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Genie Harrison (SBN 163641)
Robert M. Kitson (SBN 214091)
LITT ESTUAR
HARRISON MILLER & KITSON
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017
Tel.: (213) 386-3114
Fax: (213) 380-4585
E-mail: gharrison@littlaw.com
E-mail: rkitson@littlaw.com

FILED
LOS ANGELES SUPERIOR COURT
NOV 10 2005
JOHN A. CLARKE, EXECUTIVE OFFICER/CLERK
BY Dennis Giles
D. GILES, DEPUTY

Gregory A. Cole, SBN 159618
LAW OFFICE OF GREGORY A. COLE
1801 Century Park East, 23rd Floor
Los Angeles, CA 90067
Tel: (310) 286-2520
Fax: (310) 286-1440
E-mail: gcole8@aol.com

Case assigned to
Judge Lee Edman

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

TENNIE PIERCE
Plaintiff
vs.
CITY OF LOS ANGELES; JOHN
TOHILL, an individual; JORGE
AREVALO, an individual; CHRIS
BURTON, an individual; and DOES 1-20.
Defendants

Case No. BC B C 342845
[Not Yet Assigned]
COMPLAINT FOR DAMAGES; DEMAND
FOR JURY TRIAL
1) Gov't Code §12940(a) – Racial Harassment;
2) Intentional Infliction of Emotional Distress;
3) Negligent Infliction of Emotional Distress.

INTRODUCTION

1. Plaintiff Tennie Pierce ("Plaintiff") brings this action for damages for Defendants' violations of California Government Code §12940 (the California Fair Employment and Housing Act (FEHA)), for intentional and negligent infliction of emotional distress, and for exemplary damages.

FILED
NOV 10 2005
RECEIVED
DATE PAID: 11/10/05 03:59:32 PM
PAYMENT: 002201.50
0310
CITY/CASE: BC 02845
RECEIPT # 0348069860
CHARGE: EMPLOYMENT
CASH: 09.50
CHECK: 0000.00
CHANGE: 0000.00
CASH: 0000.00

1 **JURISDICTION & VENUE**

2 2. The Superior Court for the State of California in and for the County of Los
3 Angeles is the proper jurisdiction and venue for this action because all of the acts giving rise to
4 Defendants' liability occurred in the County of Los Angeles. Plaintiff has been damaged by
5 Defendants' actions in an amount exceeding \$25,000.

6 3. Plaintiff has exhausted his administrative remedies. Exhibit A to this complaint is
7 a tort claim timely filed by Plaintiff. Exhibit B is the denial letter from Defendant City of Los
8 Angeles. Exhibit C includes the complaints filed by Plaintiff with the State of California
9 Department of Fair Employment and Housing ("DFEH") in regard to the incidents of unlawful
10 discrimination/harassment alleged in this complaint. Exhibit D includes the right to sue letters
11 from the DFEH.

12 **PARTIES**

13 4. Plaintiff is and was at all relevant times a resident of Los Angeles County,
14 California. Plaintiff has been employed as a Los Angeles firefighter since 1986.

15 5. Defendant City of Los Angeles is a local municipal entity.

16 6. Defendant John Tohill (hereafter "Tohill") was, at all times relevant herein,
17 employed by the City of Los Angeles as a Captain and was stationed at Fire Station #5 during the
18 events herein described.

19 7. Defendant Chris Burton (hereafter "Burton") was, at all times relevant herein,
20 employed by the City of Los Angeles as a Captain 2 and was stationed at Fire Station #5 during
21 the events herein described.

22 8. Defendant Jorge Arevalo (hereafter "Arevalo") was, at all times relevant herein,
23 employed by the City of Los Angeles as a Firefighter III and was stationed at Fire Station #5
24 during the events herein described.

25 9. The true names or capacities, whether individual, corporate, or otherwise, of
26 defendants DOES 1 through 20, inclusive, are unknown to Plaintiff, who therefore sues said
27 defendants by such fictitious names. Plaintiff is informed and believes and thereon alleges that
28 each of the defendants designated herein by fictitious names is in some manner legally
29 responsible for the events and happenings herein referred to and caused damages to Plaintiff as
30

1 alleged herein. At all times herein mentioned, "Defendants" includes all named defendants as
2 well as defendants named as Does 1-20.

3 **10.** Plaintiff is informed and believes and based thereon alleges that the acts,
4 omissions, and things complained of herein were done by the agents, servants, employees,
5 officers and/or directors of Defendants, and were authorized, directed, approved and ratified by
6 Defendants, and were done in the course and scope of Defendants' employment.

7 **FACTS COMMON TO ALL CAUSES OF ACTION**

8 **11.** From October 5, 2003, until December 12, 2004, Plaintiff was assigned to Fire
9 Station No. 5.

10 **12.** On or about October 14, 2004, Plaintiff was the only African-American firefighter
11 at the Fire Station at the time.

12 **13.** At the appointed time for dinner, Plaintiff entered the kitchen to eat dinner with
13 his fellow firefighters and the two supervising captains on duty, Burton and Tohill.

14 **14.** A number of the firefighters were standing up together as Plaintiff walked into the
15 kitchen, including Arevalo, who told Plaintiff his dinner, a plate of spaghetti, was on top of the
16 stove. Plaintiff walked to the stove and picked up his spaghetti, then walked around the two
17 Captains and sat down at the community table.

18 **15.** Plaintiff mixed the spaghetti around and took a large bite, at which time he
19 noticed the other firefighters were laughing and making noises. After Plaintiff took a second bite
20 and his co-workers were laughing, etc., Plaintiff realized they must have put something in his
21 food. Plaintiff stood up and demanded to know what was put in his food, but no one would tell
22 him. Plaintiff then left the kitchen with his co-workers laughing at him.

23 **16.** A few minutes later, Arevalo admitted to Plaintiff that he had put dog food in
24 Plaintiff's spaghetti. Shockingly, Plaintiff later learned that both Capt. Burton and Tohill knew
25 that the dog food was to be put in Plaintiff's spaghetti, they knew it actually was put in Plaintiff's
26 spaghetti and they did not stop the other firefighters from engaging in this conduct, nor did they
27 stop Plaintiff from eating the spaghetti. Further compounding Plaintiff's shock and humiliation,
28 Plaintiff also later found out that Capt. Tohill himself bought the can of dog food.

29 **17.** The incident was especially severe, offensive and humiliating, because Plaintiff's
30 supervisors were directly involved in buying the dog food and allowing Plaintiff to be served and

1 then eat the dog food. The supervisors' conduct sent a clear message to their subordinates and
2 immediately created an intolerably hostile work environment for Plaintiff.

3 **18.** Plaintiff is informed and believes, and based thereon alleges, that the incident was
4 race-based. Further, on information and belief, Plaintiff alleges that although there are pranks
5 played by firefighters on one another, pranks and other such conduct directed toward African-
6 American firefighters take on a malicious character not present in pranks involving non African-
7 American firefighters.

8 **19.** Plaintiff is informed and believes, and based thereon alleges, that there have been
9 previous race-based incidents involving Burton, Tohill and/or Arevalo, which did not result in
10 sufficient disciplinary action to prevent the individual defendants from engaging in the conduct
11 herein alleged.

