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

**MAY 27 2015**

Sherri R. Carter, Executive Officer/Clerk  
By Myrna Beltran Deputy  
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Attorneys for Plaintiff ALEXY C. RAFAEL

*D-54 ERNEST HIROSHIGE*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES (CENTRAL DISTRICT)**

ALEXY C. RAFAEL,

Plaintiff,

v.

CITY OF CARSON; and DOES 1 through  
25, inclusive

Defendants.

Case No.

**BC 5 8 2 8 7 5**

**COMPLAINT FOR:**

- (1) **DISABILITY DISCRIMINATION  
IN VIOLATION OF CAL. GOV'T  
CODE § 12940(a);**
- (2) **PERCEIVED DISABILITY  
DISCRIMINATION IN  
VIOLATION OF CAL. GOV'T  
CODE § 12926.1;**
- (3) **FAILURE TO ACCOMMODATE  
DISABILITY (CAL. GOV'T CODE  
§ 12940(m), (n));**
- (4) **FAILURE TO ENGAGE IN THE  
INTERACTIVE PROCESS ( CAL.  
GOV'T CODE § 12940(n);**
- (5) **INTERFERENCE WITH AND  
FAILURE TO PROVIDE LEAVE;**
- (6) **RETALIATION;**
- (7) **FAILURE TO PREVENT  
DISCRIMINATION;**
- (8) **DECLARATORY RELIEF; AND**
- (9) **INJUNCTIVE RELIEF.**

**DEMAND FOR JURY TRIAL**

Plaintiff ALEXY C. RAFAEL ("Plaintiff") complains and alleges as follows:

CIT/CLERK: BC582875  
LEA/DEF#: \_\_\_\_\_  
RECEIPT #: CCH280197012  
DATE PAID: 05/27/15 08:39 AM  
PAYMENT: \$435.00  
RECEIVED:  
CHECK: \$435.00  
CASH: \$0.00  
CHANGE: \$0.00  
CARD: \$0.00

05/27/2015

1 **GENERAL ALLEGATIONS**

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

4 2. Plaintiff is informed and believes and thereon alleges that Defendant CITY OF  
5 CARSON ("Defendant") is and at all times mentioned herein was a public entity under and by  
6 virtue of the laws of the State of California; and headquartered at 701 E. Carson St., Carson, CA  
7 90745.

8 3. Plaintiff is informed and believes that Defendant is and "employer" as defined by  
9 California Government Code sections 12926(d), 12940(a), and 12940(j)(4)(A) and other  
10 applicable law.

11 4. The true names and capacities of Defendants Does 1 through 25, whether  
12 individual, corporate, associate or otherwise, are unknown to Plaintiff at this time and Plaintiff  
13 will seek leave of Court to amend this Complaint to identify their true names and capacities when  
14 the same have been ascertained. Plaintiff is informed and believes and based thereon alleges that  
15 each of the Doe Defendants is, in some manner, responsible for the events and happenings herein  
16 set forth and proximately caused injury and damages to Plaintiff as alleged herein.

17 5. Plaintiff is informed and believes, and based thereon alleges, that each Defendant  
18 acted in all respects pertinent to this action as the agent of the other Defendants, carried out a joint  
19 scheme, business plan or policy in all respects pertinent hereto, and the acts of each of the  
20 Defendants are legally attributable to the other Defendants.

21 6. Plaintiff is informed and believe, and based thereon alleges, that each of the  
22 Defendants was the agent, servant, and employee of each of the other Co-Defendants, and in doing  
23 the things alleged, acted in the course and scope of such agency and employment.

24  
25 **FACTUAL ALLEGATIONS**

26 7. Plaintiff has worked in the Human Resources Department with Defendant for  
27 approximately the last fourteen (14) years. Plaintiff's specific job title was Senior Human  
28 Resources Analyst. Plaintiff is Filipino.

8. During and at all times, Plaintiff performed his job duties with Defendant in a competent manner. In all of Plaintiff's yearly performance evaluations, Plaintiff received at least "above standard" ratings. Plaintiff received his last full performance review in November 2012 and, again, received an "above standard" rating.

9. During Plaintiff's employment, he has been harassed, discriminated against, and retaliated against over the course of the last several years. Plaintiff is informed, believes, and alleges that this illegal treatment has been directed by Elito Santarina, a member of Defendant's City Council.

