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8 Attorney for Plaintiffs,
9 JANE DOE, MARY DOE
10 and THOMAS DOE

FILED
Superior Court of California
County of Los Angeles

NOV 03 2017

Sherril R. Carrer, Executive Officer/Clerk
By Marlon Gomez Deputy

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

BC 682 444

13 JANE DOE, an individual and a minor, by
14 MARY DOE, an individual, in her individual
15 capacity and as guardian ad litem for JANE
16 DOE; MARY DOE individually; THOMAS
17 DOE, individually,

18 Plaintiffs,

19 v.

20 WYATT DAVIDSON, an individual;
21 RODNEY DAVIDSON, an individual;
22 TORRANCE UNIFIED SCHOOL
23 DISTRICT, a public entity; GEORGE
24 MANNON, an individual; KARIM GIRGIS,
25 an individual; GEORGE TACHIBANA, an
26 individual; KYLE IRVINE, an individual;
27 CHRIS RASMUSSEN, an individual; and
28 ROES 1 through 100, inclusive,

Defendants.

CASE NO.

COMPLAINT FOR:

- 1. ASSAULT (W. Davidson)
- 2. BATTERY (W. Davidson)
- 3. SEXUAL ASSAULT (W. Davidson)
- 4. SEXUAL BATTERY (W. Davidson)
- 5. SEXUAL HARASSMENT and GENDER VIOLENCE (W. Davidson)
- 6. NEGLIGENCE PER SE (W. Davidson)
- 7. NEGLIGENCE (W. Davidson)
- 8. NEGLIGENCE (R. Davidson)
- 9. SEXUAL HARASSMENT and GENDER VIOLENCE (R. Davidson)
- 10. NEGLIGENCE (TUSD et al.)
- 11. SEXUAL HARASSMENT and GENDER VIOLENCE (TUSD et al.)
- 12. NEGLIGENCE PER SE (TUSD et al.)
- 13. BREACH OF STATUTORY DUTY (TUSD et al.)
- 14. BREACH OF FIDUCIARY DUTY (TUSD et al.)
- 15. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (All)
- 16. NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (All)

AND DEMAND FOR JURY TRIAL

CIT/CASE: BC682444
LEA/DEF#:

RECEIPT #: CCH621759029

DATE PAID: 11/06/17 09:27 AM

PAYMENT: \$435.00

RECEIVED:

CHECK:	\$435.00
CASH:	\$0.00
CHANGE:	\$0.00
CARD:	\$0.00

292
GROSS
310

04/19/2019 TRIAL: 05/03/2019 OSC: 11/03/2020

Z10Z/90/II

CHROMA

CHROMA
11/06/17
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1 Plaintiffs allege as follows:

2 **GENERAL ALLEGATIONS**

3 **PARTIES**

4 **Plaintiffs**

5 1. At all relevant times, Plaintiff JANE DOE has been, and is now, a minor female re-
6 siding in the City of Torrance, County of Los Angeles County, State of California, and has
7 been and is now a student at Torrance High School in Torrance, California. Plaintiff JANE
8 DOE ("Jane") sues, not by her legal name but by this fictitious name, which she uses to protect
9 her privacy, due to the allegations below, detailing the childhood sexual abuse, harassment,
10 molestation and humiliation inflicted on her, directly or indirectly, by the defendants. Plaintiff
11 Jane brings this action by and through her mother, who is named as MARY DOE ("Mary").
12 Plaintiff Mary has been duly appointed by this Court as the guardian ad litem authorized to
13 prosecute this action on behalf of Plaintiff Jane.

14 2. Plaintiff Mary sues in her individual capacity in addition to suing as the guardian ad
15 litem for her daughter Plaintiff Jane.

16 3. Plaintiff named as THOMAS DOE ("Thomas") is the father of Plaintiff Jane.

17 4. Plaintiffs Mary and Thomas are husband and wife and the parents of Plaintiff Jane.
18 They share a common last name with their daughter Plaintiff Jane. If Plaintiffs Mary and
19 Thomas were to sue under their true names, they would destroy the confidentiality of their
20 daughter Plaintiff Jane. Plaintiffs Mary and Thomas therefore sue under fictitious names in or-
21 der to preserve the confidentiality of their minor daughter, Plaintiff Jane.

22 5. At all relevant times, Plaintiffs Mary and Thomas have been, and are now, married
23 adults residing together with their daughter Plaintiff Jane, in the City of Torrance, County of
24 Los Angeles, and State of California.

25 6. Plaintiffs Mary and Thomas bring this action in their individual capacities, to recover
26 for the harm, injury and losses each has personally suffered through the misconduct of the de-
27 fendants, as alleged more fully below.

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Defendants

7. At all relevant times, Defendant WYATT DAVIDSON (“Wyatt”) has been, and is now, an adult male individual, and a resident of Los Angeles County, California. At all relevant times defendant Wyatt was residing in Torrance, California, at the home of his father, Defendant RODNEY DAVIDSON, and was an employee of defendant TUSD, hired as an assistant coach in the Athletic Department of Torrance High School, and assigned in that capacity to coach the girls’ track team.

8. At all relevant times, Defendant RODNEY DAVIDSON (“Rodney”), has been, and is now, an adult male individual, a resident of Los Angeles County, California, and the father of Defendant Wyatt. At all relevant times, Defendant Rodney has been residing in Torrance, California, and sharing that home with his son, Defendant Wyatt.

9. At all relevant times Defendant TORRANCE UNIFIED SCHOOL DISTRICT (“TUSD”) has been, and is now, a public entity with its headquarters and principal place of business in Torrance, California. TUSD is organized and existing under and pursuant to the Constitutional and statutory law of the State of California, and is charged with the operation of public primary, middle and secondary schools within its defined geographic territory, comprised of the City of Torrance and adjacent areas in the County of Los Angeles.