12 **20.** Plaintiff reported the incident to his supervisors and asked that something be done
13 about the conduct as soon as possible. Plaintiff even spoke with the Mayor and other city
14 officials, hoping that immediate steps would be taken to punish those involved and that the
15 matter would be kept confidential. Instead, the incident has been discussed throughout the
16 department and a hostile work environment has been created for Plaintiff. Plaintiff has been
17 subjected to verbal slurs, insults, derogatory remarks, discussion and comments between other
18 employees about his personal situation, has received harassing messages and many hang-ups left
19 on his personal phone.

20 **21.** Plaintiff is informed and believes, and based thereon alleges, that the Department
21 claims to have a "zero tolerance" policy that allegedly was instituted long before the incidents
22 involving Plaintiff. Further, Plaintiff is informed and believes, and based thereon alleges, that on
23 or about May 6, 2005, Fire Chief William Bamattre reiterated this claimed zero tolerance policy
24 as a result of the many recent incidents of discrimination and harassment. Nonetheless, Plaintiff
25 was still subjected to a hostile work environment upon his recent return to work.

26 **22.** After taking time off the job due to the emotional distress and impact of the
27 incidents alleged herein, Plaintiff recently returned to work. However, even a year after the
28 events, Plaintiff still has to suffer the embarrassment and humiliation of reliving the incident. On
29 or about October 19, 2005, Plaintiff was at the Frank Hotchkin training center and was subjected
30 to unwarranted, distressing further harassment. In front of many other firefighters and

1 management level personnel, a number of individuals were barking like dogs at Plaintiff and
2 asking him how the dog food tasted. One individual, in particular, was persistent with his
3 harassment of Plaintiff and even when Plaintiff was speaking with a Captain, that individual kept
4 barking like a dog and asking how dog food tastes.

5 **23.** Plaintiff is plagued at work by constant reminders about the incident. Besides
6 being subjected to intentionally cruel acts as described above, Plaintiff is routinely questioned at
7 work by other firefighters about the incident. There literally is not a work day that goes by
8 without Plaintiff either worrying about the topic being raised by another firefighter or the topic
9 actually being brought up by another firefighter, and there is no end in sight. This dynamic
10 makes for an oppressive, hostile work environment that is inescapable for Plaintiff.

11 **24.** Plaintiff is informed and believes, and based thereon alleges, that there have been
12 a number of race based incidents throughout the Los Angeles Fire Department over the recent
13 years which are either directly discriminatory based on race or which create hostile work
14 environments for the African-American firefighters who suffer through them. These incidents
15 include, but are not limited to: the dog food incident involving Plaintiff; a dead rat being placed
16 in the locker of an African-American firefighter; two African-American firefighters being called
17 "niggers;" and an African-American firefighter being told (by a captain) that a dead dog
18 discovered hanging by a rope over a tree would have been the African-American firefighter had
19 it been 40 years ago.

20 **25.** Plaintiff is informed and believes, and based thereon alleges, that over the past
21 approximately one year the Los Angeles Fire Department has disciplined more than ten (10)
22 employees for race and gender based harassment in the Department. Plaintiff is informed and
23 believes, and based thereon alleges, that there is a pattern and practice of discrimination and/or
24 harassment, tolerating the same, and a failure of leadership and discipline in the Department that
25 sends the message that individuals perpetrating such heinous actions will not be disciplined
26 seriously, and in effect, allows race based incidents to occur.

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FIRST CAUSE OF ACTION

Racial Harassment

Gov't Code §12940(a)

(Against all Defendants and Does)

26. Plaintiff hereby repeats, realleges and incorporates by reference, as though fully set forth herein, the allegations contained in paragraphs 1 through 25.

27. Under the California Fair Employment and Housing Act (California Government Code §12940 et. seq.) it is an unlawful employment practice for an employee to be subjected to harassment based on his race that is sufficiently pervasive or severe to alter the terms or conditions of his employment. Cal Gov't. Code 12940(j)(1).

28. Plaintiff is African-American and was subjected to the incidents alleged herein above.

29. As a direct and proximate result of Defendants' harassing conduct, Plaintiff has been damaged in an amount to be determined at trial, but exceeding the jurisdictional requirements of this court.

30. As a direct and proximate result of Defendants' harassing conduct, Plaintiff has suffered emotional distress damages in an amount to be determined at trial.

31. The actions of Defendants Burton, Tohill and Arevalo were malicious, oppressive, or fraudulent under Cal. Civil Code §3294. Therefore, in addition to actual damages, Plaintiff is entitled to recover exemplary damages.

32. Plaintiff also seeks prejudgment interest, attorney's fees and costs of action as provided by law.

SECOND CAUSE OF ACTION

Intentional Infliction of Emotional Distress

(Against All Defendants and Does)

33. Plaintiff hereby repeats, realleges and incorporates by reference, as though fully set forth herein, the allegations contained in paragraphs 1 through 25.

1 **34.** The incidents which are the subject of this complaint were engaged in
2 intentionally and were outrageous in nature, such that no member of society ought to suffer such
3 conduct.

4 **35.** Defendants Burton, Tohill and Arevalo intended to cause, or recklessly
5 disregarded the probability of causing, emotional distress when they treated Plaintiff in a
6 degrading way by feeding dog food to Plaintiff while on duty and in front of all the firefighters in
7 the station at the time. Defendants Burton, Tohill and Arevalo should have known that
8 emotional distress was substantially certain to result from their outrageous conduct.

9 **36.** Plaintiff is informed and believes, and based thereon alleges, that there have been
10 previous outrageous incidents involving Burton, Tohill and/or Arevalo, which did not result in
11 sufficient disciplinary action to prevent the individual defendants from engaging in the conduct
12 herein alleged.

13 **37.** Plaintiff is informed and believes, and based thereon alleges, that over the past
14 approximately one year the Los Angeles Fire Department has disciplined more than ten (10)
15 employees for outrageous conduct, including harassment. Plaintiff is informed and believes, and
16 based thereon alleges, that there is a pattern and practice of outrageous conduct, of tolerating the
17 same, and a failure of leadership and discipline in the Department that sends the message that
18 individuals perpetrating such heinous actions will not be disciplined seriously, and in effect,
19 allows such incidents to occur.

20 **38.** As a proximate result of Defendants' conduct, Plaintiff has suffered and continues
21 to suffer, humiliation, anxiety, severe emotional distress, worry, fear, and injury to his reputation,
22 all to his special and general damage according to proof at the time of trial.

23 **39.** Defendants did the things hereinabove alleged, intentionally, oppressively, and
24 maliciously with an evil and malevolent motive to injure Plaintiff. These acts were obnoxious,
25 despicable, and ought not to be suffered by any member of the community.

26 **40.** All actions of Defendants, their employees and agents, and each of them as herein
27 alleged, were known, ratified and approved by the officers or managing agents of Defendants,
28 and each of them. Therefore, Plaintiff is entitled to punitive or exemplary damages against
29 Defendants Burton, Tohill and Arevalo in an amount to be determined at the time of trial.

30

1 **THIRD CAUSE OF ACTION**

2 **Negligent Infliction of Emotional Distress**

3 **(Against All Defendants and Does)**

4 **41.** Plaintiff hereby repeats, realleges and incorporates by reference, as though fully
5 set forth herein, the allegations contained in paragraphs 1 through 25.

