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Electronically FILED by
Superior Court of California,
County of Los Angeles
3/11/2025 11:42 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By C. Cervantes, Deputy Clerk

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

TIMOTHY GARDNER

Case No.: **25STCV06878**

Plaintiff,

COMPLAINT FOR:

v.

COUNTY OF LOS ANGELES, a municipal
entity; and DOES 1-10, inclusive.

Defendants.

**1) DEPRIVATION OF CIVIL RIGHTS
UNDER 42 U.S.C. § 1983;
2) RACIAL DISCRIMINATION IN
VIOLATION OF FEHA (CAL. GOV. CODE
SECTION 12940 et. seq.);
3) FAILURE TO TAKE ALL
REASONABLE STEPS TO PREVENT
DISCRIMINATION IN VIOLATION OF
FEHA (CAL. GOV. CODE SECTION 12940
et. seq.)**

SUMMARY OF ALLEGATIONS

1. Plaintiff Deputy Timothy Gardner (“Plaintiff” or “Deputy Gardner”) was by all objective accounts an excellent young cop with integrity.

2. The Defendant County of Los Angeles (“Defendant” or the “County”) is notorious for its corrupt Sheriff’s Department (“LASD”) and LASD’s custom of unconstitutional policing practices, a lack of transparency, and a lack of accountability for executives engaging in wrongful and illegal conduct, which has been ongoing for decades and continues today. Consequently, the

1 morale of LASD deputies, who put their lives on the line daily to protect County residents, has
2 been severely damaged and is currently at an all-time low. That morale suffered a severe blow
3 when LASD executives subjected Deputy Gardner to its unconstitutional policing practices. Due
4 to the egregious mistreatment of Deputy Gardner, there is now deep distrust between the rank and
5 file and the top brass at LASD.

6 3. Plaintiff was framed by LASD and terminated without due process in July 2023,
7 fired not for reasons of merit but for racist and public relations purposes by LASD leadership.

8 4. There are about 10,000 deputies working for LASD and about the same number
9 who are angered by the County's ruthless scapegoating and framing of Deputy Gardner to make
10 good media for the department leadership.

11 5. On July 13, 2022, Deputy Gardner rescued a baby from a suspect who was
12 belligerently and defiantly holding the baby precariously and threatening to break the baby's legs.
13 What preceded the suspect's threat was that this suspect, along with two other suspects, were
14 driving while holding their babies in their laps, without seat belts or child safety seats, while the
15 driver was recklessly driving without headlights and while intoxicated, putting their lives in
16 danger.

17 6. Deputy Gardner came to the call to assist the handling deputies. The handling
18 deputies pulled the car over and did everything they could following policies and protocol to
19 deescalate the situation, as they moved to detain the suspects for child endangerment and to protect
20 the baby from further risk to his/her safety. The efforts to de-escalate did not work and Deputy
21 Gardner proceeded to assist, as the suspect tightened her frightening grip on the baby. Deputy
22 Gardner, for good reason, believed the baby's health and life were at risk. Deputy Gardner,
23 following policy at all times, acted quickly to get the baby to safety. Deputy Gardner did not use
24 his gun or taser, but instead simply used his hands to save the baby. Deputy Gardner's methods
25 worked perfectly. Deputy Gardner should have been commended for his actions.

1 7. Deputy Gardner's innocence is not disputable. LASD and the County made
2 admissions that Gardner did no wrong whatsoever. The County admitted to Deputy Gardner's
3 innocence (but shamefully has not reversed its unconstitutional termination of Deputy Gardner.)
4 In fact, on multiple occasions, the County made the admission that Gardner committed no wrong
5 at all in handling the incident in question. The County admitted that Gardner used reasonable force
6 and violated no policies. See the attached Exhibits 1 (Paragraph 12, and 2 (Statement of the Case):
7 the County filed court papers in which they acknowledge Gardner's innocence. The County stated
8 truthfully, "the conduct of the involved deputies was objectively reasonable." The County also
9 stated truthfully, "the deputies' conduct was reasonable, and thus, did not amount to excessive
10 force."

11
12 8. Despite the County admitting soon after it terminated him that Deputy Gardner did
13 nothing wrong in the process of rescuing the endangered baby, the County nonetheless maliciously
14 sought to further harm Deputy Gardner with a meritless criminal investigation—one that was
15 quickly rejected by the US Attorney's office. LASD then tried to get its Internal Criminal
16 Investigation Bureau ("ICIB") to railroad Deputy Gardner with a meritless internal criminal
17 investigation. However, the day the ICIB investigators received the referral, supervisors knew that
18 there was no merit to the charge that Deputy Gardner had violated any policy, let alone committed
19 a crime. In fact, right after the incident occurred LASD consulted ICIB, who rejected the case
20 because no crime had been committed. Accordingly, LASD's decision to refer the matter to ICIB
21 a second time shows an improper motive by LASD leadership.