10. At all relevant times Torrance High School (“THS”), located in the City of Torrance, has been and is now a public high school and one of the schools operated by defendant TUSD.

11. At all relevant times Defendant GEORGE MANNON (“Mannon”) has been and is now an employee of defendant TUSD, hired and acting as its Superintendent, the chief executive officer of TUSD, responsible, inter alia, for the operation and management of TUSD, its schools and its employees, and for screening, selecting, supervising, training, monitoring and controlling the conduct of its employees, including Defendants Wyatt and CHRIS RASMUSSEN, as assistant track coaches at THS, Defendant KYLE IRVINE, as head track coach at THS, Defendant GEORGE TACHIBANA, as chair of the Athletic Department at THS, and Defendant KARIM GIRGIS, as principal of THS.

1 12. At all relevant times Defendant KARIM GIRGIS (“Girgis”) has been and is now an
2 employee of defendant TUSD, hired and acting as the principal of THS, and along with De-
3 fendant Mannon, responsible, inter alia, for the operation and management of THS and its em-
4 ployees, and for screening, selecting, supervising, training, monitoring and controlling the con-
5 duct of THS employees, including Defendants Wyatt and CHRIS RASMUSSEN, as assistant
6 track coaches at THS, of Defendant KYLE IRVINE, as head track coach at THS, and Defend-
7 ant GEORGE TACHIBANA, as chair of the Athletic Department at THS.

8 13. At all relevant times Defendant GEORGE TACHIBANA (“Tachibana”) has been
9 and is now an employee of defendant TUSD, hired and acting as the Chair of the Athletic De-
10 partment at THS, and along with Defendants Mannon and Girgis, responsible, inter alia, for the
11 operation and management of employees assigned to the THS Athletic Department, and for
12 screening, selecting, supervising, training, monitoring and controlling the conduct of such em-
13 ployees, including Defendants Wyatt and CHRIS RASMUSSEN, as assistant track coaches at
14 THS, and Defendant KYLE IRVINE, as head track coach at THS.

15 14. At all relevant times Defendant KYLE IRVINE (“Irvine”) has been and is now an
16 employee of defendant TUSD, hired and acting as the head track coach at THS, and along with
17 Defendants Mannon, Girgis and Tachibana, responsible, inter alia, for the operation and man-
18 agement of employees assigned to coach the THS track teams, and for screening, selecting, su-
19 pervising, training, monitoring and controlling the conduct of such employees, including De-
20 fendants Wyatt and CHRIS RASMUSSEN, as assistant track coaches at THS.

21 15. At all relevant times, Defendant CHRIS RASMUSSEN (“Rasmussen”) has been,
22 and is now, an adult male individual, a resident of Los Angeles County, California, and an em-
23 ployee of defendant TUSD, hired and working as an assistant coach in the Athletic Department
24 of THS, and assigned in that capacity to coach the THS track teams.

25 **Fictitious Defendants**

26 16. Except as otherwise alleged, Plaintiffs are unaware of the true names and capacities
27 of the defendants designated as ROES 1 through 100 and therefore sue such defendants by
28 such fictitious names. Plaintiffs will amend this complaint when the true identities of the ROE

1 defendants have been ascertained. Plaintiffs are informed and believe, and thereon allege that
2 each of the defendants designated herein as a ROE defendant is liable, in some manner, for the
3 damages and other relief Plaintiffs seek to recover by this action.

4 **Agency and Vicarious and Joint and Several Liability of All Defendants**

5 17. Plaintiffs are informed and believe, and thereon allege that each defendant was at
6 all relevant times acting as an agent and/or employee of other defendants, and each of them,
7 and at all times were acting within the course and scope of agency and/or employment, and that
8 each defendant acting as principal ratified and affirmed the course of conduct of each defendant
9 acting as its agent or employee, and that each defendant, as principal, is therefore vicariously
10 liable, jointly and severally to Plaintiffs for the damages and other relief Plaintiffs seek to re-
11 cover by this action.

12 18. Plaintiffs are informed and believe, and thereon allege that at all relevant times,
13 each defendant, by act, omission or course of conduct, aided, abetted, assisted, directly or indi-
14 rectly enabled, conspired or joined with each other defendant in the misconduct alleged below,
15 as a result of which each defendant is liable, jointly and severally with each other defendant, for
16 the damages and other relief Plaintiffs seek to recover by this action.

17 **ADMINISTRATIVE REMEDIES EXHAUSTED**

18 19. All Plaintiffs have exhausted their administrative remedies by duly and timely fil-
19 ing proper notices of claim with Defendant Torrance Unified School District ("TUSD") pursu-
20 ant to the Government Claims Act (Govt. Code, § 911.2 et seq.). TUSD rejected Jane's claims
21 on June 19, 2017. TUSD rejected Mary's and Thomas's claims on September 5, 2017.

22 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

23 **Jane Enrolls at THS as a Freshman and Joins the Girls' Track Team,**
24 **Coached by Defendant WYATT DAVIDSON.**

25 20. At all relevant times, Plaintiffs Mary and Thomas had a mandatory legal duty under
26 California's compulsory education laws, to enroll their daughter, Plaintiff Jane, in a public
27 school or an approved private school.

1 21. At all relevant times THS was, and is now, a public school, attendance at which
2 satisfied the compulsory education requirement for students at the high school level who re-
3 sided within the boundaries of TUSD and within the boundaries of the area served by THS.

4 22. In or about September of 2015, Plaintiff Jane, then age 14, was required by law to
5 attend school and was eligible, by residency and academic achievement, to enroll, and did en-
6 roll as a ninth-grade (freshman) student at THS. Plaintiff Jane has attended THS continuously
7 since that time, through and including the present (2017-2018) academic year. Plaintiff Jane is
8 now in her junior year at THS.