10. The illegal conduct began in mid 2013 when Plaintiff received a directive from Mr. Santarina to ensure that certain employees were given and placed into various City of Carson jobs. Mr. Santarina is Filipino. Each of the individuals that Mr. Santarina wanted Plaintiff to place into City of Carson jobs was also Filipino. Plaintiff believed the main reason Mr. Santarina made this directive was because he (Mr. Santarina) wanted more Filipinos holding City of Carson jobs. Plaintiff also believed that Mr. Santarina wanted to repay favors owed to his (Mr. Santarina's) Filipino constituents and simultaneously limit the number of African-American employees working for the City of Carson. In fact, Plaintiff received several resumes and/or copies of job applications directly from Mr. Santarina; all of the resumes and job applications were for Filipino individuals.

11. Plaintiff objected to Mr. Santarina's directive as it was unlawful to give an individual a position based solely on an individual's race, ethnicity, and/or national origin. Plaintiff felt that employment positions at the City of Carson should be filled based on objective criteria, such as analyzing a person's resume, job qualifications, and past work experience.

12. After objecting to Mr. Santarina's directive, Plaintiff began to suffer retaliation with threats of termination, even though Plaintiff's performance had always been satisfactory.

13. The threats of termination increased during the summer of 2013 when Mr. Santarina engineered the dismissal of David Biggs, the then existing City Manager. Instead of going through a lengthy recruitment process to replace Mr. Biggs, Defendant's City Council immediately voted to appoint Samuel Ghaly into the City Manager position.

1           14. Mr. Ghaly had not worked as a City Manager prior to his appointment with  
2 Defendant. Plaintiff felt that Mr. Ghaly was appointed to assist in pushing through certain  
3 directives that were opposed by Mr. Briggs and other employees of Defendant, including Plaintiff.  
4 Plaintiff feared that one of these directives Mr. Ghaly would attempt to push through was his  
5 termination.

6           15. Plaintiff's fears were realized when in August 2013, Defendant placed Plaintiff on  
7 administrative leave. Defendant had no reason or cause to place Plaintiff on an administrative  
8 leave. As such, no reason was given to Plaintiff for his being placed on leave. However, Plaintiff  
9 is informed and believes that the directive to place him on administrative leave came from Mr.  
10 Santarina and was a further example of Defendant's retaliatory conduct.

11           16. Plaintiff is informed and believes that after being placed on administrative leave,  
12 Mr. Ghaly attempted to fabricate false allegations that Plaintiff was a poor performer. Plaintiff is  
13 informed and believes that Defendant engaged in this retaliatory behavior in an attempt to force  
14 Plaintiff to resign and/or justify his eventual termination.

15           17. The above behavior caused Plaintiff to understandably develop stress, anxiety, and  
16 depression. As such, Plaintiff submitted a request to take a medical leave of absence pursuant to  
17 the Family Medical Leave Act ("FMLA"). Defendant repeatedly denied Plaintiff's FMLA leave  
18 requests, in further acts of retaliation. Ultimately, Plaintiff's FMLA request was submitted to an  
19 independent/third party physician who approved Plaintiff's medical certification, thereby assuring  
20 his leave was protected under FMLA.

21           18. While on leave, Defendant's harassment, discrimination, and retaliation of Plaintiff  
22 continued. For example, Defendant continually claimed that Plaintiff being on an extended leave  
23 of absence was causing Defendant an "undue hardship." Defendant's argument was illogical as  
24 Plaintiff was well aware of other employees who Defendant had allowed to remain on medical  
25 leave (and leaves of absence) for upwards of four (4) years without claiming any "undue  
26 hardship."

27           19. Throughout his medical leave, Plaintiff is informed and believes that Defendant  
28 wanted Plaintiff to resign and not come back to work. However, in early 2015, Plaintiff's

1 physician released Plaintiff to return to work with certain restrictions.

2 20. After receiving Plaintiff's medical release, Defendant held an interactive process  
3 meeting with Plaintiff in February 2015. At this meeting, Defendant unilaterally determined that  
4 it could not accommodate Plaintiff's work restrictions and placed him on a further unpaid three (3)  
5 month leave of absence.