6 **42.** In the alternative, if the incidents which are the subject of this complaint were not
7 engaged in intentionally, they were engaged in negligently.

8 **43.** Defendants Burton, Tohill and Arevalo caused emotional distress when they
9 treated Plaintiff in a degrading way by feeding dog food to Plaintiff while on duty and in front of
10 all the firefighters in the station at the time. Defendants Burton, Tohill and Arevalo should have
11 known that emotional distress was substantially certain to result from their outrageous conduct.

12 **44.** Plaintiff is informed and believes, and based thereon alleges, that there have been
13 previous outrageous incidents involving Burton, Tohill and/or Arevalo, which did not result in
14 sufficient disciplinary action to prevent the individual defendants from engaging in the conduct
15 herein alleged.

16 **45.** Plaintiff is informed and believes, and based thereon alleges, that over the past
17 approximately one year the Los Angeles Fire Department has disciplined more than ten (10)
18 employees for outrageous conduct, including harassment. Plaintiff is informed and believes, and
19 based thereon alleges, that there is a pattern and practice of outrageous conduct, of tolerating the
20 same, and a failure of leadership and discipline in the Department that sends the message that
21 individuals perpetrating such heinous actions will not be disciplined seriously, and in effect,
22 allows such incidents to occur.

23 **46.** As a proximate result of Defendants' conduct, Plaintiff has suffered and continues
24 to suffer, humiliation, anxiety, severe emotional distress, worry, fear, and injury to his reputation,
25 all to his special and general damage according to proof at the time of trial.

26 **47.** All actions of Defendants, their employees and agents, and each of them as herein
27 alleged, were known, ratified and approved by the officers or managing agents of Defendants,
28 and each of them.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court grant the following, where applicable:

1. General damages, according to proof;
2. Special damages according to proof;
3. Exemplary damages
4. Attorney's fees, expenses and costs of action pursuant to Government Code §12965(b) and other applicable provisions of law;
5. Other interest as allowed by law;
6. Such other relief as the Court deems necessary, just and proper.

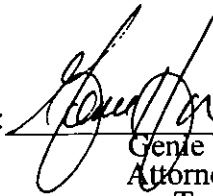
DEMAND FOR JURY

Plaintiff Tennie Pierce hereby demands a jury trial.

DATED: November 10, 2005

Respectfully Submitted,

LITT ESTUAR
HARRISON MILLER & KITSON, LLP

By: 
Gene Harrison, Esq.
Attorney for Plaintiff
Tennie Pierce

INTEROFFICE MAIL

dup 11/02/05

APR 22 2005

FORM CONT. 1009A (Rev. 7/01)

LABOR RELATIONS DIVISION

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

Amended

1st mailed 4/12/05

RESERVE FOR FILING STAMP

CLAIM NO. _____

BY CITY CLERK DEPUTY

2005 APR 15 AM 7:26

CITY OF LOS ANGELES

05-4714

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2).
2. Claims for damages relating to any other type of occurrence must be filed not later than one year after the occurrence. (Gov. Code Sec. 911.2).
3. Read entire claim before filing. Claim can be mailed or filed in person. No faxes accepted.
4. See Page 3 for diagram upon which to locate place of accident.
5. This claim form must be signed on Page 3 at bottom.
6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.
7. Fill out in duplicate. ONE COPY TO BE RETAINED BY CLAIMANT.
8. Claim must be filed with CITY CLERK, (Gov. Code Sec. 915A)

200 NORTH SPRING STREET, ROOM 395, CITY HALL, LOS ANGELES, CA 90012

TO: CITY OF LOS ANGELES

Name of Claimant

Age of Claimant

Tennie Pierce

49

Home address of Claimant

City, State and Zip Code

Home Telephone Number

19049 Jeffrey Ave., Cerritos, CA 90703

(562) 618-5535

Business address of Claimant

City, State and Zip Code

Business Telephone Number

Address to which you desire notices or communications to be sent regarding this claim: *323 901 401-3944*
c/o Chancela Al-Mansour, Law Office of Rhoades & Al-Mansour, P.O. Box 360465, Los Angeles, CA 90036

How did DAMAGE or INJURY occur? Please include as much detail as possible.

I am a firefighter with the City of Los Angeles Fire Department. I was feed dog food without my knowledge or consent by my co-workers who are city employees. I was the only African-American firefirefighter who was feed the dog food. My complaint was not properly processed or handled.

When did DAMAGE or INJURY occur? Please include the date and time of the damage or injury.

The initial injury took place on October 14, 2004. The subsequent injuries have been ongoing.

Where did DAMAGE or INJURY occur? Please describe fully, and locate on the diagram on the reverse side of this sheet.

Where appropriate, please give street names and addresses or measurements from specific landmarks:

At Fire Station 5 in the city of Los Angeles.

What particular ACT or OMISSION do you claim caused the injury or damage? Please give names of City employees causing the injury or damage and identify any vehicles involved by license plate number, if known.

Firefighter Jorge Arevalos, Captain Chris Burton and Captain John Tohill intentionally brought dog food to the fire station and feed it to me without my knowledge or consent.

Please list names and address of Witnesses, Doctors and Hospitals:

SEE PAGE 3

PAGE 2

THIS CLAIM MUST BE SIGNED AT BOTTOM

Chancela Al-Mansour

EXH A

What DAMAGE or INJURIES do you claim resulted? Please give full extent of injuries or damages claimed:
My injuries include, but are not limited to: emotional distress, humiliation, harm to my reputation and character, anxiety, depression, recurring headaches, and stomach aches. In addition, my protected right to be free from racial discrimination, harassment and retaliation were violated.

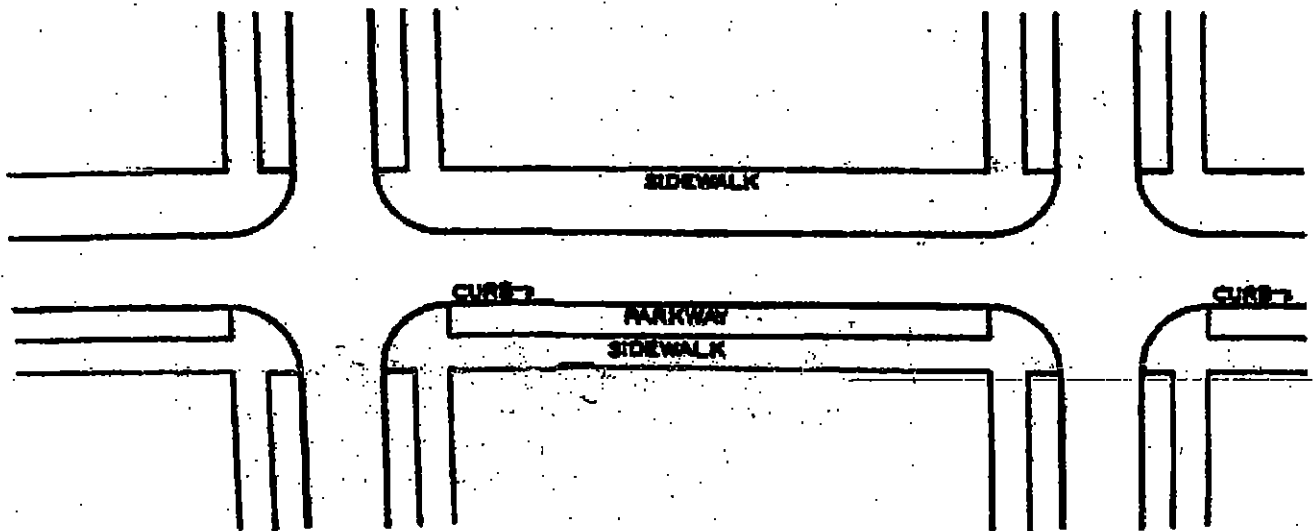
What is the AMOUNT of your claim? Please itemize your damages:

My damages exceed \$10,000.