9 23. At all relevant times, THS offered optional extra-curricular athletic programs for
10 THS students. The track team, one for boys and one for girls, was one of those programs. In or
11 about September of 2015, Plaintiff Jane joined the girls' track team at THS. Jane has competed
12 on the girls' track team at THS from September of 2015, to the present.

13 24. The students competing on the THS girls' track team were at all relevant times
14 coached by assistant coach Defendant Wyatt. Defendant Wyatt was Jane's coach and teacher as
15 assistant track coach and was the person with whom Jane had immediate, direct contact when
16 training or competing on the THS girls' track team.

17 25. At all relevant times, Defendant Wyatt performed his duties as assistant track coach
18 for the THS girls' track team under the direction and supervision of head coach defendant Ir-
19 vine. Defendants Irvine and Wyatt reported to and were supervised and directed by defendants
20 Tachibana, Girgis and Mannon. Defendants Mannon, Girgis, Tachibana and Irvine are herein-
21 after sometimes referred to collectively as the "Management Defendants."

22 **Management Defendants Place Defendant Davidson in a Position of Special Trust.**

23 26. At all relevant times, Defendants Wyatt, Rasmussen, the Management Defendants
24 and TUSD were each entrusted with the care, nurturing, instruction and supervision of Plaintiff
25 Jane, and with a duty to keep her safe from harm and to report any knowledge, information, be-
26 lief, or reasonable suspicion of improper conduct towards any student by any THS faculty, staff
27 or employee, and each therefore held a position of special trust and confidence over Plaintiff
28 Jane, as a student at THS, and each owed Jane a special, confidential and fiduciary duty while

1 she was present on school grounds or participating in school activities or entrusted to the care
2 or supervision by or from any of them.

3 27. By hiring and retaining Defendant Wyatt, Defendant TUSD and the Management
4 Defendants and each of them held him out to students at THS and their parents, including
5 Plaintiffs, as a person of personal integrity and moral fitness worthy of being entrusted with the
6 care, instruction and nurturing of high school aged minors, and specifically trustworthy to
7 coach, instruct and mentor freshman girls competing on the girls' track team at THS, and do so
8 without arousing or causing risk fear or apprehension of improper sexual conduct, advances or
9 contact by Defendant Wyatt with or against any of the minor girls he was entrusted to coach.

10 **FIRST CAUSE OF ACTION**

11 **(ASSAULT – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS**

12 **WYATT DAVIDSON and ROES 1-50)**

13 28. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
14 complaint.

15 29. At all relevant times, Defendant Wyatt was acting in the course and scope of his
16 duties as an employee of Defendant TUSD, and under the supervision of the Management De-
17 fendants and each of them.

18 30. At all relevant times Defendant Wyatt was Plaintiff Jane's teacher, as that term is
19 used in Civil Code section 51.9, and a person in authority over Plaintiff Jane, as that term is
20 used in Civil Code section 1708.5, subdivision (b).

21 31. At all relevant times, Plaintiff Jane, as a student at THS, was required by defendant
22 TUSD'S rules and the Management Defendants to render deference, respect and obedience to
23 Defendant Wyatt, who was an adult placed over her in a position of authority by Defendant
24 TUSD and the Management Defendants.

25 32. At all relevant times, Defendant Wyatt owed a duty to Plaintiff Jane to refrain from
26 intentionally placing her in fear and apprehension of imminent, harmful touching of her person
27 by him.

1 33. On or about the dates alleged below, at the locations alleged below, Defendant Wy-
2 att breached his aforementioned duty to Plaintiff Jane.

3 34. Defendant Wyatt carried on an intimate physical and sexual relationship with Plain-
4 tiff Jane from March 9, 2017, through April 28, 2017. Defendant Wyatt was approximately 22
5 years old at this time. During the same time, Plaintiff Jane was a minor, age 16, and a student in
6 her sophomore year at THS. She was also actively competing on the THS girls' track team dur-
7 ing this span of time, and had been on the girls' track team since September of 2015. Defendant
8 Wyatt was Jane's track coach, and had been since she entered THS as a freshman in September
9 of 2015.

10 35. During the summer of 2016, after completing her freshman year, Jane continued to
11 be an active member of the track team. The team held practice regularly during the summer
12 months, even though school was not in session. That summer, Wyatt would frequently send
13 Jane texts and messages and would always be the one to initiate these communications. Jane
14 was puzzled and uneasy about this attention from her coach.

15 36. On or about March 9, 2017, Defendant Wyatt approached Jane after a track meet at
16 North High School, one of the high schools operated by Defendant TUSD. Defendant Wayne
17 pulled Jane aside with other students present and within their sight. Defendant Irvine was also
18 present. He told Jane that he liked her and had liked her ever since she first started track as a
19 freshman in September of 2015. Wayne asked Jane if she liked him. Jane said, "No." Wayne
20 pressed the point, asking, Jane if she was sure and if she was being honest with herself. Jane
21 felt cornered and pressured by Wayne. Jane felt embarrassed, cornered and pressured by Wayne
22 during this encounter.

23 37. However, Wayne persisted and ultimately Jane was unable to withstand the con-
24 stant attention and Wayne was able to prevail on coercing Jane into becoming friendlier with
25 him.

26 38. Defendant Wayne began an inappropriate relationship with Jane that lasted from
27 March 9, 2017, through April 28, 2017. During this time, the two would meet at Zamperini
28 Field, where the THS track teams practiced. They would meet before, during and after practices

1 and track meets. Jane would remain behind to help Wayne with equipment and other tasks. Af-
2 ter practices and track meets, Wayne would take Jane back to his father's house, where Wayne
3 also lived. The house, located at 2034 Martina Avenue in Torrance, is across the street from the
4 THS campus.

5 39. At the Martina house, Defendant Wayne would take Jane into his bedroom or the
6 living room or into the laundry room, located in the garage on the property. While at the house
7 with Jane, Defendant Wayne engaged Jane in intimate physical and sexual contact.

