will continue to suffer loss of income, wages, earnings,
14 earning capacity, loss of or impairment of plaintiff's ability to promote, loss of or
15 impairment of plaintiff's ability to obtain employment, and other economic loss in an
16 amount to be ascertained according to proof.
17

18 38. As a further legal result of the above-described conduct of the defendant City,
19 plaintiff was or may be hindered, prevented, or precluded from performing plaintiff's
20 usual activities, school work, education, and occupation, causing plaintiff to sustain
21 damages for loss of income, wages, earning, and earning capacity, and other economic
22 damages, in an amount to be ascertained according to proof.
23

24 39. As a further legal result of the above-described conduct of the defendant City,
25 plaintiff suffered incidental, consequential, or special damages, in an amount to be
26 ascertained according to proof.
27

28 40. As a further legal result of the above-described conduct of the defendant City,

1 plaintiff has and will sustain attorneys' fees and costs in an amount to be ascertained
2 according to proof.

3
4 41. As a further legal result of the above-described conduct of the defendant City,
5 plaintiff seeks and is entitled to prejudgment interest in an amount to be ascertained
6 according to proof pursuant to *California Civil Code* § 3287 or any other provision of law
7 providing for prejudgment interest.

8 **THIRD CAUSE OF ACTION FOR DISPARATE TREATMENT DISCRIMINATION IN**

9 **VIOLATION OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**

10 **BASED ON RACE OR COLOR**

11 **(BY PLAINTIFF AGAINST DEFENDANT CITY OF LOS ANGELES)**

12
13 42. Plaintiff repeats and re-alleges each and every general allegation set forth
14 above, and incorporates same by reference as though set forth fully herein.

15
16 43. At all times relevant hereto, plaintiff was a white Caucasian firefighter employed
17 by the defendant City.

18
19 44. At all times relevant hereto, plaintiff was a member of protected class as a white
20 Caucasian.

21
22 45. Plaintiff's race or color as a white Caucasian was a substantial motivating reason
23 for defendant City discriminating against plaintiff and perpetrating the adverse
24 employment actions taken against him in violation of the California Fair Employment
25 and Housing Act.

26
27 46. The defendant City subjected plaintiff to adverse employment actions, including,
28 *inter alia*: engaging in actions and a course or pattern of conduct that, taken as a

1 whole, materially and adversely affected and continue to affect the terms, conditions, or
2 privileges of plaintiff's employment, including a plethora of conduct that was and is
3 reasonably likely to impair plaintiff's job performance or prospects for advancement or
4 promotion, including but not limited to: a) subjecting plaintiff to adverse details or
5 transfers; b) denying plaintiff coveted or favorable job positions and assignments; c)
6 subjecting plaintiff to ostracism; d) moving plaintiff's work locations to less desirable
7 work locations which impeded plaintiff's ability to perform plaintiff's job duties; e)
8 removing from plaintiff job responsibilities which would further plaintiff's career; f)
9 knowingly making false, misleading or malicious statements regarding plaintiff which
10 were and are reasonably calculated to harm or destroy the reputation, authority or
11 official standing of the plaintiff; g) causing plaintiff to sustain loss of wages, income, and
12 other compensation; h) causing plaintiff to lose opportunities to earn overtime
13 compensation; i) denying plaintiff other compensation or benefits; j) falsely accusing
14 plaintiff of misconduct; k) making plaintiff the subject of multiple unfounded charges
15 subjecting plaintiff to specious, illegal, improper, and unfounded internal and
16 investigations; l) subjecting plaintiff to repeated violations of *Government Code* §§3250
17 and 12940, et seq. and *Labor Code* § 1102.5; m) repeatedly violating the rules,
18 regulations, policies, and procedures of defendant City or the LAFD which were and are
19 terms and conditions of plaintiff's employment; n) engaging in a pattern of acts and
20 conduct that collectively had a substantial and material adverse effect on the terms,
21 conditions, and privileges of his employment and that collectively were and are
22 reasonably likely to impair plaintiff's job performance or prospects for advancement in
23 vocational, employment, and other opportunities; and o) other actions having a
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1 substantial and material adverse effect on plaintiff's employment.

2 47. The aforementioned unlawful employment practices on the part of defendant City
3 were a substantial factor in causing plaintiff to suffer, and to continue to suffer, injury,
4 damage, loss, or harm.
5

6 48. As a legal result of the above-described conduct of the defendant City, plaintiff
7 has sustained and will continue to sustain physical, mental, and emotional injuries,
8 pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
9 mortification, injured feelings, shock, humiliation and indignity, as well as other
10 unpleasant physical, mental, and emotional reactions, damages to good name,
11 standing in the community, loss of or damage to reputation, and other non-economic or
12 general damages in an amount to be ascertained according to proof.
13

14 49. As a further legal result of the above-described conduct of the defendant City,
15 plaintiff was required, or in the future may be required, to engage the services of health
16 care providers, and incurred expenses for medicines, health care appliances,
17 modalities, or other related expenses in an amount to be ascertained according to
18 proof.
19

20 50. As a further legal result of the above-described conduct of the defendant City,
21 plaintiff has suffered and will continue to suffer loss of income, wages, earnings,
22 earning capacity, loss of or impairment of plaintiff's ability to promote, loss of or
23 impairment of plaintiff's ability to obtain employment, and other economic loss in an
24 amount to be ascertained according to proof.
25

26 51. As a further legal result of the above-described conduct of the defendant City,
27 plaintiff was or may be hindered, prevented, or precluded from performing plaintiff's
28

1 usual activities, school work, education, and occupation, causing plaintiff to sustain
2 damages for loss of income, wages, earning, and earning capacity, and other economic
3 damages, in an amount to be ascertained according to proof.
4

5 52. As a further legal result of the above-described conduct of the defendant City,
6 plaintiff suffered incidental, consequential, or special damages, in an amount to be
7 ascertained according to proof.

8 53. As a further legal result of the above-described conduct of the defendant City,
9 plaintiff has and will sustain attorneys' fees and costs in an amount to be ascertained
10 according to proof.
11

12 54. As a further legal result of the above-described conduct of the defendant City,
13 plaintiff seeks and is entitled to prejudgment interest in an amount to be ascertained
14 according to proof pursuant to *California Civil Code* § 3287 or any other provision of law
15 providing for prejudgment interest.
16

17 **FOURTH CAUSE OF ACTION FOR DISPARATE IMPACT**

18 **DISCRIMINATION BASED ON SEXUAL OR GENDER IN VIOLATION OF THE**

19 **CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**

20 **(BY PLAINTIFF AGAINST DEFENDANT CITY OF LOS ANGELES)**

21
22 55. Plaintiff repeats and re-alleges each and every general allegation set forth
23 above, and incorporates same by reference as though set forth fully herein.