22
23 9. The County cannot get around the fact that it unjustly (and unlawfully) fired
24 Plaintiff, falsely claiming that he used excessive force on the suspect and then filed official court
25 documents containing the truth—that Plaintiff did no wrong.

26 10. The truth is that during and after the incident, LASD supervisors and executives
27 knew that Deputy Gardner not only had done no wrong, but in fact had saved a baby from being
28 severely harmed, possibly killed.

1 11. However, Chief Dennis Kneer tarnished his otherwise long, solid career at LASD
2 by framing Deputy Gardner purely for racial and public relations purposes. Kneer reasoned that
3 because Gardner was white and the suspect threatening to break the baby's legs or worse was
4 black, it would be bad optics for members of the public to see video of the incident. Kneer was
5 well aware that hundreds of times Caucasian deputies used the same methods as Gardner's tactics
6 on Caucasian suspects, hundreds of times Hispanic/Latino deputies used the same methods as
7 Gardner's on Latino suspects, and hundreds of time African American deputies used the same
8 methods as Gardner on African American suspects, and in those instances the deputies were not
9 punished, as they should not have been. So, the only issue here for Gardner was that Plaintiff was
10 white and the suspect black.
11

12 12. Adding to LASD executives' concerns about the optics of a white cop using his
13 hands on a black suspect, Kneer and LASD sought to appease activist groups. In the process, Kneer
14 engaged in wrongdoing and racism, railroading an excellent cop. Kneer was well aware of high-
15 profile, controversial cases involving deputies accused of using excessive force, especially against
16 African American residents and suspects. Kneer reasoned that while what the Plaintiff did was
17 correct, the "optics" on the body camera footage did not look good on the surface for the
18 Department.
19

20 13. At the time of the incident, Alex Villanueva was the sheriff. Sheriff Villanueva and
21 other executives reviewed the incident and properly concluded that Deputy Gardner had done
22 nothing wrong. However, other executives and supervisors at LASD discussed that the incident
23 looked bad because Gardner happened to be white. After Villanueva left office, Kneer pushed the
24 IAB case against Gardner along. Kneer was concerned that if video of the incident was released,
25 he and the department could come under scrutiny and public criticism. Top level executives at
26 LASD openly discussed the "bad optics" of the incident. Kneer, cynically seizing the opportunity
27 created by the incident, figuratively threw the good deputy, Gardner, under the bus for his own
28 professional gain.

1 14. While everyone in LASD knew that Gardner did the right thing and saved a baby,
2 Kneer directed an acting captain who was unfamiliar with the case to suspend Deputy Gardner for
3 15 days, with no explanation of what alternative actions Plaintiff could have taken to save the
4 baby.

5 15. The illegitimacy of Kneer's conduct and frame up of Deputy Gardner was made
6 even more clear when Kneer escalated the 15-day suspension into a termination of Gardner after
7 Kneer saw media coverage of another incident that had nothing to do with Plaintiff. The media
8 covered the story of another white/Caucasian LASD deputy accused of using excessive force
9 against an African American/black resident. Kneer decided that he and LASD needed to frame
10 Deputy Gardner more aggressively because of the potential fallout from the other unrelated
11 incident. On July 20, 2023, Kneer gave notice to Plaintiff that he would be terminated from his job
12 and career at LASD.

13 16. Chief Kneer presented the video of the incident involving Deputy Gardner to
14 Sheriff Robert Luna. Kneer convinced Luna that the video looked bad, and that it would cause bad
15 publicity for LASD if the video were released to the media. On the surface, a white cop hitting a
16 black woman to take her baby could look "bad" if not presented in context. The context was that
17 the suspect endangered the baby by holding the baby in a moving vehicle in her lap and without a
18 seatbelt, as the intoxicated driver drove with no headlights. After being pulled over by deputies,
19 the suspect squeezed and held the baby and threatened to break the baby's legs. Deputy Gardner
20 chose the safest option: hit the suspect. The baby was safely rescued without serious harm to the
21 suspect. However, LASD executives were only concerned about "optics." In making their decision
22 to terminate Plaintiff, LASD executives emphasized that it looked bad that Deputy Gardner was a
23 white cop and suspect was black. There is no question that Deputy Gardner's race played a role in
24 LASD terminating him.