6 21. In May 2015, Defendant held another interactive process meeting regarding  
7 Plaintiff's work release. As a result of this meeting, Plaintiff was supposed to be allowed to return  
8 to work. Instead, Defendant's retaliation continued. For example, Plaintiff was not allowed to  
9 return to work on his release date as Defendant admitted that they were not prepared for his return.  
10 Rather, Plaintiff was asked to return to work on or about May 19, 2015. Additionally, just before  
11 Plaintiff's return, Defendant gave away Plaintiff's private office to a lower-level employee,  
12 despite the office being vacant during Plaintiff's leave of absence. Defendant deleted Plaintiff's  
13 name in the City's published official list of current employees and removed his name from the  
14 department's directory. Defendant also did not pay Plaintiff on or about May 15, 2015, in  
15 conformity with its standard practice.

16 22. Plaintiff was set to return to work on or about May 19, 2015 when he was informed  
17 the City of Carson was placing him on another administrative leave, rather than allowing him to  
18 return to work. Plaintiff was informed that he was being place on administrative leave because of  
19 a recent complaint by another employee. Plaintiff has not been given the details of this specific  
20 complaint but believes it is a trumped-up allegation being used to prevent his return to work. As  
21 such, the harassment, discrimination, and retaliation against Plaintiff are continuing, as it appears  
22 Plaintiff will never be allowed to return to work.

23 23. Within the time provided by law, Plaintiff filed a complaint with the California  
24 Department of Fair Employment and Housing, in full compliance with these sections, and received  
25 the right-to-sue letter regarding his claims.  
26  
27  
28

**FIRST CAUSE OF ACTION**  
**DISABILITY DISCRIMINATION**  
**[Against All Defendants]**

24. Plaintiff realleges and incorporates herein paragraphs 1 through 23 of this complaint as though fully set forth.

25. At all times herein mentioned, the Fair Employment and Housing Act ("FEHA"), California Government Code section 12940(a), was in full force and effect and binding on Defendants. These statutes required Defendants to refrain from discriminating and/or harassing against any employee on the basis of a physical and/or mental disability.

26. Plaintiff suffered from a disability as defined by FEHA and as discussed above. Despite this, Plaintiff was able to perform the essential functions of his employment position with Defendants both with and without reasonable accommodation.

27. Plaintiff believes and thereon alleges that his disabilities were a motivating and substantial factor for Defendant's various adverse actions against Plaintiff, including but not limited to being placed on administrative leave (three times), being unfairly disciplined, being harassed, having his FMLA leave request denied, and repeatedly not being allowed to return to work.

28. As a proximate result of the aforesaid acts of Defendants, and each of them, Plaintiff has suffered actual, consequential and incidental financial losses, including without limitation, loss of salary and benefits, and the intangible loss of employment related opportunities in his field and damage to his professional reputation, all in an amount subject to proof at the time of trial.

29. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and believes and thereupon alleges that he will continue to experience said physical and emotional suffering for a period in the future not presently ascertainable, all in an amount subject to proof at the time of trial.

1           30.     As a proximate result of the wrongful acts of Defendants, and each of them,  
2 Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is  
3 expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled  
4 to recover attorneys' fees and costs under section 12965(b) of the California Government Code.

5  
6                               **SECOND CAUSE OF ACTION**  
7                               **PERCEIVED DISABILITY DISCRIMINATION IN VIOLATION OF**  
8                               **CAL. GOV'T CODE § 12926.1**  
9                               **[Against All Defendants]**

10           31.     Plaintiff realleges and incorporates herein paragraphs 1 through 30 of this  
11 complaint as though fully set forth.

12           32.     At all times herein mentioned, California Government Code section 12940(a),  
13 was in full force and effect and binding on Defendants. These statutes required Defendants to  
14 refrain from discriminating and/or harassing against any employee that they perceive as having a  
15 physical and/or mental disability.

16           33.     During Plaintiff's employment, Defendants regarded Plaintiff as disabled.

17           34.     Plaintiff believes and thereon alleges that this perceived disability was a  
18 motivating and substantial factor for Defendant's various adverse actions against Plaintiff,  
19 including but not limited to being placed on administrative leave (three times), being unfairly  
20 disciplined, being harassed, having his FMLA leave request denied, and repeatedly not being  
21 allowed to return to work.

