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December 19, 2024

GOVERNMENT CLAIM FACTUAL STATEMENT

SUMMARY

Claimant CS DOE, a Minor through his mother A.O. alleges violations by defendants of the Education Code including non-delegable duties to protect students at school, as well as negligence, negligence per se, failure to supervise, negligent and intentional infliction of emotional distress, assault, battery, violation of the Bane Act and Ralph Act.

CS DOE is a 14-year-old African American student at Verdugo High School. He is a Ninth Grader. There are very few Black Students at Verdugo High School. Almost from the first day of class (August 2024) CS DOE was targeted by Latino students who called him racial slurs, physically attacked him and threatened to stab him.

The students harassed Doe in a park. Next, the Verdugo High School. kids physically attacked CS DOE in the bathroom. More than one student at a time engaged in punching, striking, tackling and otherwise physically abusing CS DOE. While beating CS DOE, the students are clearly heard on video using the N word showing the racial component of the attack. The students threatened to stab CS DOE next time. The attack was caught on school security cameras. Thus, there was notice of the violence and hence a requirement for the school and the Los Angeles Unified School District to take corrective action, but none was taken by the school creating a climate of fear, worry and emotional distress for DOE. Defendants thus were placed on notice by their internal security cameras. (Plaintiff hereby requests that this evidence be preserved by defendants) the school also asked questions which provided further notice.

Schools have a duty under the Education Code to take immediate steps to protect students from further harm. Defendants breached that duty CS DOE was attacked again by the same students without justification. There was a meeting on or about September 3, 2024 with the school between CS DOE's mother and school staff who failed to take any corrective action

Defendants failed to discipline the students who attacked CS DOE. Instead, Doe was suspended for three days, ostensibly for his own protection. Yet, isn't that backwards logic? The attackers are supposed to be disciplined so that their anti-social behavior can be corrected. No action was taken against the student

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attackers who also tagged the home that CS DOE lived in with monikers and racial slurs such as the N word.

Because the attackers suffered no consequences, they attacked CS DOE another time also on Verdugo High School grounds, with security cameras (based on information and belief) capturing the attack. At least two school security personnel were present, and failed to intervene, or even call the police. CS DOE was forced to defend himself. He feared that the attacking students were going to carry out their threat of killing CS DOE with a knife and placed Doe in imminent fear of death or serious injury, CS DOE had no alternative but to defend himself. Thereafter, four more of the attackers' friends chased after Doe. At least one of those attackers had a large knife. Two High School students were stabbed while on campus during the December 2024 attack of Doe.

With the school refusing to take corrective action, the students and their "colleagues" are now congregating where the plaintiffs live (and hence why initials are used to identify the plaintiffs.)

Very truly yours,
Brad Gage Law
A Professional Corporation
Law Offices of Caree Harper,

/s/ Bradley C. Gage & Caree Harper

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