If you have received any insurance payments, please give the names of the insurance companies:

For all accident claims please place on the following diagram the names of the streets where the accident occurred and the nearest cross-streets; indicate the place of the accident by an "X" and by showing the nearest address and distances to street corners. Please indicate where North is on the diagram.

Note: if the diagram does not fit the situation, please attach your own diagram.



Signature of Claimant or person filing on claimant's behalf giving relationship to claimant:

Chancela Al-Mansour Attorney for
Tennie Piccolo

Print Name:

Chancela Al-Mansour

Date:

4/12/05

4/13/05



Telephone: 987-7156
Facsimile: 978-8315

OFFICE OF THE CITY ATTORNEY
ROCKARD J. DELGADILLO
CITY ATTORNEY

May 27, 2005

Tennie Pierce
19049 Jeffrey Avenue
Cerritos, CA 90703

Re: Claim of Tennie Pierce
Claim No. C05-4714

Dear Mr. Pierce:

Your claim against the City has been referred to this Office. After reviewing the circumstances of your claim and the applicable law, we have come to the conclusion that your claim should be denied. This letter represents a formal notice to you that your claim has been denied. In view of this action, we are required by law to give you the following warning:

WARNING

"Subject to certain exceptions you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a state court action.

"You make seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Please be advised however, that your claim may be separately compensable under the Worker's Compensation Laws of the State of California.

Very truly yours,

VIVIENNE SWANIGAN
Deputy City Attorney

VS:bk:encl.#112700
cc: Chancela-Almasour

EXH B



*** EMPLOYMENT ***

COPY

DFEH # NOT FOR SERVICE

DFEH USE ONLY

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (Indicate Mr. or Ms.) Tennie [redacted], on behalf of himself and others similarly situated, c/o Genie Harrison, Esq. TELEPHONE NUMBER (INCLUDE AREA CODE) (213) 386-3114 x209

ADDRESS 1055 Wilshire Blvd., Suite 1880 COUNTY LA COUNTY CODE

CITY/STATE/ZIP Los Angeles, CA 90017

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME: NAME City Of Los Angeles Los Angeles Fire Department, Chris Burton (Capt2) TELEPHONE NUMBER (Include Area Code) (213) 485-6971

ADDRESS 200 North Main Street DFHE USE ONLY COUNTY LA COUNTY CODE

CITY/STATE/ZIP Los Angeles, CA 90012 RESPONSE CODE

NO. OF EMPLOYEES/MEMBERS (if known) >2000 DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04

THE PARTICULARS ARE: On 10/14/04 [redacted] was [] fired [] denied employment [] denied faculty or medical leave [] laid off [] denied promotion [] denied pregnancy leave [] demoted [] denied transfer [] denied equal pay [] harassed [] denied accommodation [] denied right to wear pants [] genetic characteristics testing [] impossible non-job-related inquiry [] denied pregnancy accommodation [] forced to quit [] other (specify) discriminated against

by Chris Burton (Capt2) Los Angeles Fire Department Name of Person Job Title (supervisor/manager/department director/etc.)

because of my: [] sex [] national origin/ancestry [] physical disability [] cancer [] (Circle and fill in: protesting/participating in investigation (retaliation fee)) [] age [] marital status [] mental disability [] genetic characteristic [] religion [] sexual orientation [] other (specify) [] race [] association [] other (specify)

the reason given by [redacted] Name of Person and Job Title

Was because of Please Attachment 1 (please state what you believe to be reason(s))

I wish to pursue this matter to court. I hereby request that the Department of Fair Employment and Housing provide a right-to-own notice. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complainant has been advised on the basis of "Complainant Request Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe them to be true.

Date: 10-3-05 [Signature] COMPLAINTANT'S SIGNATURE

At Los Angeles City

DATE FILED: received 10-7-05 D.S.

DFEH-300-03 (07/01) DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

STATE OF CALIFORNIA

EXH C

*** EMPLOYMENT ***

COPY

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # NOT FOR SERVICE DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (Indicate Mr. or Ms.) Tennessee, on behalf of himself and others similarly situated, c/o Gerie Harrison, Esc. TELEPHONE NUMBER (INCLUDE AREA CODE) (213) 386-3114 x.209

ADDRESS 1055 Wilshire Blvd., Suite 1880

CITY/STATE/ZIP Los Angeles, CA 90017 COUNTY LA COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME City Of Los Angeles, Los Angeles Fire Department, Jorge Arevalo TELEPHONE NUMBER (Include Area Code) (213) 485-5871

ADDRESS 200 North Main Street DFEH USE ONLY

CITY/STATE/ZIP Los Angeles, CA 90012 COUNTY LA COUNTY CODE

NO. OF EMPLOYEES/MEMBERS (if known) >2,000 DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04 RESPONSE CODE

THE PARTICULARS ARE: On 10/14/04 I was fired denied employment denied family or medical leave held off denied promotion denied pregnancy leave demoted denied transfer denied equal pay harassed denied accommodations denied right to work poster genetic characteristics testing impossible non-job-related inquiry denied pregnancy accommodations looked to quit other (specify) discriminated against

by Jorge Arevalo (Firefighter III) Los Angeles Fire Department Name of Person Job Title (supervisor/manager/assistant director/etc.)

because of my: sex national origin/ancestry physical disability creed genetic characteristics (Circle one) (Check one) age marital status mental disability genetic characteristic prohibiting/participating in investigation (retaliation for) religion sexual orientation other (specify) race/ethnicity association

the reason given by Name of Person and Job Title

Was because of Please Attachment 1 [please state what you believe to be reason(s)]

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this report, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complaint, Exhausted Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to my own knowledge except as to matters stated as my information and belief, and as to those matters I believe to be true.

Dated 10-3-05 COMPLAINTANT'S SIGNATURE

At Los Angeles City

DATE FILED: received 10-7-05 D.C.