25 17. Luna and LASD apparently figured it would be a good strategy to go public with
26 the video, to accuse Deputy Gardner of horrible conduct and announce that LASD was terminating
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1 him. Gardner thus had his reputation destroyed, falsely portrayed by LASD as a racist white cop
2 who used unreasonable force on an innocent black resident. By scapegoating Deputy Gardner,
3 LASD executives sought to present the image of LASD as refusing to cover up excessive force
4 and cracking down on unconstitutional policing.

5 18. There was and is zero evidence that Deputy Gardner is racist. The Plaintiff is not
6 racist. He was fired because of the racism of others. The Plaintiff is passionate about protecting all
7 members of the community. Any allegation that Gardner's effort to save the African American
8 baby was a racist act is without foundation. Gardner was not the handling deputy on the call and
9 was not involved in pulling over the suspects. Gardner is not the one who made the decision to
10 arrest the suspects. Gardner was assisting the handling deputies (who also did no wrong), yet,
11 LASD also accused Plaintiff of "not de-escalating" the situation, in addition to claiming that the
12 force he used was excessive.
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14 19. This wrongful termination and public and televised denunciation of Deputy
15 Gardner, depicting him as a racist white cop who used unreasonable force against a black woman,
16 destroyed Deputy Gardner's career and his reputation in the community.

17 20. As a result of Sheriff Luna's public announcement against Gardner, Gardner
18 became a target of hate crimes in the community. Deputy Gardner received death threats and had
19 to hide with his family away from their residence.
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21 21. If not for Deputy Gardner being white/Caucasian, he would not have been
22 disciplined for saving a baby. Not only were Deputy Gardner's constitutional rights violated, but
23 he is also a victim of racism and racial discrimination.

24 22. There has been a long and shameful history of racism in the United States against
25 African Americans. There have been shameful incidents throughout American history of black
26 citizens being subjected to violence due to their race, among the most recent involving white
27 officer Derek Chauvin using excessive force against George Floyd and costing the latter his life.
28 But these facts do not justify LASD's racism treatment and scapegoating of Deputy Gardner.

1 23. After Sheriff Luna publicly condemned Deputy Gardner, the so-called victim, who
2 repugnantly threatened to break her own baby's legs, filed her own lawsuit against the County. In
3 response to that lawsuit, the Defendant County admitted that Deputy Gardner violated no policies
4 and used reasonable force in the incident. But the County still did not reverse its shocking and
5 wrongful termination of the Plaintiff and give him his job back.

6 24. Sheriff Luna explained his actions against Gardner by stating that Deputy Gardner
7 violated policy when he hit the resident to save the baby, when the alternative would have been
8 shooting her or tasing her and sending electricity through the body of the baby. Sheriff Luna was
9 informed by an oversight official that he was wrong, that it is not against policy for a deputy to hit
10 a resident, that deputies can strike a suspect to protect and save a life or defend himself.
11 Unfortunately, after Sheriff Luna was informed that his basis for termination of Plaintiff was
12 incorrect, and that Gardner did not violate policy when he struck the suspect to save the baby, Luna
13 and LASD still refused to reverse their improper punishment of Deputy Gardner.

14 25. On September 29, 2023, Sheriff Luna informed Deputy Gardner that his decision
15 to terminate Gardner was final.

16 26. In February 2025, Kneer admitted that Deputy Gardner did not engage in criminal
17 conduct. This is a confession that Kneer himself should be investigated for wrongful conduct, as
18 he is the person who initiated the criminal investigation into Deputy Gardner, while knowing that
19 Deputy Gardner did not commit any crimes.

20 27. In February 2025, Kneer also admitted that Gardner did not violate policies and
21 engaged in no wrongdoing. This is a confession that Kneer himself should be investigated for
22 wrongful conduct, as he is the person who initiated the termination of Deputy Gardner, while
23 knowing that Deputy Gardner did not engage in any wrongdoing and violated no policies.

24 28. Kneer acknowledged the following: 1) Graham v Connor established the use of
25 force standard, which includes an objective analysis of reasonableness, with considerations of a
26 similar officer in same or similar circumstances, allowing for the fact that officers must make split
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1 second decisions in rapidly evolving situations, and that the Graham calculus is incorporated in
2 Dept. policies; 2) officers have a right and duty to use force to protect themselves and others; 3) it
3 was reasonable for Gardner to believe that the baby's safety was at risk; 4) all other deputies at the
4 scene viewed the baby's safety as being at risk, and all found Gardner's actions reasonable,
5 necessary, effective and appropriate, and the mother's actions as reckless, irrational and injurious;
6 the deputies' opinions were supported by the reviews of acting LT. Terrence Roberts and Captain
7 Ronald Shaeffer, both of whom indicated discipline of Deputy Gardner would be improper.
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9 29. One of LASD's top experts on the use of force reviewed this matter. The expert
10 detailed how all LASD's charges against the Plaintiff were bogus and why Deputy Gardner did
11 nothing wrong and should have been commended and not fired.