22           35.     As a proximate result of the aforesaid acts of Defendants, and each of them,  
23 Plaintiff has suffered actual, consequential and incidental financial losses, including without  
24 limitation, loss of salary and benefits, and the intangible loss of employment related opportunities  
25 in his field and damage to his professional reputation, all in an amount subject to proof at the time  
26 of trial.

27           36.     As a proximate result of the wrongful acts of Defendants, and each of them,  
28 Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and

1 embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and  
2 believes and thereupon alleges that he will continue to experience said physical and emotional  
3 suffering for a period in the future not presently ascertainable, all in an amount subject to proof at  
4 the time of trial.

5 37. As a proximate result of the wrongful acts of Defendants, and each of them,  
6 Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is  
7 expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled  
8 to recover attorneys' fees and costs under section 12965(b) of the California Government Code.

9  
10 **THIRD CAUSE OF ACTION**

11 **FAILURE TO ACCOMMODATE DISABILITY IN VIOLATION OF CAL. GOV'T**

12 **CODE § 12940(m)**

13 **[Against All Defendants]**

14 38. Plaintiff realleges and incorporates herein paragraphs 1 through 37 of this  
15 complaint as though fully set forth.

16 39. At all times herein mentioned, California Government Code section 12940(m),  
17 was in full force and effect and binding on Defendants. This statute affirmed Defendants' duty  
18 to make reasonable accommodations for the physical and/or mental disabilities of Plaintiff. This  
19 statute further requires Defendants to engage in an interactive process to reach a reasonable  
20 accommodation for an employee's disability.

21 40. Plaintiff alleges that Defendants failed to accommodate his disabilities. Plaintiff  
22 further alleges that Defendants failed to engage in an interactive process to reach an  
23 accommodation concerning Plaintiff's disabilities. Plaintiff believes and thereon alleges that his  
24 request to Defendants for an accommodation concerning his disabilities were motivating and  
25 substantial factors for Defendant's various adverse actions against Plaintiff, including but not  
26 limited to being placed on administrative leave (three times), being unfairly disciplined, being  
27 harassed, having his FMLA leave request denied, and repeatedly not being allowed to return to  
28 work.



1           41.     As a proximate result of the aforesaid acts of Defendants, and each of them,  
2 Plaintiff has suffered actual, consequential and incidental financial losses, including without  
3 limitation, loss of salary and benefits, and the intangible loss of employment related opportunities  
4 in his field and damage to his professional reputation, all in an amount subject to proof at the time  
5 of trial.

6           42.     As a proximate result of the wrongful acts of Defendants, and each of them,  
7 Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and  
8 embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and  
9 believes and thereupon alleges that he will continue to experience said physical and emotional  
10 suffering for a period in the future not presently ascertainable, all in an amount subject to proof at  
11 the time of trial.

12           43.     As a proximate result of the wrongful acts of Defendants, and each of them,  
13 Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is  
14 expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled  
15 to recover attorneys' fees and costs under section 12965(b) of the California Government Code.

16  
17                               **FOURTH CAUSE OF ACTION**

18           **FAILURE TO ENGAGE IN THE INTERACTIVE PROCESS IN VIOLATION OF CAL.**

19                               **GOV'T CODE § 12940(n)**

20                               **[Against All Defendants]**

21           44.     Plaintiff realleges and incorporates herein paragraphs 1 through 43 of this  
22 complaint as though fully set forth.

23           45.     At all times herein mentioned, California Government Code section 12940(n),  
24 was in full force and effect and binding on Defendants. This statute required Defendants to  
25 engage in an interactive process in assessing an employee's physical and/or mental disability in  
26 order to provide an accommodation. Section 12940(n) makes it an unlawful employment  
27 practice for an employer to fail to engage in a timely, good faith, interactive process with the  
28 employee to determine the effective accommodations, if any, in response to a request for an

1 accommodation by an employee with a disability.

2 46. During his employment, Plaintiff suffered from disabilities which were known to  
3 Defendants. Defendants, however, never engaged in any interactive process with Plaintiff.

4 47. As a proximate result of the aforesaid acts of Defendants, and each of them,  
5 Plaintiff has suffered actual, consequential and incidental financial losses, including without  
6 limitation, loss of salary and benefits, and the intangible loss of employment related opportunities  
7 in his field and damage to his professional reputation, all in an amount subject to proof at the time  
8 of trial.