8 40. Prior to her encounters with Defendant Wayne, Jane had not had any intimate phys-
9 ical or sexual experience with anyone. Jane was inexperienced, innocent, confused and over-
10 powered physically and emotionally by an older, experienced mature man who was also her
11 mentor and authority figure who had been her coach for almost two years, and who was manip-
12 ulating her into satiating his inappropriate sexual attraction to minors.

13 41. By early April of 2017, the open contact between Jane and Defendant Wayne be-
14 came apparent and aroused the suspicions of several of Jane's teammates on the girls' track
15 team. At this time Jane's encounters with Defendant Wayne had been ongoing for approxi-
16 mately three weeks.

17 42. On the dates and at the times aforementioned, Defendant Wyatt acted intentionally,
18 willfully and deliberately and with the specific intent to cause Plaintiff Jane to fear imminent,
19 unwanted, harmful and offensive touching of her person by him, and did so with the present
20 ability on his part to carry out such touching.

21 43. The acts, omissions, conduct and course of conduct alleged in this cause of action
22 constitute violations of Civil Code sections 51.9, 52 and 52.4, Education Code sections 212.5
23 and 220, and Penal Code section 647.6.

24 44. As a direct and proximate of defendants' acts, omissions, course of conduct and
25 breaches of duty alleged herein, Plaintiff Jane did in fact suffer fear and apprehension of immi-
26 nent, unwanted, harmful touching of her person by Defendant Wyatt.

27 45. As a further direct and proximate of defendants' acts, omissions, course of conduct
28 and breaches of duty alleged herein, Plaintiff Jane has suffered physical and emotional injury

1 together with other losses, all to her special, compensatory, consequential and general damage
2 in a sum no less than \$5,000,000.

3 46. Each and all of the acts of misconduct alleged herein occurred without the consent
4 and against the will of Plaintiff Jane.

5 47. At all relevant times, Plaintiff Jane was legally incapable of consenting to the sex-
6 ual misconduct alleged herein, based on her minority, based on Defendants' fiduciary duty to
7 her as a student and a minor, based on Defendants' authority and control over her and based on
8 the express provisions of Civil Code section 1708.5.5, and other applicable statutory and case
9 law.

10 48. As a direct and proximate result of each and all of Defendants and each of their
11 aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff
12 Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and
13 anxiety. By reason of these injuries and consequences, she sustained general damages in an
14 amount which is within the unlimited jurisdiction of the Superior Court.

15 49. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
16 medical and other special costs, all to her further damage, according to proof.

17 50. In following the course of conduct alleged herein, Defendants have acted with in-
18 tent to cause injury to Plaintiff Jane or have engaged in oppression and despicable conduct
19 which Defendants carried on with a willful and conscious disregard of the rights or safety of
20 Plaintiff Jane and others, subjecting Plaintiff Jane to cruel and unjust hardship in conscious dis-
21 regard of her rights, all of which entitle Plaintiff Jane to an award against Defendants of exem-
22 plary and punitive damages in such amount as the trier of fact may fix.

23 **SECOND CAUSE OF ACTION**

24 **(SEXUAL ASSAULT – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS**

25 **WYATT, and ROES 1-50)**

26 51. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
27 complaint.

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52. In following the course of conduct alleged herein, Defendant Wyatt was satisfying, indulging and satiating his carnal and sexual desires and his unnatural or abnormal sexual interest in children, using Plaintiff Jane as his victim.

53. As a direct and proximate result of each and all of Defendants and each of their aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and anxiety. By reason of these injuries and consequences, she sustained general damages in an amount which is within the unlimited jurisdiction of the Superior Court.

54. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future, medical and other special costs, all to her further damage, according to proof.

55. In following the course of conduct alleged herein, Defendants have acted with intent to cause injury to Plaintiff Jane or have engaged in oppression and despicable conduct which Defendants carried on with a willful and conscious disregard of the rights or safety of Plaintiff Jane and others, subjecting Plaintiff Jane to cruel and unjust hardship in conscious disregard of her rights, all of which entitle Plaintiff Jane to an award against Defendants of exemplary and punitive damages in such amount as the trier of fact may fix.

THIRD CAUSE OF ACTION

**(BATTERY – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS WYATT
DAVIDSON, and ROES 1-50)**

56. Plaintiffs reallege and incorporate by reference all the allegations set forth in this complaint.

57. On the dates and at the locations alleged below, Defendant Wyatt did willfully, knowingly and deliberately touch Plaintiff Jane without her consent and in a harmful and offensive manner.

58. As a direct and proximate result of each and all of Defendants and each of their aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and

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1 anxiety. By reason of these injuries and consequences, she sustained general damages in an
2 amount which is within the unlimited jurisdiction of the Superior Court.

3 59. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
4 medical and other special costs, all to her further damage, according to proof.

5 60. In following the course of conduct alleged herein, Defendants have acted with in-
6 tent to cause injury to Plaintiff Jane or have engaged in oppression and despicable conduct
7 which Defendants carried on with a willful and conscious disregard of the rights or safety of
8 Plaintiff Jane and others, subjecting Plaintiff Jane to cruel and unjust hardship in conscious dis-
9 regard of her rights, all of which entitle Plaintiff Jane to an award against Defendants of exem-
10 plary and punitive damages in such amount as the trier of fact may fix.

11 **FOURTH CAUSE OF ACTION**

12 **(SEXUAL BATTERY – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS**

13 **WYATT DAVIDSON, and ROES 1-50)**

14 61. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
15 complaint.

16 62. In following the course of conduct alleged herein, Defendant Wyatt was satisfying,
17 indulging and satiating his carnal and sexual desires, and his unnatural or abnormal sexual in-
18 terest in children, using Plaintiff Jane as his victim.