12 30. Still, Deputy Gardner remains terminated. Deputy Gardner was terminated for
13 doing no wrong. As a result of the termination, he has lost 30 years of future income as a peace
14 officer, costing him millions of dollars in salary and retirement.

15 31. In addition to financial losses, Plaintiff has suffered severe distress, insomnia,
16 depression, anxiety, and loss of identity. The stress caused by the Defendant has also taken a
17 devastating toll on Plaintiff's family. Deputy Gardner's identity was wrapped around his dream
18 job of being a cop. The Defendant took his career and identity from Deputy Garner, humiliating
19 him and depriving him of, among many other meaningful things, the ability to fully participate in
20 celebrations to honor a fallen partner.
21

22 32. Plaintiff exhausted his administrative remedies under FEHA by applying for a
23 right-to-sue letter under FEHA, attached as Exhibit 3.

24 33. In addition to emotional damages, Deputy Gardner demands immediate
25 reinstatement of his career at LASD and resumption of his outstanding career as a deputy with
26 integrity and a passion for protecting the community.
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35. Plaintiff Deputy Timothy Gardner is former deputy for LASD.

36. Defendant Los Angeles County is a municipal entity that operates and operated LASD, which is an agency of the County. The County is liable for the misconduct of all its employees, including Chief Dennis Kneer.

37. Plaintiff re-alleges and incorporates by reference the allegations in all the preceding 36 paragraphs.

39. The Defendant County terminated Plaintiff even though LASD's leadership knew he did nothing wrong and later admitted it. Deputy Gardner violated no policies and no laws. Deputy Gardner acted quickly to save a baby when the suspect was squeezing and holding the baby precariously and threatening to break its legs. Nonetheless, LASD leadership feared a media storm and public relations nightmare for the department if video of the incident involving a white cop using force on an African American woman were released. LASD leadership used the termination of the innocent Plaintiff to depict itself in a positive light, presenting an image of a sheriff department that does not tolerate unconstitutional policing by its deputies. However, by framing and terminating Plaintiff, the department violated the constitutional rights of Plaintiff.

1 40. Under §1983, the County and Kneer are liable for subjecting Plaintiff to conduct
2 under color of state law depriving him of rights, privileges, or immunities guaranteed under the
3 First and Fourteenth Amendments of the Constitution of the United States of America.

4 41. LASD has a long history of the practice and custom of falsely charging employees
5 with wrongdoing for public relations purposes to justify discipline and even termination, which
6 continues today. This practice and custom dates back to Sheriff Lee Baca and Undersheriff Paul
7 Tanaka, infamous for “blackballing” employees, denying their earned promotions or making
8 unwarranted demotions, and rigging false investigations against them.

9
10 a. Plaintiff has a constitutional right of due process under the Fourteenth Amendment.
11 He is entitled to procedural due process by the LASD in areas of promotion, investigation and
12 disposition. Plaintiff is also entitled to substantive due process in receiving fair treatment from the
13 LASD leadership, whose policy enactments should not exceed the limits of the inherent authorities.
14 By framing and terminating Plaintiff for being Caucasian even though it knew he did no wrong,
15 LASD deprived him of due process under the Fourteenth Amendment. Plaintiff was denied an
16 adequate opportunity to defend himself against the false allegations made in the fraudulent IAB
17 investigation. *See, e.g., Devereaux v. Abbey*, 263 F.3d 1070, 1074–75 (9th Cir. 2001) (holding that
18 “there is a clearly established constitutional due process right not to be subjected to criminal
19 charges on the basis of false evidence that was deliberately fabricated by the government”).

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21 42. LASD also violated Plaintiff’s substantive due process rights when its leadership
22 failed to provide fair treatment and subjected him to policy enactments that exceeded the limits of
23 their inherent authority. “To establish a substantive due process claim, a plaintiff must, as a
24 threshold matter, show a government deprivation of life, liberty, or property.” *Nunez v. City of Los*
25 *Angeles*, 147 F.3d 867, 871 (9th Cir. 1998). “The requirements of procedural due process apply
26 only to the deprivation of interests encompassed by the Fourteenth Amendment’s protection of
27 liberty and property.” *The Bd. of Regents of State Colls. v. Roth*, 408 U.S. 564, 569 (1972). By
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1 terminating Plaintiff when it knew he engaged in no wrongdoing (and saved the life of a baby),
2 LASD infringed on his substantive due process rights.