9 48. As a proximate result of the wrongful acts of Defendants, and each of them,  
10 Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and  
11 embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and  
12 believes and thereupon alleges that he will continue to experience said physical and emotional  
13 suffering for a period in the future not presently ascertainable, all in an amount subject to proof at  
14 the time of trial.

15 49. As a proximate result of the wrongful acts of Defendants, and each of them,  
16 Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is  
17 expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled  
18 to recover attorneys' fees and costs under section 12965(b) of the California Government Code.

19  
20 **FIFTH CAUSE OF ACTION**

21 **INTERFERENCE WITH AND FAILURE TO PROVIDE LEAVE IN VIOLATION OF**  
22 **CALIFORNIA GOVERNMENT CODE § 12945.2(t)**

23 **[Against All Defendants]**

24 50. Plaintiff realleges and incorporates herein paragraphs 1 through 49 of this  
25 complaint as though fully set forth.

26 51. The laws of the State of California prohibit an employer from discriminating or  
27 retaliating against an employee for exercising his right to take medical leave under the California  
28 Family Rights Act ("CFRA"). Cal. Gov't Code §§ 12945.2; 12945.2(l); 2 Cal. Code. Regs. §

1 11094.

2 52. Plaintiff is informed and believes and thereupon alleges that, at all times relevant  
3 herein, Defendants employed more than 50 persons within 75 miles of the worksite where  
4 Plaintiff was employed.

5 53. During Plaintiff's employment, Plaintiff requested medical leave. At the time  
6 Plaintiff requested medical leave, Plaintiff had more than 12 months of service with Defendants  
7 and over 1,250 hours of service with Defendants during the previous 12 month period. Plaintiff  
8 is informed and believes and thereupon alleges that he was entitled to leave pursuant to sections  
9 12945.2 *et seq.* of the California Government Code.

10 54. Defendants' interference with and failure to provide Plaintiff with leave as  
11 described in this Complaint violates the California Fair Employment and Housing Act as  
12 promulgated in sections 12945.2 *et seq.* of the California Government Code and other law.

13 55. As a proximate result of the aforesaid acts of Defendants, and each of them,  
14 Plaintiff has suffered actual, consequential and incidental financial losses, including without  
15 limitation, loss of salary and benefits, and the intangible loss of employment related  
16 opportunities in his field and damage to his professional reputation, all in an amount subject to  
17 proof at the time of trial.

18 56. As a proximate result of the wrongful acts of Defendants, and each of them,  
19 Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and  
20 embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and  
21 believes and thereupon alleges that he will continue to experience said physical and emotional  
22 suffering for a period in the future not presently ascertainable, all in an amount subject to proof  
23 at the time of trial.

24 57. As a proximate result of the wrongful acts of Defendants, and each of them,  
25 Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is  
26 expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is  
27 entitled to recover attorneys' fees and costs under section 12965(b) of the California Government  
28 Code.

**SIXTH CAUSE OF ACTION**  
**RETALIATION IN VIOLATION OF**  
**CALIFORNIA GOVERNMENT CODE §§ 12940 *ET SEQ.***  
**[Against All Defendants]**

58. Plaintiff realleges and incorporates herein paragraphs 1 through 57 of this complaint as though fully set forth.

59. At all relevant times herein and in violation of sections 12940 *et seq.* of the California Government Code, Defendants retaliated against Plaintiff by adversely affecting Plaintiff's employment after he complained about Defendant's unlawful and discriminatory activities.

60. As a proximate result of the aforesaid acts of Defendants, and each of them, Plaintiff has suffered actual, consequential and incidental financial losses, including without limitation, loss of salary and benefits, and the intangible loss of employment related opportunities in his field and damage to his professional reputation, all in an amount subject to proof at the time of trial.

61. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and believes and thereupon alleges that he will continue to experience said physical and emotional suffering for a period in the future not presently ascertainable, all in an amount subject to proof at the time of trial.

62. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled to recover attorneys' fees and costs under section 12965(b) of the California Government Code and applicable law.

**[Against All Defendants]**

63. Plaintiff realleges and incorporates herein paragraphs 1 through 62 of this complaint as though fully set forth.

64. At all times mentioned herein, sections 12940 *et seq.* of the California Government Code, including but not limited to sections 12940(k), were in full force and effect and were binding upon Defendants and each of them. These sections impose on an employer a duty to take immediate and appropriate corrective action to end discrimination and take all reasonable steps necessary to prevent discrimination from occurring, among other things.