19 63. As a direct and proximate result of each and all of Defendants and each of their
20 aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff
21 Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and
22 anxiety. By reason of these injuries and consequences, she sustained general damages in an
23 amount which is within the unlimited jurisdiction of the Superior Court.

24 64. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
25 medical and other special costs, all to her further damage, according to proof.

26 65. In following the course of conduct alleged herein, Defendants have acted with in-
27 tent to cause injury to Plaintiff Jane or have engaged in oppression and despicable conduct
28 which Defendants carried on with a willful and conscious disregard of the rights or safety of

1 Plaintiff Jane and others, subjecting Plaintiff Jane to cruel and unjust hardship in conscious dis-
2 regard of her rights, all of which entitle Plaintiff Jane to an award against Defendants of exem-
3 plary and punitive damages in such amount as the trier of fact may fix.

4 **FIFTH CAUSE OF ACTION**

5 **(SEXUAL HARASSMENT AND GENDER VIOLENCE – BY PLAINTIFF JANE DOE**
6 **AGAINST DEFENDANTS WYATT DAVIDSON and ROES 1-50)**

7 66. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
8 complaint.

9 67. The course of conduct alleged herein constituted sexual harassment of Plaintiff
10 Jane and gender violence against her, all by Defendant Wyatt.

11 68. As a direct and proximate result of each and all of Defendants and each of their
12 aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff
13 Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and
14 anxiety. By reason of these injuries and consequences, she sustained general damages in an
15 amount which is within the unlimited jurisdiction of the Superior Court.

16 69. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
17 medical and other special costs, all to her further damage, according to proof.

18 70. In following the course of conduct alleged herein, Defendants have acted with in-
19 tent to cause injury to Plaintiff Jane or have engaged in oppression and despicable conduct
20 which Defendants carried on with a willful and conscious disregard of the rights or safety of
21 Plaintiff Jane and others, subjecting Plaintiff Jane to cruel and unjust hardship in conscious dis-
22 regard of her rights, all of which entitle Plaintiff Jane to an award against Defendants of exem-
23 plary and punitive damages in such amount as the trier of fact may fix.

24 **SIXTH CAUSE OF ACTION**

25 **(NEGLIGENCE PER SE – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS**
26 **WYATT DAVIDSON and ROES 1-50)**

27 71. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
28 complaint.

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72. In following the course of conduct alleged herein:

- a. Defendant Wyatt violated one or more of the statutes, ordinances or regulations alleged herein, each of which is enacted by a public entity;
- b. The violation(s) proximately caused injury to Plaintiff Jane;
- c. The injuries to Plaintiff Jane resulted from an occurrence that the statute(s), ordinance(s) or regulation(s) were designed to prevent; and
- d. Plaintiff Jane is one of the class of persons for whose protection the statute(s), ordinance(s) or regulation(s) were adopted.

73. As a proximate result of each and all of Defendants and each of their aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and anxiety. By reason of these injuries and consequences, she sustained general damages in an amount which is within the unlimited jurisdiction of the Superior Court.

74. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future, medical and other special costs, all to her further damage, according to proof.

SEVENTH CAUSE OF ACTION

(NEGLIGENCE – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS WYATT DAVIDSON and ROES 1-50)

75. Plaintiffs reallege and incorporate by reference all the allegations set forth in this complaint.

76. At all relevant times, Defendant Wyatt owed a duty of due care to Plaintiff Jane to refrain from the course of conduct alleged herein.

77. In following the course of conduct alleged herein, Defendant Wyatt acted negligently and carelessly and in breach of the duty of due care he owed to Plaintiff Jane.

78. As a direct and proximate result of each and all of Defendants and each of their aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and

1 anxiety. By reason of these injuries and consequences, she sustained general damages in an
2 amount which is within the unlimited jurisdiction of the Superior Court.

3 79. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
4 medical and other special costs, all to her further damage, according to proof.

5 **EIGHTH CAUSE OF ACTION**

6 **(NEGLIGENCE – BY PLAINTIFF JANE DOE AGAINST DEFENDANT RODNEY**

7 **DAVIDSON and ROES 51-100)**

8 80. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
9 complaint.

10 81. Defendant Rodney is the father of Defendant Wyatt.

11 82. At all relevant times Defendant Rodney was the owner of the improved real prop-
12 erty commonly known as 2034 Martina Avenue, Torrance, California (the “Property”) and used
13 and occupied the Property as his principal residence.

14 83. At all relevant times Defendant Wyatt resided at the Property with the knowledge
15 and permission of Defendant Rodney.

16 84. At all relevant times, Defendant Rodney knew, should have known or is estopped
17 from denying that his son Defendant Wyatt, was employed by TUSD as a part time track coach
18 for the girls’ track team at THS.

19 85. Plaintiff Jane was present at or on the Property at the express invitation and in the
20 presence of Defendant Wyatt when one or more of the breaches of duty or wrongful, unlawful,
21 intentional or negligent acts or omissions by or on the part of Defendant Wyatt, alleged herein,
22 were made, accomplished or committed by him, and directed by him at, on, towards or against
23 Plaintiff Jane.

24 86. At all relevant times Defendant Rodney owed a duty of due care to Plaintiff Jane,
25 to protect her against foreseeable injury while she was present on the Property.

26 87. On several occasions, Defendant Rodney was at home when Jane was present in
27 the house visiting Wayne. When his father was present, Defendant Wayne became nervous and
28

1 evasive and would attempt to obscure and obfuscate Jane's age and her reason for being on the
2 premises.

3 88. At all relevant times Defendant Rodney knew or should have known, in the exer-
4 cise of due care, or is estopped from denying, that his son Defendant Wyatt had an improper
5 attraction to female minors, and that any female minor, such as Plaintiff Jane, who was invited
6 onto the Property by his son was at risk of improper sexual advances, contact or abuse by his
7 son while on the Property in the company of his son, Defendant Wyatt.