24 56. At all times relevant hereto, Lalaïnd was a female with the rank of arson
25 investigator/firefighter III employed by the defendant City.
26

27 57. At all times relevant hereto, plaintiff was a male firefighter with the rank of
28

1 Captain 1 employed by the defendant City.

2 58. On or about December 24, 2003, the defendant City enacted Los Angeles City
3 Ordinance 175735, which provides in pertinent part that the defendant City would adopt
4 polices, practices, and procedure regarding persons of female sex or gender as follows:
5

6 (a) the right to the same employment opportunities, including the application of the
7 same criteria for selection in matters of employment and the right to receive access
8 to and vocational training for nontraditional jobs;
9

10 (b) the right to promotion, job security and all benefits and conditions of service,
11 regardless of parental status, particularly encouraging the appointment of women to
12 decision-making posts, city revenue generating and managing commissions and
13 departments.
14

15 59. On or about August 26, 2015, the Mayor of defendant City issued Executive
16 Directive 11, in which the Mayor ordered agents or employees of defendant City in
17 pertinent part as follows:

18 "Each General Manager or Head of Department Office shall designate a Gender
19 Equity Liaison for the Department Office, and shall notify my Office of that
20 person's name and contact information (including when there is a subsequent
21 personnel change or change to that person's contact information).
22

23 I hereby create the Gender Equity Coalition, which shall be comprised of the
24 departmental Gender Equity Liaisons and representatives from, and designated
25 by, my Office. Each General Manager or Head of Department Office shall ensure
26 departmental Gender Equity Liaison representation at regular Gender Equity
27 Coalition meetings held by my Office.
28

1 The Gender Equity Coalition shall:
2 coordinate with the Commission on the Status of Women to fulfill the City's
3 responsibilities under the City's CEDAW ordinance;
4
5 review and monitor all plans and dashboards required by this Executive
6 Directive;
7 identify additional goals and critical areas that require focus, including
8 targeting women from particularly vulnerable groups such as transgender
9 women, women living with HIV/AIDS, undocumented women, lesbians,
10 women of color, seniors, and young women and girls; and
11
12 form working groups as necessary to achieve specific results that will lead to
13 greater gender parity.

14 By February 1, 2016, each General Manager or Head of Department Office shall
15 submit to my Office a Gender Equity Action Plan to implement a gender-equity
16 strategy that:

17
18 upholds an inclusive work environment that promotes fairness and fosters the
19 equal participation of women in leadership positions at all levels;

20
21 tracks recruitment in fields where women remain under represented (such as
22 public safety, science, technology, engineering, and mathematics) and addresses such
23 under representation;

24
25 tracks contracts and promotes ways to ensure equal contracting opportunities
26 for women-owned business enterprises;

27
28 evaluates City services to discover ways to increase gender parity and to
promote equal opportunities for, and the advancement of, women and girls;

1 provides any raw data regarding sex and gender on the City's open-data
2 portal;
3 identifies and develops baseline metrics regarding the status of women and
4 girls in relation to the Department Office; and
5 publishes to my Office's online Gender Equity Dashboard metrics and indicators
6 related to the status of women and girls.
7

8 The General Manager of the Personnel Department and the City Administrative
9 Officer collaboratively shall conduct salary analyses on an as-needed basis to
10 ensure that there is no gender wage gap between City employees holding comparable
11 positions. All other General Managers, Heads of Departments Offices, and
12 Commissions of City Government shall ensure the cooperation of their
13 Departments/Offices/Commissions with these tasks.”
14

15
16 60. On or about July 18, 2016, the Fire Chief of the LAFD issued a Gender Equity
17 Action Report, which provided in pertinent part as follows:

18 “For every 250 available firefighter positions, the Department receives between
19 10,000 to 12,000 applicants.” Outreach and Mentoring Goals for the 2016 fiscal
20 year: ...
21

22 **The Preparatory Unit to train and mentor at least 250 new (female)**
23 **candidates.”** (Emphasis added.)”

24 61. The Gender Equity Action Report, also provided in pertinent part that the LAFD
25 implemented and utilized written testing using a “Stratified Random Sampling” (SRS) of
26 candidates to occur after passing the written exam versus prior to taking the written
27 exam, which involved an alleged random sampling from the applicant pool to produce a
28

1 smaller group of applicants that is demographically proportionate to the original pool of
2 applicants. **For example, if 10% of the applicants are female then 10% will be**
3 **invited to interview from the female group of applicants.”** (Emphasis added.)
4

5 62. The defendant City and the LAFD have illegally and improperly implemented and
6 utilized Los Angeles City Ordinance 175735, Executive Directive 11, and the LAFD’s
7 Gender Equity Action Report and other alleged “gender equity” policies, procedures,
8 and protocols to engage in a systematic pattern of harassment, discrimination, and
9 retaliation against male firefighters employed by the LAFD, including plaintiff, and
10 others.
11

12 63. The Los Angeles Women in the Fire Service was and are an activist organization
13 comprised almost exclusively of female firefighters whose stated agenda is to advocate
14 for the recruitment, hiring, and promotion of females to command staff and other
15 positions in the LAFD. The stated agenda of the Los Angeles Women in the Fire
16 Service is to implement the LAFD’s Affirmative Action program disparately
17 discriminating in favor of females in the recruitment, hiring, and promotion of females.
18 The Los Angeles Women in the Fire Service had and has extensive influence in regard
19 to issues regarding the LAFD, including recruitment, promotional and, disciplinary
20 matters, and substantial access to and influence with the Mayor, City Council, and other
21 officials of the City, including Kristin Crowley, the current Fire Chief of the LAFD, and
22 other members of the LAFD Command Staff.
23
24

25 64. Upon information and belief, Lalaind was or is a member of the Los Angeles
26 Women in the Fire Service or is associated therewith. Upon information and belief,
27 multiple command staff members and others involved with the matters and issues
28

1 regarding Lalaind and plaintiff are members of the Los Angeles Women in the Fire
2 Service or are associated therewith, including, *inter alia*, Fire Chief Kristin Crowley,
3 former Assistant Chief and commanding officer of the LAFD Professional Standards
4 Division (“PSD”) and now Deputy Chief Kristina Kepner, and other members of the
5 LAFD, and engaged in harassing, discriminatory, or retaliatory conduct in favor of
6 Lalaind, a female, and against plaintiff, a male.

8 65. Lalaind’s sex or gender as a female was a substantial motivating reason for
9 defendant City engaging in favoritism in favor of Lalaind based upon Lalaind’s sex or
10 gender and have and will continue to have a discriminatory impact against plaintiff, a
11 male, including, *inter alia*, the perpetrating of the adverse employment actions taken
12 against plaintiff in violation of the California Fair Employment and Housing Act.

14 66. The discrimination and harassment based upon sexual or gender favoritism in
15 favor of female employees of the LAFD and the City in the workplace was and is severe
16 or pervasive. A reasonable male in plaintiff’s circumstances would have considered
17 and continued to consider the work environment to be hostile, intimidating, offensive,
18 oppressive, or abusive because of the sexual or gender favoritism. Plaintiff considered
19 and considers the work environment to be hostile, intimidating, offensive, oppressive, or
20 abusive because of the sexual or gender favoritism. The City participated in, assisted
21 or encouraged the sexual or gender favoritism.

24 67. As a result of the above disparate impact of the ordinances, executive directives.
25 and “gender equity” policies, procedures, protocols of defendant City favoring females
26 based on sex or gender, defendant City subjected plaintiff to adverse employment
27 actions, including, *inter alia*, in actions and a course or pattern of conduct that, taken as
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1 a whole, materially and adversely affected and continue to affect the terms, conditions,
2 or privileges of plaintiff's employment, including a plethora of conduct that was and is
3 reasonably likely to impair plaintiff's job performance or prospects for advancement or
4 promotion, including but not limited to: a) subjecting plaintiff to adverse details or
5 transfers; b) denying plaintiff coveted or favorable job positions and assignments; c)
6 subjecting plaintiff to ostracism; d) moving plaintiff's work locations to less desirable
7 work locations which impeded plaintiff's ability to perform plaintiff's job duties; e)
8 removing from plaintiff job responsibilities which would further plaintiff's career; f)
9 knowingly making false, misleading or malicious statements regarding plaintiff which
10 were and are reasonably calculated to harm or destroy the reputation, authority or
11 official standing of the plaintiff; g) causing plaintiff to sustain loss of wages, income, and
12 other compensation; h) causing plaintiff to lose opportunities to earn overtime
13 compensation; i) denying plaintiff other compensation or benefits; j) falsely accusing
14 plaintiff of misconduct; k) making plaintiff the subject of multiple unfounded charges
15 subjecting plaintiff to specious, illegal, improper, and unfounded internal and
16 investigations; l) subjecting plaintiff to repeated violations of *Government Code* §§3250
17 and 12940, et seq. and *Labor Code* § 1102.5; m) repeatedly violating the rules,
18 regulations, policies, and procedures of defendant City or the LAFD which were and are
19 terms and conditions of plaintiff's employment; n) engaging in a pattern of acts and
20 conduct that collectively had a substantial and material adverse effect on the terms,
21 conditions, and privileges of his employment and that collectively were and are
22 reasonably likely to impair plaintiff's job performance or prospects for advancement in
23 vocational, employment, and other opportunities; and o) other actions having a
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1 substantial and material adverse effect on plaintiff's employment.