65. Defendants failed to take immediate and appropriate corrective action to end the discrimination. Defendants also failed to take all reasonable steps necessary to prevent the discrimination from occurring.

66. In failing and/or refusing to take immediate and appropriate corrective action to end the discrimination and in failing and/or refusing to take all reasonable steps necessary to prevent discrimination from occurring, Defendants violated California law, causing Plaintiff to suffer damages as set forth above.

67. As a proximate result of the aforesaid acts of Defendants, and each of them, Plaintiff has suffered actual, consequential and incidental financial losses, including without limitation, loss of salary and benefits, and the intangible loss of employment related opportunities in his field and damage to his professional reputation, all in an amount subject to proof at the time of trial.

68. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and believes and thereupon alleges that he will continue to experience said physical and emotional suffering for a period in the future not presently ascertainable, all in an amount subject to proof

1 at the time of trial.

2 69. As a proximate result of the wrongful acts of Defendants, and each of them,  
3 Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is  
4 expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is  
5 entitled to recover attorneys' fees and costs under section 12965(b) of the California Government  
6 Code.

7  
8 **EIGHTH CAUSE OF ACTION**

9 **DECLARATORY RELIEF**

10 **[Against All Defendants]**

11 70. Plaintiff realleges and incorporates by this reference, as though set forth in full,  
12 paragraphs 1 through 69, inclusive.

13 71. California Government Code section 12920 sets forth the public policy of the  
14 State of California as follows:

15 It is hereby declared as the public policy of this state that it is  
16 necessary to protect and safeguard the right and opportunity of all  
17 persons to seek, obtain, and hold employment without  
18 discrimination or abridgment on account of race, religious creed,  
19 color, national origin, ancestry, physical disability, mental  
disability, medical condition, genetic information, marital status,  
sex, gender, gender identity, gender expression, age, or sexual  
orientation.

20 It is recognized that the practice of denying employment  
21 opportunity and discriminating in the terms of employment for  
22 these reasons foments domestic strife and unrest, deprives the state  
23 of the fullest utilization of its capacities for development and  
advancement, and substantially and adversely affects the interests  
of employees, employers, and the public in general.

24 Further, the practice of discrimination because of race, color,  
25 religion, sex, gender, gender identity, gender expression, sexual  
26 orientation, marital status, national origin, ancestry, familial status,  
27 source of income, disability, or genetic information in housing  
accommodations is declared to be against public policy.

28 It is the purpose of this part to provide effective remedies that will

eliminate these discriminatory practices.

This part shall be deemed an exercise of the police power of the state for the protection of the welfare, health, and peace of the people of this state.

72. California Government Code section 12920.5 embodies the intent of the California legislature and states:

In order to eliminate discrimination, it is necessary to provide effective remedies that will both prevent and deter unlawful employment practices and redress the adverse effects of those practices on aggrieved persons. To that end, this part shall be deemed an exercise of the Legislature's authority pursuant to Section 1 of Article XIV of the California Constitution.

73. Moreover, California Government Code section 12921, subdivision (a) says in pertinent part:

The opportunity to seek, obtain, and hold employment without discrimination because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation is hereby recognized as and declared to be a civil right.

74. An actual controversy has arisen and now exists between Plaintiff and Defendants concerning their respective rights and duties as it is believed that Defendants may allege that Plaintiff has been treated based on a non-discriminatory, legitimate reason and Plaintiff's disability and complaints were not substantial motivating factors for Defendant's various adverse actions against Plaintiff, including but not limited to being placed on administrative leave (three times), being unfairly disciplined, being harassed, having his FMLA leave request denied, and repeatedly not being allowed to return to work. Plaintiff contends that the reason given by Defendants was a pretext to mask its true reason(s) for its illegal conduct. Plaintiff is informed and believes, and on that basis alleges, that Defendants shall dispute Plaintiff's contention and shall assert its reason was non-discriminatory and legitimate.

75. Pursuant to Code of Civil Procedure section 1060, Plaintiff desires a judicial determination of his rights and duties, and a declaration that his disability was a substantial motivating factor in the decision to mistreat him.