8 89. Defendant Rodney aided, abetted, incited, allowed, enabled, ignored, denied, acqui-
9 esced or conspired in the sexual misconduct of his son, Defendant Wyatt, towards Plaintiff Jane
10 while she was present on the Property with Defendant Wyatt, and ignored and failed to
11 acknowledge or prevent the danger that Defendant Wyatt posed towards Plaintiff Jane while
12 she was present on the Property with Defendant Wyatt.

13 90. In acting, omitting to act and following the course of conduct alleged herein, De-
14 fendant Rodney has acted negligently and carelessly and in breach of his duty of due care owed
15 to Plaintiff Jane.

16 91. As a direct and proximate result of each and all of Defendants and each of their
17 aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff
18 Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and
19 anxiety. By reason of these injuries and consequences, she sustained general damages in an
20 amount which is within the unlimited jurisdiction of the Superior Court.

21 92. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
22 medical and other special costs, all to her further damage, according to proof.

23 **NINTH CAUSE OF ACTION**

24 **(SEXUAL HARASSMENT AND GENDER VIOLENCE – BY PLAINTIFF JANE DOE**
25 **AGAINST DEFENDANT RODNEY DAVIDSON and ROES 51-100)**

26 93. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
27 complaint.
28

1 101. At all relevant times, Plaintiff Jane, as a student at THS, was under the care, cus-
2 tody and control of Defendants Rasmussen, TUSD and the Management Defendants, and each
3 of them.

4 102. At all relevant times, Defendants Rasmussen, TUSD and the Management Defend-
5 ants, and each of them, held a position towards Plaintiff Jane substantially similar to that held
6 by a teacher towards a student.

7 103. At all relevant times, Defendant Rasmussen was a co-worker with Defendant Wy-
8 att at THS, where both served as assistant coaches for the track team. Defendants Rasmussen
9 and Wyatt were also close personal friends, having been classmates at THS and teammates on
10 the track team at THS, as students in the THS graduating Class of 2013.

11 104. By early April of 2017, the open contact between Jane and Defendant Wayne be-
12 came apparent and aroused the suspicions of several of Jane's teammates on the girls' track
13 team. At this time Jane's encounters with Defendant Wayne had been ongoing for approxi-
14 mately three weeks.

15 105. At all relevant times, Defendants Rasmussen and Irvine were present at before,
16 during and after all THS practices, work-outs, weight training and track meets in March and
17 April of 2017, and were both able and duty-bound to observe Defendant Wayne engaging in
18 obvious, suspicious and inappropriate personal contact with Plaintiff Jane.

19 106. At all relevant times, Defendant Tachibana was present before, during or after
20 some of the THS practices work-outs, weight training and track meets in March and April of
21 2017, and was able and duty-bound to observe Defendant Wayne engaging in obvious, suspi-
22 cious and inappropriate personal contact with Plaintiff Jane.

23 107. Plaintiffs are informed and believe and thereon allege that one or more persons
24 who were not employees of TUSD reported Defendant Wayne's conduct to the Torrance Police
25 Department, and did so on or after approximately April 24, 2017, but prior to May 1, 2017.

26 108. Plaintiffs are informed and believe and thereon allege that, on Monday, May 1,
27 2017, one or more THS students reported Defendant Wayne's conduct to Defendant Girgis, the
28 THS principal.

1 109. Neither Rasmussen nor any of the Management Defendants made any report about
2 Defendant Wayne's misconduct towards Plaintiff Jane nor took any action against Defendant
3 Wayne prior to the reports made on and before May 1, 2017, to Girgis and the police.

4 110. After receiving the aforementioned reports, Defendant Irvine suspended Wayne,
5 and did so at the direction of one or more of the other Management Defendants.

6 111. At all relevant times, Defendants Rasmussen, the Management Defendants and
7 TUSD, and each of them, owed the following duties, among others, to Plaintiff Jane, based on
8 the Constitution, statutes, regulations, case law and common law of the State of California:

- 9 a. To provide a safe, secure and peaceful public high school campus (Cal.
10 Const., art. I, § 28, subd. (f)(1));
- 11 b. To afford her equal rights and opportunities in public school, regardless of
12 her gender (Educ. Code, § 200);
- 13 c. To promote and implement her right to participate fully in the public educa-
14 tional process, free from discrimination and harassment (Educ. Code, § 201,
15 subd. (a));
- 16 d. To "... undertake educational activities to counter discriminatory incidents
17 on school grounds and, within constitutional bounds, to minimize and elimi-
18 nate a hostile environment on school grounds that impairs the access of pu-
19 pils to equal educational opportunity." (Educ. Code, § 201, subd. (f));
- 20 e. To protect her against bodily injury or infringement on her rights (Civ. Code,
21 §§ 43, 1708) at the hands of its employees (Gov't. Code, § 815.2);
- 22 f. To report all incidents of sexual abuse (Pen. Code, § 1166.01), and reasona-
23 ble suspicions of emotional damage suffered by a student (Pen. Code, §
24 1166.05);
- 25 g. To exercise special care in recruitment, selection, hiring, supervision and re-
26 tention of employees who have direct contact with students;

- 1 h. To conduct supervision of employees with sufficient frequency, skill, atten-
2 tion and diligence to identify possible instances of inappropriate behavior
3 toward students or tendencies towards same on the part of employees;
4 i. To provide education, training, counseling and direction to employees, to
5 avoid or correct instances of inappropriate behavior toward students;
6 j. To intercede promptly upon developing a reasonable suspicion of inappro-
7 priate behavior by an employee toward a student, and to avoid ignoring,
8 minimizing, denying or dismissing same;
9 k. To discipline or terminate an employee who poses a risk of sexually harass-
10 ing or abusing students, and
11 l. To refrain from denying or aiding, inciting or conspiring in denial of any
12 act of sexual harassment by any employee who functions as a teacher or in a
13 relationship with a student that is substantially similar to that of a teacher
14 (Civ. Code, §§ 51.9, 52, subd. (b)).