3 43. A local governing body is liable under §1983 only when “action pursuant to official
4 municipal policy of some nature caused a constitutional tort.” *Monell v. Dep’t of Soc. Servs. Of*
5 *City of N.Y.*, 436 U.S. 658,659 (1978). Municipalities can be held liable only for their own illegal
6 acts; they are not liable on a *respondeat superior* basis. *Id.* As a result, “[r]igorous standards of
7 culpability and causation must be applied to ensure that the municipality is not held liable solely
8 for the actions of its employee.” *Bryan Cnty. V. Brown*, 520 U.S. 397, 405 (1997). Instead, to
9 establish liability, plaintiffs must plead the existence of both “tortious conduct . . . pursuant to a
10 municipality’s ‘official policy,’” *Pembaur v. City of Cincinnati*, 475 U.S. 469, 479 (1986), and a
11 causal link between that practice or custom and the constitutional violation at issue, *Hunter v. Cnty.*
12 *of Sacramento*, 652 F.3d 1225, 1233 (9th Cir. 2011). “The Supreme Court has made clear that
13 policies can include written policies, unwritten customs and practices, failure to train municipal
14 employees on avoiding certain obvious constitutional violations, and, in rare instances, single
15 constitutional violations that are so inconsistent with constitutional right that even such a single
16 instance indicates at least deliberate indifference of the municipality.” *Benavidez v. Cnty. of San*
17 *Diego*, 993 F.3d 1134, 1153 (9th Cir. 2021) (citations omitted).

18 44. LASD is a branch of the County, and the County is directly liable for wrongdoing
19 by LASD. Sheriff Luna and his associates, as sheriffs before Luna, assumed the role of
20 policymakers, as the County allows LASD to operate on an “island,” without transparency, setting
21 policies and disciplining employees who did no wrong with impunity, as if it is not accountable to
22 the County.

23 45. Plaintiff may “establish the liability of municipal defendants . . . by showing that
24 the decision-making official was, as a matter of state law, a final policymaking authority ‘whose
25 edicts or acts may fairly be said to represent official policy’ in the area of decision.” *Ulrich v. City*
26 *& Cnty. of San Francisco*, 308 F.3d 968, 985 (9th Cir. 2002) (quoting *Monell*, 436 U.S. at 694).

1 In other words, where a Plaintiff seeks to impose § 1983 liability for an official’s exercise of
2 discretion, “[m]unicipal liability attaches only where the decisionmaker possesses final authority
3 to establish municipal policy with respect to the action ordered.” *Pembaur*, 475 U.S. at 481.
4 District courts identify policymakers by reference to all “relevant legal materials, including state
5 and local positive law, as well as ‘custom or usage’ having the force of law.” *Jett v. Dallas Indep.*
6 *Sch. Dist.*, 491 U.S. 701, 737 (1989) (internal quotation marks and citation omitted).

7 46. Sheriff Luna had final policymaking authority regarding law enforcement pursuant
8 to the longstanding County custom. Although there was no written delegation of such authority to
9 Luna, “[i]f there are two alternative explanations, one advanced by defendant and the other
10 advanced by plaintiff, both of which are plausible, plaintiff’s complaint survives a motion to
11 dismiss under Rule 12(b)(6).” *Starr*, 652 F.3d at 1216. Plaintiff here alleges a plausible theory of
12 liability for an unlawful custom or usage by pleading a series of similar acts framing other
13 employees and alleging that he was subjected to them.

14 47. The Defendant County ratified all wrongful conduct, including the framing of
15 Plaintiff. Kneer and others were not held accountable for their misconduct towards the Plaintiff.
16 In addition, Plaintiff may establish municipal liability under § 1983 “by showing that an official
17 with final policymaking authority either delegated that authority to, or ratified the decision of, a
18 subordinate.” *Ulrich*, 308 F.3d at 985. The determination of whether a defendant “had been
19 delegated final policymaking authority over the decisions at issue or whether those decisions were
20 ratified by officials with final policymaking authority . . . may turn on questions of fact.” *Id.*
21 Additionally, “[a]n official may be found to have been delegated final policymaking authority
22 where the official’s discretionary decision is not constrained by policies not of that official’s
23 making and not subject to review by the municipality’s authorized policymakers.” *Id.* at 986
24 (internal quotation marks, alterations, and citation omitted).

1 48. By alleging that “the County allows LASD to operate on an ‘island’” without
2 independent oversight, Plaintiff has adequately pleaded a theory of delegation of authority as an
3 alternative to the theory of a custom or practice of final policymaking authority discussed above.