76. A judicial declaration is necessary and appropriate at this time under the circumstances in order that Plaintiff, for himself and on behalf of employees of the State of California and in conformity with the public policy of the State, obtain a judicial declaration of the wrongdoing of Defendants and to condemn such discriminatory employment policies or practices. *See Harris v. City of Santa Monica*, 2013 WL 452959 (Cal. Feb. 7, 2013).

77. A judicial declaration is necessary and appropriate at this time such that Defendants may also be aware of its obligations under the law to not engage in discriminatory practices and violate the law.

78. California Government Code section 12965(b) provides that an aggrieved party, such as the Plaintiff herein, may be awarded reasonable attorney's fees and costs. "In civil actions brought under this section, the court, in its discretion, may award to the prevailing party, including the department, reasonable attorney's fees and costs, including expert witness fees." Such fees and costs expended by an aggrieved party may be awarded for the purpose redressing, preventing, or deterring discrimination.

### **NINTH CAUSE OF ACTION**

#### **INJUNCTIVE RELIEF**

#### **[Against All Defendants]**

79. Plaintiff repeats and re-alleges Paragraphs 1 through 78, inclusive, above, and incorporates same herein as though set forth in full.

80. The acts and omissions of the Defendants, and each of them, have caused irreparable harm to Plaintiff and will continue to cause irreparable harm to current employees unless the complained of conduct is enjoined. There is no immediate, adequate or speedy remedy at law to redress the continuing retaliatory policies and practices of Defendants, and, therefore, Plaintiff seeks affirmative and injunctive relief as follows:



- 1 a. for an injunction restraining Defendants, and each of them, from continuing or  
2 maintaining any policy, practice, custom or usage which is retaliatory in  
3 nature against any employee exercising his/her rights under FEHA;
- 4 b. for an injunction restraining Defendant, along with its supervising employees,  
5 agents and all those subject to its control or acting in concert with it from  
6 causing, encouraging, condoning or permitting the practice of retaliation and  
7 willful violations of FEHA;
- 8 c. for affirmative relief requiring Defendants, and each of them, to conduct  
9 training of all employees to "sensitize" them to the harmful nature of  
10 retaliating against an employee exercising his/her rights under FEHA. The  
11 proposed plan of education and training should also include training and  
12 detection, and correction and prevention of such retaliatory practices;
- 13 d. for affirmative relief requiring Defendants, and each of them, to notify all  
14 employees and supervisors, through individual letters and permanent postings  
15 in prominent locations in all offices that retaliation violates the California Fair  
16 Employment and Housing Act and the consequences of violation of such laws  
17 and policies;
- 18 e. for affirmative relief requiring Defendants, and each of them, to develop clear  
19 and effective policies and procedures for employees complaining of retaliation  
20 or violations of FEHA so they may have their complaints promptly and  
21 thoroughly investigated (by a neutral fact finder) and informal as well as  
22 formal processes for hearing, adjudication and appeal of the complaints; and
- 23 f. for affirmative relief requiring Defendants, and each of them, to develop  
24 appropriate sanctions or disciplinary measures for supervisors or other  
25 employees who are found to have committed retaliatory acts, including  
26 warnings to the offending person and notations in that person's employment  
27 record for reference in the event future complaints are directed against that  
28 person, and dismissal where other measures fail.

1  
2  
3 **PRAYER**

4 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as  
5 follows:

6 1. For all actual, consequential and incidental financial losses including lost wages,  
7 benefits, medical bills, mental and emotional distress, and other special and general damages  
8 according to proof but in excess of the jurisdictional limit of this court;

9 2. For compensatory and general damages in an amount according to proof;

10 3. Plaintiff seeks injunctive relief to restrain Defendants from engaging in further  
11 discrimination of its employees, and to order Defendants to take all reasonable steps to prevent  
12 discrimination from occurring, to promptly investigate claims of discrimination, and to prevent  
13 retaliation;

14 4. For declaratory relief;

15 5. That Plaintiff be awarded attorney's fees and costs pursuant to section 12965 of the  
16 California Government Code, and/or other applicable law; and

17 6. For such other and further relief that is just and proper.  
18

19 Dated: May 22, 2015

HURWITZ, ORIHUELA & HAYES, LLP

20  
21 By: 

22 Douglas B. Hayes,  
23 Attorneys for Plaintiff Alexy C. Rafael  
24  
25  
26  
27  
28


**DEMAND FOR JURY TRIAL**

Plaintiff Alexy C. Rafael hereby demands that this matter be submitted to and tried before  
a jury on all issues triable by a jury.