15 112. At all relevant times Defendants Rasmussen, the Management Defendants and
16 TUSD and each of them knew or should have known or are estopped from denying knowledge
17 that Defendant Wyatt did not have the personal integrity or moral fitness necessary to make
18 him worthy of being entrusted with the care, instruction and nurturing of high school aged mi-
19 nors, nor to coach, instruct and mentor freshman girls competing on the girls' track team at
20 THS, without arousing or causing risk fear or apprehension of improper sexual conduct, ad-
21 vances or contact by Defendant Wyatt with or against any of the minor girls he was entrusted to
22 coach.

23 113. At all relevant times, of Defendants Rasmussen, the Management Defendants and
24 TUSD and each of them knew or should have known or are estopped from denying knowledge
25 that Defendant Wyatt displayed an unusual and improper interest in Plaintiff Jane, paid more
26 attention to her than to other girls on the track team and improperly invited her to meet him at
27 off-campus locations outside of authorized THS activities or events.

1 114. At all relevant times, of Defendants Rasmussen, the Management Defendants and
2 TUSD, and each of them, ignored or omitted to act upon facts and circumstances that presented
3 at least a reasonable suspicion of improper conduct by Defendant Wyatt towards Plaintiff Jane.

4 115. By acting, omitting to act and following the course of conduct alleged herein, De-
5 fendants Rasmussen, TUSD and the Management Defendants and each of them have breached
6 their duties to Plaintiff Jane.

7 116. As a direct and proximate result of each and all of Defendants and each of their
8 aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff
9 Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and
10 anxiety. By reason of these injuries and consequences, she sustained general damages in an
11 amount which is within the unlimited jurisdiction of the Superior Court.

12 117. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
13 medical and other special costs, all to her further damage, according to proof.

14 **ELEVENTH CAUSE OF ACTION**

15 **(SEXUAL HARASSMENT AND GENDER VIOLENCE – BY PLAINTIFF JANE DOE**
16 **AGAINST DEFENDANTS RASMUSSEN, the MANAGEMENT DEFENDANTS, TUSD**
17 **and ROES 51-100)**

18 118. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
19 complaint.

20 119. In following the course of conduct alleged herein, Defendants Rasmussen, TUSD
21 and the Management Defendants and each of them have denied Plaintiff Jane her right to be
22 free from sexual harassment, gender violence and other sexual misconduct, or have aided, in-
23 cited or conspired in that denial.

24 120. In following the course of conduct alleged herein, Defendants Rasmussen, TUSD
25 and Management Defendants and each of them have become liable, jointly and severally with
26 all other responsible defendants pursuant to Civil Code sections 51.9, 52, and 52.4, as well as
27 pursuant generally to the statutes, regulations, case law and common law of the State of Cali-
28 fornia.

1 121. As a direct and proximate result of each and all of Defendants and each of their
2 aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff
3 Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and
4 anxiety. By reason of these injuries and consequences, she sustained general damages in an
5 amount which is within the unlimited jurisdiction of the Superior Court.

6 122. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future,
7 medical and other special costs, all to her further damage, according to proof.

8 123. In following the course of conduct alleged herein, Defendants have acted with in-
9 tent to cause injury to Plaintiff Jane or have engaged in oppression and despicable conduct
10 which Defendants carried on with a willful and conscious disregard of the rights or safety of
11 Plaintiff Jane and others, subjecting Plaintiff Jane to cruel and unjust hardship in conscious dis-
12 regard of her rights, all of which entitle Plaintiff Jane to an award against Defendants of exem-
13 plary and punitive damages in such amount as the trier of fact may fix.

14 **TWELFTH CAUSE OF ACTION**

15 **(NEGLIGENCE PER SE – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS**
16 **RASMUSSEN, the MANAGEMENT DEFENDANTS, TUSD and ROES 51-100)**

17 124. Plaintiffs reallege and incorporate by reference all the allegations set forth in this
18 complaint.

19 125. The acts, omissions, conduct and course of conduct alleged in this cause of action
20 constitute violations of Civil Code sections 51.9, 52 and 52.4, Education Code sections 212.5
21 and 220, and Penal Code section 647.6.

22 126. In following the course of conduct alleged herein:

- 23 a. Defendant Wyatt violated one or more of the statutes, ordinances or regula-
24 tions alleged herein, each of which is enacted by a public entity;
25 b. The violation(s) proximately caused injury to Plaintiff Jane;
26 c. The injuries to Plaintiff Jane resulted from an occurrence that the statute(s),
27 ordinance(s) or regulation(s) were designed to prevent; and
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d. Plaintiff Jane is one of the class of persons for whose protection the statute(s), ordinance(s) or regulation(s) were adopted.

127. As a direct and proximate result of each and all of Defendants and each of their aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and anxiety. By reason of these injuries and consequences, she sustained general damages in an amount which is within the unlimited jurisdiction of the Superior Court.

128. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future, medical and other special costs, all to her further damage, according to proof.

THIRTEENTH CAUSE OF ACTION

(BREACH OF STATUTORY DUTY – BY PLAINTIFF JANE DOE AGAINST DEFENDANTS RASMUSSEN, the MANAGEMENT DEFENDANTS, TUSD and ROES 51-100)

129. Plaintiffs reallege and incorporate by reference all the allegations set forth in this complaint.

130. By following the course of conduct alleged herein, Defendants Rasmussen, the Management Defendants and TUSD, and each of them have breached the duties imposed upon them by the statutes and regulations alleged herein.

131. As a direct and proximate result of each and all of Defendants and each of their aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and anxiety. By reason of these injuries and consequences, she sustained general damages in an amount which is within the unlimited jurisdiction of the Superior Court.

132. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future, medical and other special costs, all to her further damage, according to proof.