*** EMPLOYMENT ***

COPY

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # NOT FOR SERVICE DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (Indicate Mr., or Ms.) Tennie Pitzer, on behalf of himself and others similarly situated, c/o Genie Harrison, Esq. TELEPHONE NUMBER (INCLUDE AREA CODE) (213) 388-3114 x209

ADDRESS 1055 Wilshire Blvd., Suite 1880

CITY/STATE/ZIP Los Angeles, CA 90017 COUNTY LA COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME City Of Los Angeles Los Angeles Fire Department, John Tohill (Capt) TELEPHONE NUMBER (include Area Code) (213) 485-5971

ADDRESS 200 North Main Street DFEH USE ONLY

CITY/STATE/ZIP Los Angeles, CA 90012 COUNTY LA COUNTY CODE

NO. OF EMPLOYEES/MEMBERS OF BOARD >2,000 DATE MUST RECEIVE OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04 RESPONDENT CODE

THE PARTICULARS ARE: On 10/14/04 I was [] fired [] laid off [] demoted [] harassed [] sexually characterized/abused [] forced to quit [] denied employment [] denied promotion [] denied transfer [] denied accommodation [] supervisor's non-job-related display [] other (specify) discriminated against [] denied family or medical leave [] denied pregnancy leave [] denied equal pay [] denied right to wear pants [] denied pregnancy accommodation

by John Tohill (Capt) Los Angeles Fire Department Name of Person Job Title (supervisor/manager/promoted director/etc.)

because of my: [] sex [] national origin/ancestry [] physical disability [] race [] marital status [] mental disability [] genetic characteristics [] religion [] sexual orientation [] other (specify) [] (Circle one) flag: participating in investigation retaliation (R)

the reason given by [] Name of Person and Job Title

Was because of Please Attachment 1 (please state what you believe to be reason(s))

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or respond to a complaint since the complaint has been closed on the basis of "Complainant Escorted Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 10-3-05 [Signature] COMPLAINANT'S SIGNATURE

At Los Angeles City

DATE FILED: received 10-7-05 D.S. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING STATE OF CALIFORNIA

*** EMPLOYMENT ***

COPY

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH #

NOT FOR SERVICE

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (Include Mr., or Ms.) Jennie E. Perce, on behalf of himself and others similarly situated, c/o Gene Harrison, Esq. TELEPHONE NUMBER (INCLUDE AREA CODE) (213) 886-3114 x. 200

ADDRESS 1055 Westside Blvd., Suite 1880

CITY/STATE/ZIP Los Angeles, CA 90017 COUNTY LA COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME City of Los Angeles Los Angeles Fire Department TELEPHONE NUMBER (Include Area Code) (213) 486-5971

ADDRESS 200 North Main Street DEPT USE ONLY

CITY/STATE/ZIP Los Angeles, CA 90012 COUNTY LA COUNTY CODE

NO. OF EMPLOYERS/MEMBERS IF APPLICABLE >2,000 DATE/ROST BEGIN OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04 RESPONDENT CODE

THE PARTICULARS ARE:

On 10/14/04 I was fired denied employment denied family or medical leave laid off denied promotion denied pregnancy leave discharged denied transfer denied equal pay harassed denied accommodation denied right to work policy denied job-related benefits denied pregnancy accommodations denied to get other (specify) discriminated against

by Chris Burton (Capt. 2), John Smith (Capt.), Jorge Arevalo (Firefighter III) Name of Person Job Title (supervisor/manager/department/department)

because of my: sex national origin/ancestry physical disability marital status marital disability other (check one) (age) pregnancy participating in investigation (redaction fee) age second education other (specify) race/color accommodation other (specify)

the reason given by Reason of Person and Job Title

Was because of Please See Attachment 1 (please state what you believe to be reason(s))

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-work order. I understand that if I want a Federal order of right-to-work, I must file the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 200 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor am I doing so based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or respond to a complaint unless the complaint has been filed on the basis of "Complaint Initiated Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 9/24/05 Jennie E. Perce COMPLAINANT'S SIGNATURE At City of Los Angeles City

DFEH-300-03 (07/01) DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING DATE FILED: received 10-7-05 D.S. STATE OF CALIFORNIA

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-00-c
PIERCE/LOS ANGELES, CITY OF, FIRE DEPARTMENT

Dear TENNIE PIERCE:

NOTICE TO COMPLAINANT'S ATTORNEY

Enclosed is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing on 10/7/2005 pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also enclosed is a copy of your client's Notice of Case Closure, which constitutes your client's right-to-sue notice.

Please note that under Government Code section 12962, you are responsible for **service of the complaint** on respondent(s). You should also enclose a copy of the Notice of Case Closure along with the complaint. These documents must be served within **60 days** of the filing date of the complaint. Government Code section 12962(b) further provides that complaints must be served either personally or by certified mail with return receipt requested.

For additional information, please read the enclosed Notice of Case Closure that explains the conditions for filing a private lawsuit in the State of California.

Sincerely,

A handwritten signature in cursive script that reads 'Belinda LeDoux'.

Belinda LeDoux
District Administrator

Enclosure: Complaint of Discrimination
Notice of Case Closure

EXH D

*** EMPLOYMENT ***

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # E200506-D-0547-00-C

DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (indicate Mr. or Ms.) Jennie Pierce, on behalf of himself and others similarly situated, c/o Genie Harrison, Esq. ADDRESS 1055 Wilshire Blvd., Suite 1880 CITY/STATE/ZIP Los Angeles, CA 90017 COUNTY LA COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME City of Los Angeles/Los Angeles Fire Department ADDRESS 200 North Main Street CITY/STATE/ZIP Los Angeles, CA. 90012 COUNTY LA COUNTY CODE

NO. OF EMPLOYEES/MEMBERS (if known) >2,000 DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04

THE PARTICULARS ARE: On 10/14/04 I was discriminated against because of my: race, national origin, ancestry, physical disability, marital status, sexual orientation, religion, sex, age, marital status, sexual orientation, pregnancy, childbirth, or related medical conditions, genetic characteristics, or other (specify) discriminated against

by Chris Burton (Capt.), John Tohill (Capt.), Jorge Arevalo (Firefighter II)

because of my: race, national origin, ancestry, physical disability, marital status, sexual orientation, religion, sex, age, marital status, sexual orientation, pregnancy, childbirth, or related medical conditions, genetic characteristics, or other (specify) discriminated against

the reason given by: Please See Attachment 1

Was because of (please state what you believe to be reason(s)) Please See Attachment 1

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want a Federal notice of right-to-sue, I must file the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 90 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or respond to complaints once the complaint has been closed on the basis of "Complainant Barred Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated as my information and belief, and as to those matters I believe it to be true.

Dated 9/24/05 at City of Los Angeles, City

Jennie E. Pierce, COMPLAINANT'S SIGNATURE

DATE FILED: 10-705

DFEH-300-03 (07/01) DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

RECEIVED STATE OF CALIFORNIA OCT - 7 2005 DEPT. OF FAIR EMPLOYMENT AND HOUSING

Attachment 1 to Tennie Pierce DFEH Complaint

On October 14, 2004, I was the only African American firefighter at Fire Station #5. I went to the kitchen to eat dinner with my fellow firefighters and the two captains on duty, Chris Burton (Capt. 2) and John Tohill (Capt.). A number of the firefighters were standing up together as I walked into the kitchen. One of them, Jorge Arevalo (Firefighter III) told me my plate of spaghetti was on top of the stove. I walked to the stove and picked up my spaghetti, then walked around the two Captains and sat down at the community table. I mixed my spaghetti around and took a large bite. I noticed the other firefighters were laughing and making noises. I just looked at them. After I took a second bite and my co-workers were laughing, etc., I realized they must have put something in my food. I stood up and demanded to know what was put in my food, but no one would tell me. I knew there was something in my food, so I was not about to sit there and eat it or stay in the kitchen with my co-workers laughing at me.