Dated: May 22, 2015

HURWITZ, ORIHUELA & HAYES, LLP

By: \_\_\_\_\_

  
Douglas B. Hayes,  
Attorneys for Plaintiff Alexy C. Rafael

05/27/2015

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Douglas Hayes (Bar No. 232709)  
 HURWITZ, ORIHUELA & HAYES, LLP  
 5757 Wilshire Blvd, Suite 503  
 Los Angeles, California 90036

TELEPHONE NO.: (323) 965-2103

FAX NO.: (323) 965-2146

ATTORNEY FOR (Name): Plaintiff ALEXY C. RAFAEL,

FOR COURT USE ONLY

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

MAY 27 2015

Sherri R. Carter, Executive Officer/Clerk

By Myrna Beltran Deputy  
Myrna Beltran

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 North Hill St.

MAILING ADDRESS: 111 North Hill St.

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Central District

CASE NAME:

RAFAEL v. CITY OF CARSON, et al.

## CIVIL CASE COVER SHEET

☒ **Unlimited** ☐ **Limited**  
 (Amount (Amount  
 demanded demanded is  
 exceeds \$25,000) \$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 5 8 2 8 7 5**

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**

☐ Auto (22)  
☐ Uninsured motorist (46)

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

☐ Asbestos (04)  
☐ Product liability (24)  
☐ Medical malpractice (45)  
☐ Other PI/PD/WD (23)

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

☐ Business tort/unfair business practice (07)  
☐ Civil rights (08)  
☐ Defamation (13)  
☐ Fraud (16)  
☐ Intellectual property (19)  
☐ Professional negligence (25)  
☐ Other non-PI/PD/WD tort (35)

**Employment**

☐ Wrongful termination (36)  
☒ Other employment (15)

**Contract**

☐ Breach of contract/warranty (06)  
☐ Rule 3.740 collections (09)  
☐ Other collections (09)  
☐ Insurance coverage (18)  
☐ Other contract (37)

**Real Property**

☐ Eminent domain/Inverse condemnation (14)  
☐ Wrongful eviction (33)  
☐ Other real property (26)

**Unlawful Detainer**

☐ Commercial (31)  
☐ Residential (32)  
☐ Drugs (38)

**Judicial Review**

☐ Asset forfeiture (05)  
☐ Petition re: arbitration award (11)  
☐ Writ of mandate (02)  
☐ Other judicial review (39)

**Provisionally Complex Civil Litigation**  
(Cal. Rules of Court, rules 3.400-3.403)

☐ Antitrust/Trade regulation (03)  
☐ Construction defect (10)  
☐ Mass tort (40)  
☐ Securities litigation (28)  
☐ Environmental/Toxic tort (30)  
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

**Enforcement of Judgment**☐ Enforcement of judgment (20)**Miscellaneous Civil Complaint**

☐ RICO (27)  
☐ Other complaint (not specified above) (42)

**Miscellaneous Civil Petition**

☐ Partnership and corporate governance (21)  
☐ 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 d. ☐ Large number of witnesses  
 b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court  
 c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive4. Number of causes of action (specify): Nine5. 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: May 21, 2015

Douglas B. Hayes

(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.

Page 1 of 2

SHORT TITLE:

RAFAEL v. CITY OF CARSON, et al.

CASE NUMBER

BC 5 8 2 8 7 5

**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.

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

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CASE NUMBER

Non-Personal Injury/ Property  
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <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.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1. <u>2</u> , 3. 10.
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/Collection's 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.
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-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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Judicial Review

Provisionally Complex Litigation

Enforcement  
of JudgmentMiscellaneous  
Civil ComplaintsMiscellaneous  
Civil Petitions

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

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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.

☐1. ☒2. ☐3. ☐4. ☐5. ☐6. ☐7. ☐8. ☐9. ☐10.

ADDRESS:

701 E. Carson Street

CITY:

Carson

STATE:

CA

ZIP CODE:

90745

**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: May 21, 2015



(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.