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FOURTEENTH CAUSE OF ACTION

**(FOR BREACH OF FIDUCIARY DUTY – BY PLAINTIFF JANE DOE AGAINST
DEFENDANTS RASMUSSEN, the MANAGEMENT DEFENDANTS, TUSD and ROES
51-100)**

133. Plaintiffs reallege and incorporate by reference all the allegations set forth in this complaint.

134. By following the course of conduct alleged herein, Defendant Rasmussen, the Management Defendants and TUSD, and each of them have breached the fiduciary duty they each owed to Plaintiff Jane.

135. As a direct and proximate result of each and all of Defendants and each of their aforesaid acts and omissions, Plaintiff Jane was injured. As a result of these injuries, Plaintiff Jane has, and in the future will have, physical, mental and emotional pain, suffering, worry and anxiety. By reason of these injuries and consequences, she sustained general damages in an amount which is within the unlimited jurisdiction of the Superior Court.

136. By reason of these injuries, Plaintiff Jane has incurred and will incur in the future, medical and other special costs, all to her further damage, according to proof.

FIFTEENTH CAUSE OF ACTION

**(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS – BY PLAINTIFF JANE
DOE AGAINST ALL DEFENDANTS)**

137. Plaintiffs reallege and incorporate by reference all the allegations set forth in this complaint.

138. By following the course of conduct alleged herein, Defendants Wyatt, Rodney, Rasmussen, the Management Defendants and TUSD, and each of them have acted intentionally and maliciously, beyond the bounds of tolerable conduct, with callous disregard for the safety and well-being of Plaintiff Jane, a minor student placed in their custody, and with utter indifference to their duties as teachers or school administrators of a public school and public school district.

1 care, that their misconduct towards Plaintiff Jane, the daughter of Plaintiffs Mary and Thomas,
2 would foreseeably cause Plaintiffs Mary and Thomas to suffer extreme emotional distress upon
3 learning of the abuse said Defendants allowed her daughter to suffer and failed to prevent.

4 147. As a direct and proximate result of defendants' acts, omissions and course of con-
5 duce alleged herein, Plaintiffs Mary and Thomas has suffered harm and injury to her mental,
6 physical and emotional health and well-being, all to her consequential, compensatory, special
7 and general damage in an amount at least equal to \$5,000,000.

8 **WHEREFORE PLAINTIFFS PRAY FOR JUDGMENT IN THEIR FAVOR**
9 **AND AGAINST DEFENDANTS, AND EACH OF THEM, AS FOLLOWS:**

- 10 1. Compensatory, consequential and special damages in a sum to be proven at
11 trial, which Plaintiffs believe is at least the sum of \$5,000,000.00;
- 12 2. General damages in a sum to be proven at trial;
- 13 3. Exemplary and punitive damages in an amount to be determined at trial;
- 14 4. Prejudgment interest at such rates and from such dates as may be determined
15 by the trier of fact or the Court;
- 16 5. Attorneys' fees pursuant to statute (Civ. Code, §§ 52, 52.4; Code Civ. Proc., §§
17 1021.4, 1021.5) or appellate court decision;
- 18 6. Costs of suit; and
- 19 7. Such further relief as this Court or the trier of fact deems just and proper.

20
21 LIPELES LAW GROUP, APC

22
23 Dated: November 1, 2017

24 By: 
25 Thomas H. Schelly
26 Attorney for Plaintiffs,
27 JANE DOE, MARY DOE and THOMAS DOE
28

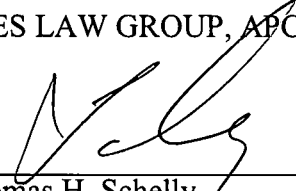
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DEMAND FOR JURY TRIAL

Plaintiffs and each of them hereby respectfully request a trial by jury for all claims and issues raised in their complaint that may be entitled to a jury trial.

LIPELES LAW GROUP, APC

Dated: November 1, 2017

By: 
Thomas H. Schelly
Attorney for Plaintiffs,
JANE DOE, MARY DOE and THJOMAS DOE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Thomas H. Schelly s/b #217285
Lipeles Law Group, APC
880 Apollo St., Ste. 336
El Segundo, CA 90245
TELEPHONE NO.: (310) 322-2211 FAX NO.: (310) 322-2252
ATTORNEY FOR (Name): Jane Doe, Mary Doe and Thomas Doe

FOR COURT USE ONLY
FILED
Superior Court of California
County of Los Angeles
NOV 03 2017
Sherril B. Carter Executive Officer/Clerk
By Marion Gomez Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: 111 N. Hill St.
MAILING ADDRESS: 111 N. Hill St.
CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: Stanley Mosk Courthouse

CASE NAME:
Doe, Jane et al v Wyatt Davidson et al

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

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

CASE NUMBER: **BC 682 444**
JUDGE:
DEPT:

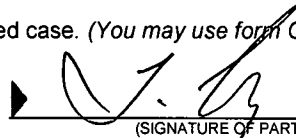
Items 1-6 below must be completed (see instructions on page 2).

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

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

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

Date: November 1, 2017
Thomas H. Schelly
(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

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

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

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

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

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

CASE TYPES AND EXAMPLES

Auto Tort

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

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

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

Non-PI/PD/WD (Other) Tort

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

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

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

Real Property

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

Unlawful Detainer

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

Judicial Review

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

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

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

Enforcement of Judgment

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

Miscellaneous Civil Complaint

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

Miscellaneous Civil Petition

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

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**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

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

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

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 5 HOURS/ DAYS

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

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

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

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

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

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

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

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

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CASE NUMBER

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

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


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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.			ADDRESS: 2200 W Carson St
CITY: Torrance	STATE: CA	ZIP CODE: 90501	

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

Dated: November 1, 2017


 (SIGNATURE OF ATTORNEY/FILING PARTY)

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

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