A few minutes after I left the kitchen, five or so of the firefighters came into the room where I was and Arevalo admitted he had put dog food in my spaghetti. I was shocked to say the least. I later found out that both Capt. Burton and Tohill knew that the dog food was to be put in my spaghetti, they knew it was put in my spaghetti and they did not stop the other firefighters from engaging in this conduct, nor did they stop me from eating the spaghetti. I also later found out that Capt. Tohill himself bought the can of dog food.

I believe that the incident was race based. Although there certainly are pranks played by firefighters on one another, when it comes to pranks and other such conduct directed toward African-American firefighters, the conduct takes on a malicious character not present in pranks involving non African-American firefighters. To my knowledge, nothing like what happened to me has ever happened to a non African-American firefighter, nor would it have been allowed to occur in the first place had I not been African-American.

I reported the incident to supervisors and asked that something be done as soon as possible. I even spoke with the Mayor and other city officials, hoping that immediate steps would be taken to punish those involved and that the matter would be kept confidential. Instead, the incident was discussed throughout the department and a hostile work environment has been created for me. I have been subjected to deliberate verbal slurs, insults, derogatory remarks, discussion and comments between other employees about my personal situation, and to messages left on my phone and many hang ups on my phone. My peers laugh at me and ignore me, like I did something wrong, totally minimizing the issue.

I am informed and believe that there have been a number of race based incidents throughout the Los Angeles Fire Department over the past years, including over the recent year, which are either directly discriminatory based on race or which create hostile work environments for the African American firefighters who suffer through them. These incidents include, but are not limited to: the dog food incident involving me; a dead rat placed in the locker of an African-American firefighter; two African-American

Attachment 1 to Tennie Pierce DFEH Complaint

firefighters being called "niggers;" an African-American firefighter being told (by a captain) that a dead dog discovered hanging by a rope over a tree would have been the African-American firefighter had it been 400 years ago. The foregoing is not a complete recitation of all the recent incidents, but rather is a sample.

I am informed and believe that over the past year alone, the Los Angeles Fire Department has investigated and disciplined more than ten (10) Los Angeles Fire Department employees for creating a hostile work environment for women and minority coworkers. I am informed and believe that these race based incidents occur as the result of a pattern and practice of race discrimination, tolerating race discrimination and/or of failing to prevent race discrimination in the Los Angeles Fire Department. I am informed and believe that even though the department claims to have a zero tolerance policy regarding harassment and discrimination, it does not discipline offending firefighters and management severely enough to prevent such incidents.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-00-c
PIERCE/LOS ANGELES, CITY OF, FIRE DEPARTMENT

Dear TENNIE PIERCE:

NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective October 7, 2005 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

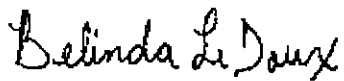
This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.

Notice of Case Closure
Page Two

The Department of Fair Employment and Housing does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,



Belinda LeDoux
District Administrator

cc: Case File

Director
Human Resources/Personnel
LOS ANGELES, CITY OF, FIRE DEPARTMENT
200 North Main Street
Los Angeles, CA 90012

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-01-c
PIERCE/TOHILL, JOHN, AS AN INDIVIDUAL

Dear TENNIE PIERCE:

NOTICE TO COMPLAINANT'S ATTORNEY

Enclosed is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing on 10/7/2005 pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also enclosed is a copy of your client's Notice of Case Closure, which constitutes your client's right-to-sue notice.

Please note that under Government Code section 12962, you are responsible for **service of the complaint** on respondent(s). You should also enclose a copy of the Notice of Case Closure along with the complaint. These documents must be served within **60 days** of the filing date of the complaint. Government Code section 12962(b) further provides that complaints must be served either personally or by certified mail with return receipt requested.

For additional information, please read the enclosed Notice of Case Closure that explains the conditions for filing a private lawsuit in the State of California.

Sincerely,

A handwritten signature in cursive script that reads "Belinda LeDoux".

Belinda LeDoux
District Administrator

Enclosure: Complaint of Discrimination
Notice of Case Closure

*** EMPLOYMENT ***

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # E200506-D-054701-C

DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (Indicate Mr. or Ms.) Tennie Pierce, on behalf of himself and others similarly situated, c/o Genie Harrison, Esq. TELEPHONE NUMBER (INCLUDE AREA CODE) (213) 386-3114 x209

ADDRESS 1055 Wilshire Blvd., Suite 1880

CITY/STATE/ZIP Los Angeles, CA 90017 COUNTY LA COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME City Of Los Angeles/Los Angeles Fire Department, John Tohill (Capt) TELEPHONE NUMBER (Include Area Code) (213) 485-5971

ADDRESS 200 North Main Street DFEH USE ONLY

CITY/STATE/ZIP Los Angeles, CA 90012 COUNTY LA COUNTY CODE

NO. OF EMPLOYEES/MEMBERS (if known) >2,000 DATE MUST RECEIVED OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04 RESPONDENT CODE

THE PARTICULARS ARE:

On 10/14/04 I was _____

<input type="checkbox"/> fired	<input type="checkbox"/> denied employment	<input type="checkbox"/> denied family or medical leave
<input type="checkbox"/> laid off	<input type="checkbox"/> denied promotion	<input type="checkbox"/> denied pregnancy leave
<input type="checkbox"/> demoted	<input type="checkbox"/> denied transfer	<input type="checkbox"/> denied equal pay
<input checked="" type="checkbox"/> harassed	<input type="checkbox"/> denied accommodations	<input type="checkbox"/> denied right to wear pants
<input type="checkbox"/> genetic characteristics testing	<input type="checkbox"/> impossible non-job-related inquiry	<input type="checkbox"/> denied pregnancy accommodation
<input type="checkbox"/> forced to quit	<input checked="" type="checkbox"/> other (specify) <u>discriminated against</u>	

by John Tohill (Capt) Los Angeles Fire Department

Name of Person _____ Job Title (supervisor/manager/performance director/etc.) _____

because of my: _____

<input type="checkbox"/> sex	<input type="checkbox"/> national origin/ancestry	<input type="checkbox"/> physical disability	<input type="checkbox"/> cancer	(Circle one) filing protesting/participating in investigation (protection for)
<input type="checkbox"/> age	<input type="checkbox"/> marital status	<input type="checkbox"/> mental disability	<input type="checkbox"/> genetic characteristic	
<input type="checkbox"/> religion	<input type="checkbox"/> sexual orientation	<input type="checkbox"/> other (specify) _____		
<input checked="" type="checkbox"/> race/color	<input type="checkbox"/> association			

the reason given by _____

Home of Person and Job Title _____

Was because of Please Attachment 1

[please state what you believe to be reason(s)] _____

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complaint Elected Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 10-3-05

At Los Angeles City

[Signature]
COMPLAINANT'S SIGNATURE

DATE FILED: 10-7-05

DFEH-300-03 (07/01)
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

STATE OF CALIFORNIA

RECEIVED

OCT - 7 2005
DEPT. OF FAIR EMPLOYMENT AND HOUSING

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-01-c
PIERCE/TOHILL, JOHN, AS AN INDIVIDUAL

Dear TENNIE PIERCE:

NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective October 7, 2005 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

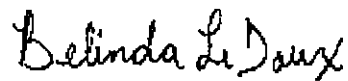
This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.