2 68. The aforementioned unlawful employment practices on the part of defendant City
3 were a substantial factor in causing plaintiff to suffer, and to continue to suffer, injury,
4 damage, loss, or harm.
5

6 69. As a legal result of the above-described conduct of the defendant City, plaintiff
7 has sustained and will continue to sustain physical, mental, and emotional injuries,
8 pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
9 mortification, injured feelings, shock, humiliation and indignity, as well as other
10 unpleasant physical, mental, and emotional reactions, damages to good name,
11 standing in the community, loss of or damage to reputation, and other non-economic or
12 general damages in an amount to be ascertained according to proof.
13

14 70. As a further legal result of the above-described conduct of the defendant City,
15 plaintiff was required, or in the future may be required, to engage the services of health
16 care providers, and incurred expenses for medicines, health care appliances,
17 modalities, or other related expenses in an amount to be ascertained according to
18 proof.
19

20 71. As a further legal result of the above-described conduct of the defendant City,
21 plaintiff has suffered and will continue to suffer loss of income, wages, earnings,
22 earning capacity, loss of or impairment of plaintiff's ability to promote, loss of or
23 impairment of plaintiff's ability to obtain employment, and other economic loss in an
24 amount to be ascertained according to proof.
25

26 72. As a further legal result of the above-described conduct of the defendant City,
27 plaintiff was or may be hindered, prevented, or precluded from performing plaintiff's
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1 usual activities, school work, education, and occupation, causing plaintiff to sustain
2 damages for loss of income, wages, earning, and earning capacity, and other economic
3 damages, in an amount to be ascertained according to proof.
4

5 73. As a further legal result of the above-described conduct of the defendant City,
6 plaintiff suffered incidental, consequential, or special damages, in an amount to be
7 ascertained according to proof.

8 74. As a further legal result of the above-described conduct of the defendant City,
9 plaintiff has and will sustain attorneys' fees and costs in an amount to be ascertained
10 according to proof.
11

12 75. As a further legal result of the above-described conduct of the defendant City,
13 plaintiff seeks and is entitled to prejudgment interest in an amount to be ascertained
14 according to proof pursuant to *California Civil Code* § 3287 or any other provision of law
15 providing for prejudgment interest.
16

17 **SIXTH CAUSE OF ACTION FOR DISPARATE IMPACT DISCRIMINATION IN**
18 **VIOLATION OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**
19
20 **BASED ON RACE OR COLOR**
21 **(BY PLAINTIFF AGAINST DEFENDANT CITY OF LOS ANGELES)**

22 76. Plaintiff repeats and re-alleges each and every general allegation set forth
23 above, and incorporates same by reference as though set forth fully herein.

24 77. At all times relevant hereto, plaintiff was a white Caucasian firefighter employed
25 by the defendant City.
26

27 78. At all times relevant hereto, plaintiff was a member of a protected class as a
28

1 white Caucasian.

2 79. The Stentorians are an activist organization comprised almost exclusively of
3 African American firefighters whose stated agenda is to advocate for the recruitment
4 and promotion of African Americans to command staff and other positions in the Los
5 Angeles City and County Fire Departments. The logo of the Stentorians is a flaming
6 black fist clutching an axe. The Stentorians had and have extensive political influence
7 with the defendant City of Los Angeles and the LAFD, and substantial access to and
8 influence with the Mayor, City Council, and other officials of the City of Los Angeles.
9 Four of the previous five Fire Chiefs of the LAFD have been African American black
10 members of the Stentorians. Upon information and belief, the current LAFD Fire Chief
11 is also a member of the Stentorians. No other racial or ethnic association has more
12 influence in regard to issues regarding the LAFD, including recruitment, promotional
13 and, disciplinary matters, and access to and influence with, the Mayor, City Council,
14 and other officials of the City of Los Angeles, including Kristin Crowley, the current Fire
15 Chief of the LAFD, and other members of the LAFD Command Staff, regarding such
16 matters than the Stentorians. Upon information and belief, the defendant City of Los
17 Angeles and the LAFD gave or otherwise provided the Stentorians with former LAFD
18 Fire Station 46 and later former LAFD Fire Station 30 to be used as the headquarters of
19 the Stentorians.
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24 80. Lalaind was and is a member of the Stentorians and an executive officer of the
25 Stentorians. Upon information and belief, multiple command staff members involved
26 with the matters and issues regarding Lalaind and plaintiff are members of the
27 Stentorians or are associated therewith, and engaged in harassing, discriminatory, or
28

1 retaliatory conduct in favor of Lalaind, a black African American, and against plaintiff, a
2 white Caucasian.

3
4 81. The LAFD and the City had and has employment policies and practices favoring
5 African Americans and blacks, including alleged diversity, equity, and inclusion policies
6 and practices, that had a disproportionate adverse impact and effect on white
7 Caucasians, such as plaintiff. Plaintiff was harmed by those employment policies and
8 practices, and the LAFD and the City's discriminatory employment policies, practices,
9 protocols based on "racial equity" were and are a substantial factor in causing plaintiff
10 harm.
11

12 82. Lalaind's race or color as a black African American was a substantial motivating
13 reason for defendant City engaging in racially discriminatory favoritism in favor of
14 Lalaind based upon Lalaind's race or color and have had and will continue to have a
15 discriminatory impact against plaintiff, a white Caucasian, including, *inter alia*, the
16 perpetrating of the adverse employment actions taken against plaintiff in violation of
17 the California Fair Employment and Housing Act.
18

19 83. The discrimination and harassment based upon racial favoritism or color in favor
20 of African American or black employees of the LAFD and the City in the workplace was
21 and is severe or pervasive. A reasonable white Caucasian person in plaintiff's
22 circumstances would have considered and continued to consider the work environment
23 to be hostile, intimidating, offensive, oppressive, or abusive because of the racial or
24 color favoritism. Plaintiff considered and considers the work environment to be hostile,
25 intimidating, offensive, oppressive, or abusive because of the racial or color favoritism.
26
27
28 The City participated in, assisted or encouraged the racial or color favoritism.