4 49. Moreover, the alleged actions by the LASD leadership cannot be considered
5 objectively reasonable. In *Ballou v. McElvain*, No. 20-35416 (9th Cir. 2022), the Ninth Circuit
6 held that discriminatory investigation and stalling/denial of promotion are unconstitutional, citing
7 two analogous cases, *Lindsey v. Shalmy*, 29 F.3d 1382, 1385-86 (9th Cir. 1994), and *Bator v. State*
8 *of Hawai‘i*, 39 F.3d 1021, 1028 (9th Cir. 1994) (“any reasonable officer would recognize that
9 discriminatorily conducting an investigation to stall a promotion as unconstitutional under the two
10 cases, read in combination”). Here, LASD’s framing of an innocent deputy for public relations
11 purposes cannot be considered objectively reasonable.
12

13 50. Recently, Chief Kneer admitted that he knew that the Plaintiff did not commit
14 criminal conduct, did not violate policy, and did not engage in any wrongdoing. The County
15 confessed in filings in court that Deputy Gardner did not violate policy in any manner. The Plaintiff
16 was punished merely based on race, an illegal and unfair targeting based on a protected
17 characteristic.
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19 51. As a direct, foreseeable, and proximate cause of Defendant’s deprivation of
20 Plaintiff’s civil rights, Plaintiff suffered extreme mental anguish, anxiety, severe distress, physical
21 pain, and humiliation. Plaintiff was required to and did employ and will in the future employ
22 physicians and health care providers to examine, treat, and care for him, and did, and will in the
23 future, incur medical and incidental expenses. The exact amount of full expenses is unknown to
24 Plaintiff at this time.

25 52. Plaintiff has also suffered substantial loss of earnings, several million dollars, due
26 to the termination.

27 53. Plaintiff timely exhausted his remedies.
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SECOND CAUSE OF ACTION FOR
RACE DISCRIMINATION IN VIOLATION OF FEHA
(AGAINST DEFENDANT COUNTY OF LOS ANGELES)

54. Plaintiff re-alleges and incorporates herein by reference all the preceding 53 paragraphs as if fully set forth herein.

55. Under Government Code section 12940(a) it is unlawful for an employer to discriminate against an employee in the terms and conditions of his employment because of his race or ethnicity.

56. Kneer and LASD terminated the Plaintiff because he's Caucasian. Kneer and the County admitted that Gardner did no wrong.

57. Deputy Gardner saved a baby when the suspect was threatening to break the baby's legs. Chief Dennis Kneer framed Plaintiff and convinced Sheriff Luna to terminate the Plaintiff because it "looked bad," by which the LASD executives meant it was "bad optics" for a white cop to hit a black woman to take her baby. If Deputy Gardner were not white, he would not have been terminated.

58. The tactics used by Deputy Gardner are regularly used by deputies to subdue suspects and save lives. However, because Plaintiff happened to be white and the suspect black, Kneer and LASD made the decision to terminate him.

59. While virulent racism was behind the County's actions towards the Plaintiff, race had nothing to do with Deputy Gardner's actions. Deputy Gardner saved a baby from grave harm and violated no policies in the process. Deputy Gardner did exactly what he should have done to handle the call. The County itself admitted in court papers that Deputy Gardner did no wrong.

60. Chief Kneer targeted Deputy Gardner because he was involved in an incident with an African American resident. Plaintiff, at all times mentioned herein, is a member of a protected

1 class of persons based on race, and he engaged in protected activities contemplated by Government
2 Code sections 12940, *et. seq.*

3 61. Plaintiff is informed and believes and thereon alleges that Defendant County and
4 LASD and its leadership and supervisors treated him adversely based on his race. LASD gave
5 Plaintiff an adverse employment action – termination – because it was “bad optics” for a Caucasian
6 deputy to strike an African American suspect even in order to save the baby from the suspect who
7 was threatening to break the baby’s legs.

8 62. FEHA defines “employer” broadly to encompass “any person regularly employing
9 five or more persons, or any person acting as an agent of an employer, directly or indirectly.” *Gov.*
10 *Code* § 12926(d). Here, Defendant County was the employer of Plaintiff, and LASD, Chief Kneer,
11 and Sheriff Luna were agents of the County. As set forth above, the County discriminated against
12 the Plaintiff because of his race. Defendant engaged in illegal, intentional discrimination, treating
13 Plaintiff differently from deputies of other races and subjecting him to adverse employment
14 actions.