Notice of Case Closure
Page Two

The Department of Fair Employment and Housing does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,



Belinda LeDoux
District Administrator

cc: Case File

John Tohill
As An Individual
LOS ANGELES, CITY OF, FIRE DEPARTMENT
200 North Main Street
Los Angeles, CA 90012

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-02-c
PIERCE/AREVALO, JORGE, AS AN INDIVIDUAL

Dear TENNIE PIERCE:

NOTICE TO COMPLAINANT'S ATTORNEY

Enclosed is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing on 10/7/2005 pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also enclosed is a copy of your client's Notice of Case Closure, which constitutes your client's right-to-sue notice.

Please note that under Government Code section 12962, you are responsible for **service of the complaint** on respondent(s). You should also enclose a copy of the Notice of Case Closure along with the complaint. These documents must be served within **60 days** of the filing date of the complaint. Government Code section 12962(b) further provides that complaints must be served either personally or by certified mail with return receipt requested.

For additional information, please read the enclosed Notice of Case Closure that explains the conditions for filing a private lawsuit in the State of California.

Sincerely,

A handwritten signature in cursive script that reads 'Belinda LeDoux'.

Belinda LeDoux
District Administrator

Enclosure: Complaint of Discrimination
Notice of Case Closure

*** EMPLOYMENT ***

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # E200506-D-0547-02-C
DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (Indicate Mr. or Ms.) Tennie Pierce, on behalf of himself and others similarly situated, c/o Genie Harrison, Esq. TELEPHONE NUMBER (INCLUDE AREA CODE) (213) 386-3114 x.209

ADDRESS 1055 Wilshire Blvd., Suite 1880

CITY/STATE/ZIP Los Angeles, CA 90017 COUNTY LA COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME City Of Los Angeles/Los Angeles Fire Department, Jorge Arevalo TELEPHONE NUMBER (Include Area Code) (213) 486-5977

ADDRESS 200 North Main Street DFEH USE ONLY

CITY/STATE/ZIP Los Angeles, CA 90012 COUNTY LA COUNTY CODE

NO. OF EMPLOYEES/MEMBERS IN WORK >2,000 DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04 RESPONSE CODE

THE PARTICULARS ARE:

On 10/14/04 I was _____

<input type="checkbox"/> fired	<input type="checkbox"/> denied employment	<input type="checkbox"/> denied family or medical leave
<input type="checkbox"/> laid off	<input type="checkbox"/> denied promotion	<input type="checkbox"/> denied pregnancy leave
<input type="checkbox"/> demoted	<input type="checkbox"/> denied transfer	<input type="checkbox"/> denied equal pay
<input checked="" type="checkbox"/> harassed	<input type="checkbox"/> denied accommodation	<input type="checkbox"/> denied right to wear pants
<input type="checkbox"/> genetic characteristics testing	<input type="checkbox"/> impermissible non-job-related inquiry	<input type="checkbox"/> denied pregnancy accommodation
<input type="checkbox"/> forced to quit	<input checked="" type="checkbox"/> other (specify) <u>discriminated against</u>	

by Jorge Arevalo (Firefighter III) Los Angeles Fire Department

Name of Person _____ Job Title (supervisor/manager/personnel director/etc.) _____

because of my: _____

<input type="checkbox"/> sex	<input type="checkbox"/> national origin/ancestry	<input type="checkbox"/> physical disability	<input type="checkbox"/> cancer	(Circle one) <input type="checkbox"/> pregnancy; participating in investigation (prescribed for)
<input type="checkbox"/> age	<input type="checkbox"/> marital status	<input type="checkbox"/> mental disability	<input type="checkbox"/> genetic characteristics	
<input type="checkbox"/> religion	<input type="checkbox"/> sexual orientation	<input type="checkbox"/> other (specify) _____		
<input checked="" type="checkbox"/> race/color	<input type="checkbox"/> association			

the reason given by _____
Name of Person and Job Title

Was because of Please Attachment 1
(please state what you believe to be reason(s))

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I am advised that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elects Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 10-3-05
At Los Angeles
City

Tennie E. Pierce
COMPLAINANT'S SIGNATURE

DATE FILED: 10-7-05

DFEH 300-03 (07/01)
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

RECEIVED

STATE OF CALIFORNIA

OCT - 7 2005

DEPT. OF FAIR EMPLOYMENT AND HOUSING

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-02-c
PIERCE/AREVALO, JORGE, AS AN INDIVIDUAL

Dear TENNIE PIERCE:

NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective October 7, 2005 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

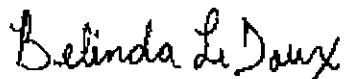
This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.

Notice of Case Closure
Page Two

The Department of Fair Employment and Housing does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,



Belinda LeDoux
District Administrator

cc: Case File

Jorge Arevalo
As An Individual
LOS ANGELES, CITY OF, FIRE DEPARTMENT
200 North Main Street
Los Angeles, CA 90012

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-03-c
PIERCE/BURTON, CHRIS, AS AN INDIVIDUAL

Dear TENNIE PIERCE:

NOTICE TO COMPLAINANT'S ATTORNEY

Enclosed is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing on 10/7/2005 pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also enclosed is a copy of your client's Notice of Case Closure, which constitutes your client's right-to-sue notice.

Please note that under Government Code section 12962, you are responsible for **service of the complaint** on respondent(s). You should also enclose a copy of the Notice of Case Closure along with the complaint. These documents must be served within **60 days** of the filing date of the complaint. Government Code section 12962(b) further provides that complaints must be served either personally or by certified mail with return receipt requested.

For additional information, please read the enclosed Notice of Case Closure that explains the conditions for filing a private lawsuit in the State of California.

Sincerely,

A handwritten signature in cursive script that reads "Belinda LeDoux".

Belinda LeDoux
District Administrator

Enclosure: Complaint of Discrimination
Notice of Case Closure

*** EMPLOYMENT ***

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # E200506-D-054703-C

DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (include Mr. or Ms.) Tennie Pierce, on behalf of himself and others similarly situated, c/o Genie Harrison, Esq. TELEPHONE NUMBER (INCLUDE AREA CODE) (213) 886-3114 x209

ADDRESS 1055 Wilshire Blvd., Suite 1880

CITY/STATE/ZIP Los Angeles, CA 90017 COUNTY LA COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME City Of Los Angeles/Los Angeles Fire Department, Chris Burton (Capt2) TELEPHONE NUMBER (include Area Code) (213) 485-5971

ADDRESS 200 North Main Street DFEH USE ONLY

CITY/STATE/ZIP Los Angeles, CA 90012 COUNTY LA COUNTY CODE

NO. OF EMPLOYEES/MEMBERS OF AGENCY >2,000 DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 10/14/04 RESPONDENT CODE

THE PARTICULARS ARE: On 10/14/04 I was fired denied employment denied faculty or medical leave laid off denied promotion denied pregnancy leave demoted denied transfer denied equal pay harassed denied accommodation denied right to vote/polls genetic characteristics testing impermissible non-job-related inquiry denied pregnancy accommodation forced to quit other (specify) discriminated against

by Chris Burton (Capt2) Los Angeles Fire Department

because of my: sex national origin/ancestry physical disability race age marital status mental disability genetic characteristic religion sexual orientation other (specify) retaliation ancestry (Circle one) filing, protesting, participating in, investigating (evaluation fee)

the reason given by Names of Person and Job Title

Was because of Please Attachment 1 (please state what you believe to be reason(s))