1 84. Lailand's race or color as a black African American was a substantial motivating
2 reason for defendant City discriminating against plaintiff and perpetrating the adverse
3 employment actions taken against him in violation of the California Fair Employment
4 and Housing Act.
5

6 85. The defendant City subjected plaintiff to adverse employment actions, including,
7 *inter alia*: engaging in actions and a course or pattern of conduct that, taken as a
8 whole, materially and adversely affected and continue to affect the terms, conditions, or
9 privileges of plaintiff's employment, including a plethora of conduct that was and is
10 reasonably likely to impair plaintiff's job performance or prospects for advancement or
11 promotion, including but not limited to: a) subjecting plaintiff to adverse details or
12 transfers; b) denying plaintiff coveted or favorable job positions and assignments; c)
13 subjecting plaintiff to ostracism; d) moving plaintiff's work locations to less desirable
14 work locations which impeded plaintiff's ability to perform plaintiff's job duties; e)
15 removing from plaintiff job responsibilities which would further plaintiff's career; f)
16 knowingly making false, misleading or malicious statements regarding plaintiff which
17 were and are reasonably calculated to harm or destroy the reputation, authority or
18 official standing of the plaintiff; g) causing plaintiff to sustain loss of wages, income, and
19 other compensation; h) causing plaintiff to lose opportunities to earn overtime
20 compensation; i) denying plaintiff other compensation or benefits; j) falsely accusing
21 plaintiff of misconduct; k) making plaintiff the subject of multiple unfounded charges
22 subjecting plaintiff to specious, illegal, improper, and unfounded internal and
23 investigations; l) subjecting plaintiff to repeated violations of *Government Code* §§3250
24 and 12940, et seq. and *Labor Code* § 1102.5; m) repeatedly violating the rules,
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1 regulations, policies, and procedures of defendant City or the LAFD which were and are
2 terms and conditions of plaintiff's employment; n) engaging in a pattern of acts and
3 conduct that collectively had a substantial and material adverse effect on the terms,
4 conditions, and privileges of his employment and that collectively were and are
5 reasonably likely to impair plaintiff's job performance or prospects for advancement in
6 vocational, employment, and other opportunities; and o) other actions having a
7 substantial and material adverse effect on plaintiff's employment.
8

9
10 86. The aforementioned unlawful employment practices on the part of defendant City
11 were a substantial factor in causing plaintiff to suffer, and to continue to suffer, injury,
12 damage, loss, or harm.

13 87. As a legal result of the illegal and other misconduct of Lalaind, the City, and
14 others, plaintiff was subjected to a pattern of adverse employment actions, including,
15 *inter alia*: a) subjecting plaintiff to adverse details or transfers; b) denying plaintiff
16 coveted or favorable job positions and assignments; c) subjecting plaintiff to ostracism;
17 d) moving plaintiff's work locations to less desirable work locations which impeded
18 plaintiff's ability to perform plaintiff's job duties; e) removing from plaintiff job
19 responsibilities which would further plaintiff's career; f) knowingly making false,
20 misleading or malicious statements regarding plaintiff which were and are reasonably
21 calculated to harm or destroy the reputation, authority or official standing of the plaintiff;
22 g) causing plaintiff to sustain loss of wages, income, and other compensation; h)
23 causing plaintiff to lose opportunities to earn overtime compensation; i) denying plaintiff
24 other compensation or benefits; j) falsely accusing plaintiff of misconduct; k) making
25 plaintiff the subject of multiple unfounded charges subjecting plaintiff to specious,
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1 illegal, improper, and unfounded internal and investigations; l) subjecting plaintiff to
2 repeated violations of *Government Code* §§3250 and 12940, et seq. and *Labor Code* §
3 1102.5; m) repeatedly violating the rules, regulations, policies, and procedures of
4 defendant City or the LAFD which were and are terms and conditions of plaintiff's
5 employment; n) engaging in a pattern of acts and conduct that collectively had a
6 substantial and material adverse effect on the terms, conditions, and privileges of his
7 employment and that collectively were and are reasonably likely to impair plaintiff's job
8 performance or prospects for advancement in vocational, employment, and other
9 opportunities; and o) other actions having a substantial and material adverse effect on
10 plaintiff's employment.

11
12
13 88. A contributing cause/factor/motivating reason for the LAFD and the City
14 engaging in the foregoing adverse employment actions against complainant was the
15 disparate impact on complainant and other white Caucasians caused by employment
16 policies, practices, protocols regarding "racial equity" that the LAFD and the City have
17 implemented and executed that have the disparate impact of discriminating against
18 plaintiff and other white Caucasians. The LAFD and the City had and has employment
19 policies and practices favoring African Americans and blacks, including alleged
20 diversity, equity, and inclusion policies and practices, that had and have a
21 disproportionate adverse impact and effect on white Caucasians, including plaintiff.
22 The LAFD and the City's employment policies and practices were and are a substantial
23 factor in causing harm to plaintiff.

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27 89. As a legal result of the above-described conduct of the defendant City, plaintiff
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1 has sustained and will continue to sustain physical, mental, and emotional injuries,
2 pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
3 mortification, injured feelings, shock, humiliation and indignity, as well as other
4 unpleasant physical, mental, and emotional reactions, damages to good name,
5 standing in the community, loss of or damage to reputation, and other non-economic or
6 general damages in an amount to be ascertained according to proof.

8 90. As a further legal result of the above-described conduct of the defendant City,
9 plaintiff was required, or in the future may be required, to engage the services of health
10 care providers, and incurred expenses for medicines, health care appliances,
11 modalities, or other related expenses in an amount to be ascertained according to
12 proof.

14 91. As a further legal result of the above-described conduct of the defendant City,
15 plaintiff has suffered and will continue to suffer loss of income, wages, earnings,
16 earning capacity, loss of or impairment of plaintiff's ability to promote, loss of or
17 impairment of plaintiff's ability to obtain employment, and other economic loss in an
18 amount to be ascertained according to proof.

20 92. As a further legal result of the above-described conduct of the defendant City,
21 plaintiff was or may be hindered, prevented, or precluded from performing plaintiff's
22 usual activities, school work, education, and occupation, causing plaintiff to sustain
23 damages for loss of income, wages, earning, and earning capacity, and other economic
24 damages, in an amount to be ascertained according to proof.

26 93. As a further legal result of the above-described conduct of the defendant City,
27 plaintiff suffered incidental, consequential, or special damages, in an amount to be
28

1 ascertained according to proof.

2 94. As a further legal result of the above-described conduct of the defendant City,
3 plaintiff has and will sustain attorneys' fees and costs in an amount to be ascertained
4 according to proof.
5

6 95. As a further legal result of the above-described conduct of the defendant City,
7 plaintiff seeks and is entitled to prejudgment interest in an amount to be ascertained
8 according to proof pursuant to *California Civil Code* § 3287 or any other provision of law
9 providing for prejudgment interest.
10

11 **SEVENTH CAUSE OF ACTION FOR RETALIATION IN VIOLATION OF THE**
12 **CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**
13 **(BY PLAINTIFF AGAINST DEFENDANT CITY OF LOS ANGELES)**
14

15 96. Plaintiff repeats and re-alleges each and every general allegation set forth
16 above, and incorporates same by reference as though set forth fully herein.

17 97. At all times relevant hereto, plaintiff engaged in legally protected activities,
18 including, *inter alia*, opposing practices forbidden by the California Fair Employment
19 and Housing Act or because plaintiff had filed or made complaints, testified in, or
20 assisted in proceedings under the California Fair Employment and Housing Act.
21

22 98. Plaintiff's engaging in the protected activities of, *inter alia*, opposing practices
23 forbidden by the California Fair Employment and Housing Act or because plaintiff had
24 filed or made complaints, testified in, or assisted in proceedings under the California
25 Fair Employment and Housing Act were and are a substantial motivating reason for
26 defendant City retaliating against plaintiff and perpetrating the adverse employment
27
28

1 actions taken against plaintiff.