15 63. At all times herein mentioned, the County had actual and/or constructive
16 knowledge of the discriminatory conduct levied against Plaintiff by Defendant. Moreover, the
17 discriminatory conduct was also condoned by the County, which did nothing to remedy the
18 wrongful conduct and to hold its employees accountable for this wrongful conduct.

19 64. As a direct, foreseeable, and proximate cause of Defendant’s discriminatory,
20 retaliatory conduct and failure to act, Plaintiff suffered humiliation, embarrassment, anxiety,
21 mental anguish, and extreme distress. The County caused Plaintiff to lose his career in law
22 enforcement and millions of dollars in lost salary.

23 65. As a further legal result of the above-described conduct of Defendants, Plaintiff has
24 and will continue to incur attorneys’ fees and in costs in amount according to proof.

25 66. Plaintiff timely exhausted administrative remedies.

THIRD CAUSE OF ACTION FOR
VIOLATION OF FEHA– FAILURE TO TAKE ALL REASONABLE STEPS TO
PREVENT DISCRIMINATION
(AGAINST DEFENDANT COUNTY OF LOS ANGELES)

67. Plaintiff re-alleges and incorporates herein by reference all the preceding paragraphs, as if fully set forth herein.

68. Defendant failed to take all reasonable steps necessary to prevent the aforementioned discrimination against Plaintiff in violation of Government Code section 12940(k). The County knew that Plaintiff belonged to a protected class and that he was treated differently than other employees and officials because of his race.

69. The Plaintiff was fired because he's Caucasian.

70. The conduct, statements and acts described herein were an ongoing part of a continuing scheme and course of conduct. Defendant County knowledge of the above-described facts and circumstances and ratified the wrongs and injuries mentioned herein even though it had the ability to prevent, remedy and/or correct these wrongs. Defendant County ratified and refused to remedy the aforementioned conduct, notwithstanding the fact that its officials, supervisors and/or managing agents knew or reasonably should have known of the conduct and its unlawful motivations.

71. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered special damages in the form of lost earnings, benefits and/or out of pocket expenses in an amount according to proof at the time of trial. As a further direct and proximate result of Defendant's conduct, Plaintiff will suffer additional special damages in the form of lost future earnings, benefits, and/or other prospective damages in an amount according to proof at the time of trial.

72. Plaintiff was subjected to repeated adverse employment actions, including termination, which have cost him millions of dollars in lost salary.

73. As a further direct and proximate result of Defendant's conduct, Plaintiff has suffered mental and emotional pain, severe distress and discomfort, and damage to his

1 occupational reputation, all to the detriment and damage in amounts not fully ascertained but
2 within the jurisdiction of this court and subject to proof at the time of trial. The County allowed
3 and sanctioned and supported discrimination against Plaintiff.

4 74. Plaintiff is entitled to costs and reasonable attorneys' fees pursuant to Government
5 Code section 12965(b).

6 75. Plaintiff exhausted his administrative remedies.

7
8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff prays to the Court for the following relief:

- 10 1. For special damages, including but not limited to, lost earnings, benefits and/or out-
11 of-pocket expenses in an amount according to proof at the time of trial, all in an
12 amount set forth above and/or according to proof at the time of trial;
- 13 2. For further special damages, including but not limited to, lost future earnings,
14 benefits and other prospective damages in an amount set forth above and/or
15 according to proof at the time of trial, at a minimum of \$5 million.
- 16 3. For general damages, including for pain and suffering, in an amount set forth above
17 and/or according to proof at the time of trial.
- 18 4. For interest: Pre-Judgment and Post-Judgment at the maximum legal rate;
- 19 5. For costs of suit; and attorney's fees under the whistleblower statutes.
- 20 6. For such other and further equitable relief as it may deem just and proper.

21
22 Dated: March 10, 2025, THE LAW OFFICES OF VINCENT MILLER

23
24 
25

26
27 _____
28 VINCENT MILLER, Attorney for Plaintiff

1
2 **JURY TRIAL DEMAND**

3 Plaintiff demands a jury trial on all issues so triable.

4 DATED: March 9, 2025

5 THE LAW OFFICES OF VINCENT MILLER

6
7 
8

9 By VINCENT MILLER
10 Attorney for Plaintiff Timothy Gardner
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EXHIBIT 1

PARTY ADMISSIONS BY THE COUNTY: ANSWER TO THE COMPLAINT

STEVEN J. ROTHANS – State Bar No. 106579
KIMBERLY MOROSI – State Bar No. 345641
CARPENTER, ROTHANS & DUMONT, LLP
500 S. Grand Avenue, 19th Floor
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Attorneys for Defendant County of Los Angeles

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

YEAYO RUSSELL, an individual and
as Guardian Ad Litem for minor D.F.,

Plaintiffs,

vs.