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or accept a complaint once the complaint has been closed on the basis of "Complainant Initiated Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Date 10-3-05 Tennie Pierce COMPLAINTANT'S SIGNATURE
At Los Angeles City

DFEH 300-03 (07/01) DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING DATE FILED: 10-7-05 STATE OF CALIFORNIA

RECEIVED

OCT - 7 2005 DEPT. OF FAIR EMPLOYMENT AND HOUSING

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1350 Front Street, Suite 3005 San Diego, CA 92101
(619) 645-2681 TTY (800) 700-2320 Fax (619) 645-2683
www.dfeh.ca.gov



October 17, 2005

TENNIE PIERCE
1055 Wilshire Blvd. Ste 1880
Los Angeles, CA 90017

RE: E200506D0547-03-c
PIERCE/BURTON, CHRIS, AS AN INDIVIDUAL

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Notice of Case Closure
Page Two

The Department of Fair Employment and Housing does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Belinda LeDoux

Belinda LeDoux
District Administrator

cc: Case File

Chris Burton
As An Individual
LOS ANGELES, CITY OF, FIRE DEPARTMENT
200 North Main Street
Los Angeles, CA 90012

BC342845

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

This form is required pursuant to LASC 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 10 HOURS/ DAYS.

Item II. Select 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 Los Angeles Superior Court Local Rule 2.0.

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

1. Class Actions must be filed in the County Courthouse, Central District.
2. May be filed in Central (Other county, or no Bodily Injury/Property Damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
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	2.
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	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	1., 2., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 2., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 2., 4.
<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)		1., 2., 4.	
<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress		1., 2., 3.	
<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death		1., 2., 4.	
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., 2., 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.
	Intellectual Property (19)	<input type="checkbox"/> A6016 Intellectual Property	2., 3.

Non-Personal Injury/Property Damage/
Wrongful Death Tort (Cont'd.)

Employment

Contract

Real Property

Unlawful Detainer

Judicial Review

SHORT TITLE: Tennie Pierce v. City of Los Angeles	CASE NUMBER
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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
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Breach of Contract/Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not Unlawful Detainer or wrongful eviction)	2., 5.
	<input type="checkbox"/> A6008 Contract/Warranty Breach-Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute (not breach/insurance/fraud/negligence)	1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2., 6.
	<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
Unlawful Detainer - Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.
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.

Judicial Review (Cont'd.)
Provisionally Complex Litigation
Enforcement of Judgment
Miscellaneous Civil Complaints
Miscellaneous Civil Petitions

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
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.
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	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.
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.
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.

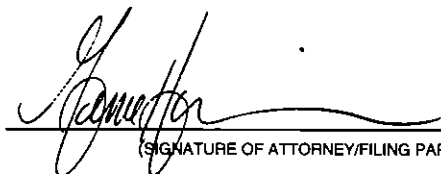
SHORT TITLE: <u>Tennie Pierce v. City of Los Angeles</u>	CASE NUMBER
--	-------------

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 NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE			ADDRESS:
<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.			<u>6621 W. Manchester Ave.</u>
CITY: <u>Los Angeles</u>	STATE: <u>CA</u>	ZIP CODE: <u>90045</u>	

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 Los Angeles Superior Court (Code of Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subds. (b), (c) and (d)).

Dated: November 10, 2005


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING DOCUMENTS 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 form JC 982.2(b)(1).
4. Complete Addendum to Civil Case Cover Sheet form CIV 109 _____ (eff. Date).
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JC form 982(a)(27), if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
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.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State bar number, and address):
Genie Harrison SBN 163641
Litt, Estuar, Harrison, Miller, & Kitson LLP
1055 Wilshire Blvd., Suite 1880
Los Angeles, CA 90017
TELEPHONE NO.: (213)386-3114 FAX NO.: (213) 380-4585

ATTORNEY FOR (Name): Tennie Pierce
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: County of Los Angeles
MAILING ADDRESS: 111 N. Hill Street
CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: Stanley Mosk Courthouse

CASE NAME: Tennie Pierce v. city of Los Angeles

FOR COURT USE ONLY
FILED
LOS ANGELES SUPERIOR COURT
NOV 10 2005
JOHN A. CLARKE, EXECUTIVE OFFICER/CLERK
BY: D. GILES, DEPUTY

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 1811)

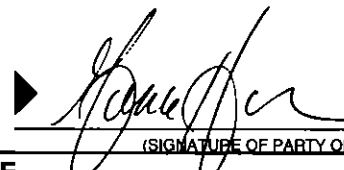
CASE NUMBER: BC342845
JUDGE:
DEPT.:

All five (5) items below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:
- | | | |
|---|--|--|
| <p>Auto Tort</p> <input type="checkbox"/> Auto (22)
<input type="checkbox"/> Uninsured motorist (46)
<p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Asbestos (04)
<input type="checkbox"/> Product liability (24)
<input type="checkbox"/> Medical malpractice (45)
<input type="checkbox"/> Other PI/PD/WD (23)
<p>Non-PI/PD/WD (Other) Tort</p> <input type="checkbox"/> Business tort/unfair business practice (07)
<input type="checkbox"/> Civil rights (08)
<input type="checkbox"/> Defamation (13)
<input type="checkbox"/> Fraud (16)
<input type="checkbox"/> Intellectual property (19)
<input type="checkbox"/> Professional negligence (25)
<input type="checkbox"/> Other non-PI/PD/WD tort (35)
<p>Employment</p> <input type="checkbox"/> Wrongful termination (36)
<input checked="" type="checkbox"/> Other employment (15) | <p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (06)
<input type="checkbox"/> Collections (09)
<input type="checkbox"/> Insurance coverage (18)
<input type="checkbox"/> Other contract (37)
<p>Real Property</p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14)
<input type="checkbox"/> Wrongful eviction (33)
<input type="checkbox"/> Other real property (26)
<p>Unlawful Detainer</p> <input type="checkbox"/> Commercial (31)
<input type="checkbox"/> Residential (32)
<input type="checkbox"/> Drugs (38)
<p>Judicial Review</p> <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) | <p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 1800-1812)</p> <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)
<p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20)
<p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27)
<input type="checkbox"/> Other complaint (not specified above) (42)
<p>Miscellaneous Civil Petition</p> <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 1800 of the California Rules of Court. If case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|---|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial post-judgment judicial supervision |
3. Type of remedies sought (check all that apply):
a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify):
5. This case is is not a class action suit.
- Date: November 10, 2005

Genie Harrison SBN 163641
(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, Family, or Welfare and Institutions Code). (Cal. Rules of Court, rule 201.8.) 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 1800 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 complex case, this cover sheet shall 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 check **all five** items 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. You do not need to submit a cover sheet with amended papers. 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 201.8(c) and 227 of the California Rules of Court.

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 1800 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 Rule 1800-1812)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Toxic Tort/Environmental (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 Tax
 - 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