2 99. The defendant City subjected plaintiff to adverse employment actions, including,
3 *inter alia*: a) subjecting plaintiff to adverse details or transfers; b) denying plaintiff
4 coveted or favorable job positions and assignments; c) subjecting plaintiff to ostracism;
5 d) moving plaintiff's work locations to less desirable work locations which impeded
6 plaintiff's ability to perform plaintiff's job duties; e) removing from plaintiff job
7 responsibilities which would further plaintiff's career; f) knowingly making false,
8 misleading or malicious statements regarding plaintiff which were and are reasonably
9 calculated to harm or destroy the reputation, authority or official standing of the plaintiff;
10 g) causing plaintiff to sustain loss of wages, income, and other compensation; h)
11 causing plaintiff to lose opportunities to earn overtime compensation; i) denying plaintiff
12 other compensation or benefits; j) falsely accusing plaintiff of misconduct; k) making
13 plaintiff the subject of multiple unfounded charges subjecting plaintiff to specious,
14 illegal, improper, and unfounded internal and investigations; l) subjecting plaintiff to
15 repeated violations of *Government Code* §§3250 and 12940, et seq. and *Labor Code* §
16 1102.5; m) repeatedly violating the rules, regulations, policies, and procedures of
17 defendant City or the LAFD which were and are terms and conditions of plaintiff's
18 employment; n) engaging in a pattern of acts and conduct that collectively had a
19 substantial and material adverse effect on the terms, conditions, and privileges of his
20 employment and that collectively were and are reasonably likely to impair plaintiff's job
21 performance or prospects for advancement in vocational, employment, and other
22 opportunities; and o) other actions having a substantial and material adverse effect on
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1 plaintiff's employment.

2 100. The aforementioned unlawful employment practices on the part of
3 defendant City were a substantial factor in causing plaintiff to suffer, and to continue to
4 suffer, injury, damage, loss, or harm.
5

6 101. As a legal result of the above-described conduct of the defendant City, plaintiff
7 has sustained and will continue to sustain physical, mental, and emotional injuries,
8 pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
9 mortification, injured feelings, shock, humiliation and indignity, as well as other
10 unpleasant physical, mental, and emotional reactions, damages to good name,
11 standing in the community, loss of or damage to reputation, and other non-economic or
12 general damages in an amount to be ascertained according to proof.
13

14 102. As a further legal result of the above-described conduct of the defendant City,
15 plaintiff was required, or in the future may be required, to engage the services of health
16 care providers, and incurred expenses for medicines, health care appliances,
17 modalities, or other related expenses in an amount to be ascertained according to
18 proof.
19

20 103. As a further legal result of the above-described conduct of the defendant City,
21 plaintiff has suffered and will continue to suffer loss of income, wages, earnings,
22 earning capacity, loss of or impairment of plaintiff's ability to promote, loss of or
23 impairment of plaintiff's ability to obtain employment, and other economic loss in an
24 amount to be ascertained according to proof.
25

26 104. As a further legal result of the above-described conduct of the defendant City,
27 plaintiff was or may be hindered, prevented, or precluded from performing plaintiff's
28

1 usual activities, school work, education, and occupation, causing plaintiff to sustain
2 damages for loss of income, wages, earning, and earning capacity, and other economic
3 damages, in an amount to be ascertained according to proof.
4

5 105. As a further legal result of the above-described conduct of the defendant City,
6 plaintiff suffered incidental, consequential, or special damages, in an amount to be
7 ascertained according to proof.

8 106. As a further legal result of the above-described conduct of the defendant City,
9 plaintiff has and will sustain attorneys' fees and costs in an amount to be ascertained
10 according to proof.
11

12 107. As a further legal result of the above-described conduct of the defendant City,
13 plaintiff seeks and is entitled to prejudgment interest in an amount to be ascertained
14 according to proof pursuant to *California Civil Code* § 3287 or any other provision of law
15 providing for prejudgment interest.
16

17 **EIGHTH CAUSE OF ACTION FOR**
18 **FOR FAILURE TO TAKE ALL REASONABLE STEPS**
19 **NECESSARY TO PREVENT DISCRIMINATION AND**
20 **RETALIATION FROM OCCURRING IN VIOLATION OF THE CALIFORNIA FAIR**
21 **EMPLOYMENT AND HOUSING ACT**
22 **(BY PLAINTIFF AGAINST DEFENDANT CITY OF LOS ANGELES)**
23

24 108. Plaintiff repeats and re-alleges each and every general allegation set forth
25 above, and incorporates same by reference as though set forth fully herein.
26

27 109. Defendant City and the LAFD had and have a duty to take all reasonable steps
28

1 necessary to prevent discrimination and retaliation from occurring. Defendant failed to
2 take all reasonable steps necessary to prevent discrimination and retaliation from
3 occurring to plaintiff, and failed and refused and continue to fail and refuse to take
4 immediate and appropriate corrective action in regard thereto. As a result of such
5 conduct by defendant City and the LAFD, plaintiff was subjected to discrimination or
6 retaliation, or was rendered helpless to remedy or stop the discrimination or retaliation.
7

8 110. The defendant City and the LAFD failed to take all reasonable steps to prevent ,
9 discrimination and retaliation from occurring to plaintiff as required by *Government*
10 *Code* § 12940(j), et seq., *Government Code* § 12940(k), et seq. and other authorities.
11 The LAFD and the defendant City failed and refused to conduct proper threat
12 assessments and discrimination and retaliation investigations as required by defendant
13 City's own practices, policies, and procedures and the law. Defendant City and the
14 LAFD, and their agents or supervisors, knew or should have known of Lalaind's
15 misconduct and the misconduct of other agents or employees of the City or the LAFD,
16 and have failed and refused and continue to fail and refuse to take immediate and
17 appropriate corrective action in regard thereto.
18

19 111. The failure of defendant City and the LAFD to take all reasonable steps
20 necessary to prevent discrimination and retaliation from occurring, and failing and
21 refusing and continuing to fail and refuse to take immediate and appropriate corrective
22 action in regard thereto, has caused plaintiff injury, damage, loss, or harm.
23

24 112. Said actions and conduct of defendant City and the LAFD consisting of the
25 aforementioned failure to take all reasonable steps necessary to prevent discrimination
26 or retaliation from occurring, and failing and refusing and continuing to fail and refuse
27
28

1 to take immediate and appropriate corrective action in regard thereto, constitute
2 unlawful employment practices pursuant to *California Government Code* § 12940, et
3 seq. Such violations were a substantial factor in causing damages and injuries to
4 plaintiff as set forth below.
5

6 113. The defendant City subjected plaintiff to adverse employment actions, including,
7 *inter alia*: a) subjecting plaintiff to adverse details or transfers; b) denying plaintiff
8 coveted or favorable job positions and assignments; c) subjecting plaintiff to ostracism;
9 d) moving plaintiff's work locations to less desirable work locations which impeded
10 plaintiff's ability to perform plaintiff's job duties; e) removing from plaintiff job
11 responsibilities which would further plaintiff's career; f) knowingly making false,
12 misleading or malicious statements regarding plaintiff which were and are reasonably
13 calculated to harm or destroy the reputation, authority or official standing of the plaintiff;
14 g) causing plaintiff to sustain loss of wages, income, and other compensation; h)
15 causing plaintiff to lose opportunities to earn overtime compensation; i) denying plaintiff
16 other compensation or benefits; j) falsely accusing plaintiff of misconduct; k) making
17 plaintiff the subject of multiple unfounded charges subjecting plaintiff to specious,
18 illegal, improper, and unfounded internal and investigations; l) subjecting plaintiff to
19 repeated violations of *Government Code* §§3250 and 12940, et seq. and *Labor Code* §
20 1102.5; m) repeatedly violating the rules, regulations, policies, and procedures of
21 defendant City or the LAFD which were and are terms and conditions of plaintiff's
22 employment; n) engaging in a pattern of acts and conduct that collectively had a
23 substantial and material adverse effect on the terms, conditions, and privileges of his
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1 employment and that collectively were and are reasonably likely to impair plaintiff's job
2 performance or prospects for advancement in vocational, employment, and other
3 opportunities; and o) other actions having a substantial and material adverse effect on
4 plaintiff's employment.
5

6 114. The aforementioned unlawful employment practices on the part of
7 defendant City were a substantial factor in causing plaintiff to suffer, and to continue to
8 suffer, injury, damage, loss, or harm.
9

10 115. As a legal result of the above-described conduct of the defendant City, plaintiff
11 has sustained and will continue to sustain physical, mental, and emotional injuries,
12 pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
13 mortification, injured feelings, shock, humiliation and indignity, as well as other
14 unpleasant physical, mental, and emotional reactions, damages to good name,
15 standing in the community, loss of and/or damage to reputation, and other non-
16 economic or general damages in an amount to be ascertained according to proof.
17

18 116. As a further legal result of the above-described conduct of the defendant City,
19 plaintiff was required, or in the future may be required, to engage the services of health
20 care providers, and incurred expenses for medicines, health care appliances,
21 modalities, or other related expenses in an amount to be ascertained according to
22 proof.
23

24 117. As a further legal result of the above-described conduct of the defendant City,
25 plaintiff has suffered and will continue to suffer loss of income, wages, earnings,
26 earning capacity, loss of or impairment of plaintiff's ability to promote, loss of and/or
27
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1 impairment of plaintiff's ability to obtain employment, and other economic loss in an
2 amount to be ascertained according to proof.

3
4 118. As a further legal result of the above-described conduct of the defendant City,
5 plaintiff was or may be hindered, prevented, and/or precluded from performing plaintiff's
6 usual activities, school work, education, and occupation, causing plaintiff to sustain
7 damages for loss of income, wages, earning, and earning capacity, and other economic
8 damages, in an amount to be ascertained according to proof.

9
10 119. As a further legal result of the above-described conduct of the defendant City,
11 plaintiff suffered incidental, consequential, and/or special damages, in an amount to be
12 ascertained according to proof.

13
14 120. As a further legal result of the above-described conduct of the defendant City,
15 plaintiff has and will sustain attorneys' fees and costs in an amount to be ascertained
16 according to proof.

17
18 121. As a further legal result of the above-described conduct of the defendant City,
19 plaintiff seeks and is entitled to prejudgment interest in an amount to be ascertained
20 according to proof pursuant to *California Civil Code* § 3287 and/or any other provision
21 of law providing for prejudgment interest.

22 **NINTH CAUSE OF ACTION FOR**

23 **VIOLATION OF THE CALIFORNIA CONSTITUTION, ARTICLE I, §§ 8 AND 31**

24 **(BY PLAINTIFF AGAINST DEFENDANT CITY)**

25
26 122. Plaintiff repeats and re-alleges each and every general allegation set forth
27 above, and incorporates same by reference as though set forth fully herein.

1 123. The *California Constitution*, Article I, § 8 provides as follows:

2 “§ 8. Employment discrimination

3 A person may not be disqualified from entering **or pursuing a business, profession,**
4 **vocation, or employment because of sex, race, creed, color, or national or ethnic**
5 **origin.”** (Emphasis added.)

7 124. The *California Constitution*, Article I, § 31, provides in pertinent part as follows:

8 “§ 31. **Affirmative action**

9
10 (a) The state shall not discriminate against, **or grant preferential treatment to, any**
11 **individual or group on the basis of race, sex, color, ethnicity, or national origin in**
12 **the operation of public employment, public education, or public contracting. ...**

13
14 (f) For the purposes of this section, “state” shall include, but not necessarily be limited
15 to, the state itself, **any city**, county, city and county, public university system, including
16 the University of California, community college district, school district, special district, or
17 any other political subdivision or governmental instrumentality of or within the state.

18
19 (g) **The remedies available for violations of this section shall be the same,**
20 **regardless of the injured party’s race, sex, color, ethnicity, or national origin, as**
21 **are otherwise available for violations of then-existing California**
22 **antidiscrimination law.**

23
24 (h) **This section shall be self-executing.** If any part or parts of this section are found
25 to be in conflict with federal law or the United States Constitution, the section shall be
26 implemented to the maximum extent that federal law and the United States Constitution
27 permit. Any provision held invalid shall be severable from the remaining portions of this
28

1 section. (Emphasis added.)

2 125. Defendant City and the LAFD have engaged and continue to engage in granting
3 preferential treatment (i.e., “affirmative action”) to African Americans, blacks, and
4 females on the basis of race, sex, color, ethnicity, or national origin in the operation of
5 the public employment of firefighters, including but not limited to granting preferential
6 treatment to Lalaind, and discriminate against males and white Caucasians, including
7 plaintiff, on the basis of race, sex, color, ethnicity, or national origin.
8

9
10 126. As a result of defendant City violating the *California Constitution*, Article I, §§ 8
11 and 31, defendant City subjected plaintiff to adverse employment actions, including,
12 *inter alia*: a) subjecting plaintiff to adverse details or transfers; b) denying plaintiff
13 coveted or favorable job positions and assignments; c) subjecting plaintiff to ostracism;
14 d) moving plaintiff’s work locations to less desirable work locations which impeded
15 plaintiff’s ability to perform plaintiff’s job duties; e) removing from plaintiff job
16 responsibilities which would further plaintiff’s career; f) knowingly making false,
17 misleading or malicious statements regarding plaintiff which were and are reasonably
18 calculated to harm or destroy the reputation, authority or official standing of the plaintiff;
19 g) causing plaintiff to sustain loss of wages, income, and other compensation; h)
20 causing plaintiff to lose opportunities to earn overtime compensation; i) denying plaintiff
21 other compensation or benefits; j) falsely accusing plaintiff of misconduct; k) making
22 plaintiff the subject of multiple unfounded charges subjecting plaintiff to specious,
23 illegal, improper, and unfounded internal and investigations; l) subjecting plaintiff to
24 repeated violations of *Government Code* §§3250 and 12940, et seq. and *Labor Code* §
25 1102.5; m) repeatedly violating the rules, regulations, policies, and procedures of
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1 defendant City or the LAFD which were and are terms and conditions of plaintiff's
2 employment; n) engaging in a pattern of acts and conduct that collectively had a
3 substantial and material adverse effect on the terms, conditions, and privileges of his
4 employment and that collectively were and are reasonably likely to impair plaintiff's job
5 performance or prospects for advancement in vocational, employment, and other
6 opportunities; and o) other actions having a substantial and material adverse effect on
7 plaintiff's employment.
8
9

10 127. The aforementioned unlawful employment practices on the part of defendant City
11 were a substantial factors in causing plaintiff to suffer, and to continue to suffer, injury,
12 damage, loss, or harm.

13 128. A contributing cause/factor/motivating reason for the LAFD and the City
14 engaging in the foregoing adverse employment actions against complainant was the
15 City and the LAFD granting and continuing to grant preferential treatment to Lalaind
16 and other individuals or groups on the basis of race, sex, color, ethnicity, or national
17 origin in the operation of public employment, public education, or public contracting, in
18 violation of the *California Constitution*, Article I, §§ 8 and 31, while treating complainant
19 and other white males disparately and adversely.
20
21

22 129. As set forth in the *California Constitution*, Article I, § 31(g) the remedies available
23 to and sought by plaintiff for the violations by the City of the California Constitution are
24 the same as are otherwise available for violations of California antidiscrimination law.
25

26 130. As a legal result of the above-described conduct of the defendant City, plaintiff
27 has sustained and will continue to sustain physical, mental, and emotional injuries,
28

1 pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
2 mortification, injured feelings, shock, humiliation and indignity, as well as other
3 unpleasant physical, mental, and emotional reactions, damages to good name,
4 standing in the community, loss of or damage to reputation, and other non-economic or
5 general damages in an amount to be ascertained according to proof.

7 131. As a further legal result of the above-described conduct of the defendant City,
8 plaintiff was required, or in the future may be required, to engage the services of health
9 care providers, and incurred expenses for medicines, health care appliances,
10 modalities, or other related expenses in an amount to be ascertained according to
11 proof.

13 132. As a further legal result of the above-described conduct of the defendant City,
14 plaintiff has suffered and will continue to suffer loss of income, wages, earnings,
15 earning capacity, loss of or impairment of plaintiff's ability to promote, loss of or
16 impairment of plaintiff's ability to obtain employment, and other economic loss in an
17 amount to be ascertained according to proof.

19 133. As a further legal result of the above-described conduct of the defendant City,
20 plaintiff was or may be hindered, prevented, or precluded from performing plaintiff's
21 usual activities, school work, education, and occupation, causing plaintiff to sustain
22 damages for loss of income, wages, earning, and earning capacity, and other economic
23 damages, in an amount to be ascertained according to proof.

25 134. As a further legal result of the above-described conduct of the defendant City,
26 plaintiff suffered incidental, consequential, or special damages, in an amount to be
27 ascertained according to proof.
28

1 135. As a further legal result of the above-described conduct of the defendant City,
2 plaintiff has and will sustain attorneys' fees and costs in an amount to be ascertained
3 according to proof.
4

5 136. As a further legal result of the above-described conduct of the defendant City,
6 plaintiff seeks and is entitled to prejudgment interest in an amount to be ascertained
7 according to proof pursuant to *California Civil Code* § 3287 or any other provision of law
8 providing for prejudgment interest.
9

10 \ **TENTH CAUSE OF ACTION FOR**
11 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
12 **(BY PLAINTIFF AGAINST DEFENDANT CITY)**

13 137. Plaintiff repeats and re-alleges each and every allegation set forth above, and
14 incorporate same by reference as though set forth fully herein.
15

16 138. Defendants' conduct was outrageous since the conduct was so extreme that it
17 went beyond all possible bounds of decency, and a reasonable person would regard
18 the conduct as intolerable in a civilized community. Defendants knew that defendants'
19 conduct would likely result in harm to plaintiff due to mental distress.
20

21 139. Defendants intended to cause plaintiff emotional distress, or acted with reckless
22 disregard of the probability that plaintiff would suffer emotional distress, knowing that
23 plaintiff was present when the conduct occurred.
24

25 140. Plaintiff has and will suffered severe emotional distress.

26 141. Defendants' conduct was a substantial factor in causing plaintiff severe
27 emotional distress.
28

1 142. As a legal result of the above-described conduct of defendants, plaintiff has
2 sustained and will continue to sustain physical, mental, and emotional injuries, pain,
3 distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
4 mortification, injured feelings, mental suffering, shock, humiliation and indignity, as well
5 as other unpleasant physical, mental, and emotional reactions, damages to good name,
6 reputation, standing in the community, and other non-economic damages.
7

8 143. As a further legal result of the above-described conduct of defendants, plaintiff
9 was required, or in the future may be required, to engage the services of health care
10 providers, and incurred expenses for medicines, health care appliances, modalities, or
11 other related expenses in a sum to be ascertained according to proof.
12

13 144. As a further legal result of the above-described conduct of defendants, plaintiff
14 was or may be hindered, prevented, or precluded from performing plaintiff's usual
15 activities, school work, education, and occupation, causing the plaintiff to sustain
16 damages for loss of income, wages, earning, and earning capacity, and other economic
17 damages, in an amount to be ascertained according to proof.
18

19 145. As a further legal result of the above-described conduct of defendants, plaintiff
20 suffered incidental, consequential, or special damages, in an amount according to
21 proof.
22

23 146. As a further legal result of the above-described conduct of defendant, plaintiff
24 has and will continue to incur costs in an amount according to proof.
25

26 147. The aforesaid acts directed toward plaintiffs were carried out by defendants
27 with a conscious disregard of plaintiff's rights and with the intent to vex, injure, and
28 annoy plaintiffs, such as to constitute oppression, fraud or malice pursuant to *California*

1 *Civil Code* § 3294, entitling plaintiffs to punitive or exemplary damages in an amount
2 appropriate to punish and set an example of Lalaind and deter Lalaind from engaging in
3 such conduct in the future.
4

5 **ELEVENTH CAUSE OF ACTION FOR**
6 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**
7 **(BY PLAINTIFF AGAINST DEFENDANT CITY)**

8
9 148. Plaintiff repeats and re-alleges each and every allegation set forth above, and
10 incorporate same by reference as though set forth fully herein.

11 149. Defendants were negligent in regard to defendants' conduct toward plaintiff.

12 150. Plaintiff has and will suffered serious emotional distress.

13 151. Defendants' negligence was a substantial factor in causing plaintiff serious
14 emotional distress, including, *inter alia*, suffering anguish, fright, horror, nervousness,
15 grief, anxiety, worry, shock, humiliation, and shame which an ordinary, reasonable
16 person would be unable to cope with.
17

18 152. As a legal result of the above-described conduct of defendants, plaintiff has
19 sustained and will continue to sustain physical, mental, and emotional injuries, pain,
20 distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
21 mortification, injured feelings, mental suffering, shock, humiliation and indignity, as well
22 as other unpleasant physical, mental, and emotional reactions, damages to good name,
23 reputation, standing in the community, and other non-economic damages.
24

25 153. As a further legal result of the above-described conduct of defendants, plaintiff
26 was required, or in the future may be required, to engage the services of health care
27
28

1 providers, and incurred expenses for medicines, health care appliances, modalities, or
2 other related expenses in a sum to be ascertained according to proof.

3 154. As a further legal result of the above-described conduct of defendants, plaintiff
4 was or may be hindered, prevented, or precluded from performing plaintiff's usual
5 activities, school work, edution, and occupation, causing plaintiff to sustain damages for
6 loss of income, wages, earning, and earning capacity, and other economic damages, in
7 an amount to be ascertained according to proof.
8

9 155. As a further legal result of the above-described conduct of defendants, plaintiff
10 suffered incidental, consequential, or special damages, in an amount according to
11 proof.
12

13 156. As a further legal result of the above-described conduct of defendants, plaintiff
14 has and will continue to incur costs in an amount according to proof.
15

16 **TWELFTH CAUSE OF ACTION FOR**
17 **VIOLATION OF THE FIREFIGHTERS BILL OF RIGHTS**
18 **(BY PLAINTIFF AGAINST DEFENDANT CITY)**

19 157. Plaintiffs repeat and re-allege each and every allegation set forth above and
20 incorporate same by reference as though set forth fully herein.
21

22 158. Plaintiff, as firefighter, was and is at all times pertinent hereto entitled to the
23 protections of the *Government Code* § 3250, et seq., popularly referred to as the
24 Firefighters Bill of Rights ("FBOR").
25

26 159. From in pr around July 2023 to present and continuing, defendant City and the
27 LAFD maliciously violated the FBOR, with the intent to injure plaintiff, including but not
28

1 limited to:

2 a. entering comments adverse to plaintiff's interest in plaintiff's' personnel file or
3 other files used for personnel purposes by defendant City, without plaintiff having first
4 read and signed the instruments containing the adverse comments indicating plaintiff is
5 aware of such comments, in violation of *Government Code* §§ 3255 and 3305;

7 b. failing to provide plaintiff 30 days within which to file written responses to each
8 adverse comment entered in plaintiff's personnel file or other files used for personnel
9 purposes by defendant City, in violation of *Government Code* §§ 3255, 3256, and 3305;

11 c. failing to permit plaintiff to inspect personnel files that are used or have been
12 used to determine plaintiff's qualifications for employment, promotion, additional
13 compensation, termination, or other disciplinary action, in violation of *Government Code*
14 §§ 3255, 3256, 3256.5, 3305, 3306, and 3306.5;

16 d. failing to make a copy of or keep available for inspection plaintiff's personnel file
17 or other files used for personnel purposes by defendant City, in violation of *Government*
18 *Code* Section 3255, 3256, 3256.5, 3305, 3306, and 3306.5;

19 e. failing to make a copy of or keep available for inspection plaintiff's personnel file
20 or other files used for personnel purposes by defendant City so that plaintiff could
21 examine same, determine the portions thereof that plaintiff believes are mistakenly or
22 unlawfully placed in the file so as to allow plaintiff to request, in writing, that any
23 mistaken or unlawful portions be corrected or deleted, and making any such statements
24 submitted by plaintiff a part of the personnel file of plaintiff, in violation of *Government*
25 *Code* §§ 3255, 3256, 3265.5. 3305, 3306, and 3306.5;

1 f. subjecting plaintiff to punitive action, denying plaintiff coveted positions or
2 promotions, or threatening plaintiff with such treatment, because of the lawful exercise
3 of the rights granted under the FBOR, or the exercise of any rights under existing
4 administrative grievance procedures, in violation of *Government Code* §§ 3254 and
5 3304;

7 g. subjecting plaintiff to punitive action or denying plaintiff coveted positions(s) or
8 promotion on grounds other than merit, without providing plaintiff with an opportunity for
9 administrative appeal, in violation of *Government Code* §§ 3254 and 3304;

11 h. placing complainant under investigations and subjecting complainant to
12 interrogations regarding matters that could lead to punitive action, and failing to inform
13 complainant, prior to the interrogations, of the nature of the investigations prior to the
14 interrogations, in violation of *Government Code* §§ 3253(c);

16 i. subjecting complainant to offensive language or threatening complainant with
17 punitive action during the interrogations, in violation of *Government Code* §§ 3253(e);

18 j. failing to provide to, and obtain from or for complainant, a formal grant of
19 immunity from criminal prosecution, in writing, before the complainant was compelled to
20 respond to potentially incriminating questions in the interrogations, in violation of
21 *Government Code* §§ 3253(e);

23 k. failing to provide complainant with access to the recordings of the interrogations
24 where further proceedings were contemplated or prior to any further interrogations at a
25 subsequent time, in violation of *Government Code* §§ 3253(e);

27 l. failing to provide complainant with access to transcribed copies of any notes
28 made by a stenographer or to any reports or complaints made by investigators or other

1 person, in violation of *Government Code* §§ 3253(g);

2 m. failing to immediately inform complainant of complainant's constitutional rights
3 prior to or during the interrogations of complainant where it was contemplated that
4 complainant may be charged with a criminal offense, in violation of *Government Code*
5 §§ 3253(h);

6
7 n. denying or attempting to deny complainant the representative of complainant's
8 choice to be present at all times during the interrogations focusing on matters that may
9 result in punitive action against complainant, in violation of *Government Code* §§
10 3253(i);

11
12 o. loaning or temporarily reassigning complainant to a location or duty assignment
13 that a firefighter in complainant's department would not normally be sent to that location
14 or would not normally be given that duty assignment under similar circumstances, in
15 violation of *Government Code* § 3253(j);

16
17 p. subjecting complainant to investigations and interrogations that could lead to
18 punitive action or denial of promotion on grounds other than merit for alleged acts,
19 omissions, or other allegations of misconduct reported or discovered to the City more
20 than one year after the reporting or discovery by the LAFD or the City in violation of
21 *Government Code* § 3254(d); and

22
23 q. other violations of the FBOR.

24 160. As a legal result of the above-described conduct of defendant City, plaintiff has
25 sustained and will continue to sustain physical, mental, and emotional injuries, pain,
26 distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame,
27 mortification, injured feelings, mental suffering, shock, humiliation and indignity, as well
28

1 as other unpleasant physical, mental, and emotional reactions, damages to good name,
2 reputation, standing in the community, and other non-economic damages.

3 161. As a further legal result of the above-described conduct of defendant City,
4 plaintiff was required or in the future may be required, to engage the services of health
5 care providers, and incurred expenses for medicines, health care appliances,
6 modalities, or other related expenses in a sum to be ascertained according to proof.
7

8 162. As a further legal result of the above-described conduct of defendant City,
9 plaintiff was or may be hindered, prevented, or precluded from performing plaintiff's
10 usual activities, school work, education, and occupation, causing the plaintiff to sustain
11 damages for loss of income, wages, earning, and earning capacity, and other economic
12 damages, in an amount to be ascertained according to proof.
13

14 163. As a further legal result of the above-described conduct of defendant City,
15 plaintiff suffered incidental, consequential, or special damages, in an amount according
16 to proof.
17

18 164. As a further legal result of the above-described conduct of defendant City,
19 plaintiff has and will continue to incur attorneys' fees and costs in an amount according
20 to proof.
21

22 165. As a further legal result of the above-described conduct of defendant City,
23 plaintiff is entitled to civil penalties of twenty-five thousand dollars(\$25,000) against
24 defendant City for each and every violation of the FBOR.
25

26 **PRAYER FOR RELIEF**

27 **WHEREFORE**, plaintiffs seek judgment against defendants as follows:

28 1. On each cause of action, for past and future physical, mental, and emotional

1 injuries, pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry,
2 shame, mortification, injured feelings, shock, humiliation and indignity, as well as other
3 unpleasant physical, mental, and emotional reactions, damages to good name,
4 standing in the community, loss of and damage to reputation, and other non-economic
5 damages, in a sum to be ascertained according to proof;
6

7 2. On each cause of action, for past and future health care, services, supplies,
8 medicines, health care appliances, modalities, and other related expenses in a sum to
9 be ascertained according to proof;
10

11 3. On each cause of action, past and future for loss of wages, income, earnings,
12 earning capacity, support, domestic services, benefits, and other economic damages in
13 a sum to be ascertained according to proof;
14

15 4. On each cause of action, for other past and future actual, consequential, and
16 incidental damages in a sum to be ascertained according to proof;
17

18 5. On the tenth cause of action, for punitive/exemplary damages against defendant
19 Laliand in an amount appropriate to punish and set an example of defendant Lalaind
20 and to deter defendant Lalaind, and others, from engaging in such conduct in the
21 future;
22

23 6. On the First through Ninth and the Twelfth causes of action, for past and future
24 attorney fees and costs of suit pursuant to *C.C.P.* § 1021.5, *Government Code* §§ 3260
25 and 12965(b), et seq., *Labor Code* 1102.5, and other authorities;
26

27 7. On the Twelfth cause of action, for civil penalties of twenty-five thousand
28 dollars(\$25,000) against defendant City for each and every violation of the FBOR;

8. On each cause of action, for costs of suit herein incurred;

1 9. On each cause of action, for prejudgment and post judgment interest on any and
2 all amounts awarded pursuant to *Civil Code* § 3287 and any other authorities or
3 provision of law providing for prejudgment or post judgment interest; and
4

5 10. Such other and further relief as the Court may deem just and proper.
6

7 **DEMAND FOR JURY TRIAL**

8 Plaintiffs request and demand a jury trial on all issues in this action,
9

10
11 Dated: August 16, 2024

12 By: Michael F. Sisson
13 MICHAEL F. SISSON
14 CHRISTOPHER BRIZZOLARA
15 Attorneys for Plaintiff
16 BRANDON TAULLI
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