COUNTY OF LOS ANGELES, a
public entity, and DOES 1-10 inclusive,

Defendants.

Case No.: 2:23-cv-05979-JWH-SK

**ANSWER TO COMPLAINT FOR
DAMAGES; DEMAND FOR JURY
TRIAL**

COMES NOW Defendant, County of Los Angeles, a public entity,
answering Plaintiffs' Complaint for Damages (hereinafter "Complaint") on file
herein, admits, denies and alleges as follows:

ADMISSIONS AND DENIALS

1. In response to paragraphs 1, 2, 8, 13, 19, 49, 59 (erroneously labeled
as 56), and 69 (erroneously labeled as 66) of the Complaint, this answering
defendant states that this paragraph contains characterization of the Complaint to
which no response is required. To the extent that a response is required, this

1 answering defendant denies the allegations of these paragraphs.

2 2. In response to paragraphs 3, 23, 24, 25, 26, 27, 29, 34, 35, 36, 39, 40,
3 41, 46, 53, 61 (erroneously labeled as 58), 62 (erroneously labeled as 59), 64
4 (erroneously labeled as 61), and 65 (erroneously labeled as 62) of the Complaint,
5 this answering defendant denies the allegations set forth therein.

6 3. In response to paragraphs 4, 14, and 15 of the Complaint, this
7 answering defendant admits that the involved deputies were members of the Los
8 Angeles Sheriff's Department ("LASD") acting in the course and scope of their
9 duties as LASD deputies. Except as expressly admitted, this answering defendant
10 denies the remaining allegations of these paragraphs.

11 4. In response to paragraphs 5, 6, 7, 16, 17, 18, 28, 31, 33, 37, 38, 42,
12 43, 44, 45, 47, 48, 51, 52, 54, 55, 56 (erroneously labeled as 53), 57 (erroneously
13 labeled as 54), 58 (erroneously labeled as 55), 63 (erroneously labeled as 60), 66
14 (erroneously labeled as 63), 67 (erroneously labeled as 64), and 68 (erroneously
15 labeled as 65) of the Complaint, this answering defendant states that these
16 paragraphs contain legal conclusions to which no response is required. To the
17 extent a response is required, this responding defendant denies the allegations of
18 these paragraphs.

19 5. In response to paragraph 9 of the Complaint, this answering defendant
20 is without sufficient knowledge or information to form a belief as to the truth of
21 the allegations set forth in this paragraph, and on that basis, denies those
22 allegations.

23 6. In response to paragraphs 10, 11, and 12 of the Complaint, this
24 answering defendant admits that the LASD is a department within the County of
25 Los Angeles, which is a duly organized public entity within the State of California.
26 Except as expressly admitted, this answering defendant denies the remaining
27 allegations of this paragraph.

28 7. In response to paragraphs 20 and 21 of the Complaint, this answering

1 defendant states that this paragraph contains characterizations of the Complaint
2 which no response is required. To the extent that a response is required, this
3 answering defendant denies the allegations of these paragraphs, except admits that
4 this Court has jurisdiction over the instant matter pursuant to 28 U.S.C. §§ 1331,
5 1343, 1983, 1988, and 1367, that based on the allegations contained in the
6 Complaint, venue is proper under 28 U.S.C. § 1391, and that Plaintiffs' asserted
7 claims arise under 42 U.S.C. § 1983. Except as expressly admitted, this answering
8 defendant denies the remaining allegations of these paragraphs.

9 8. In response to paragraphs 22, 30, 32, 50, and 60 (erroneously labeled
10 as 57) of the Complaint, this answering defendant incorporates its admissions and
11 denials to the paragraphs referenced therein.

12 **AFFIRMATIVE DEFENSES**

13 1. Plaintiffs have failed to allege facts sufficient to state a claim upon
14 which relief can be granted.

15 2. The conduct of the involved deputies was objectively reasonable and
16 did not interfere with nor deprive Plaintiffs of their constitutional rights.

17 3. Any damages which resulted to Plaintiffs were caused by third parties
18 whose acts were superseding and intervening to any cause relating to this
19 answering defendant or the involved deputies.

20 4. Any recovery on Plaintiffs' Complaint, or any purported claim or
21 cause of action alleged therein, is barred in whole or in part by the comparative
22 fault of Plaintiffs and/or others.

23 5. This answering defendant is immune from liability herein because, at
24 all times mentioned in the Complaint, the involved deputies conducted themselves
25 reasonably, in good faith, and within all existing constitutional and statutory
26 parameters pertaining to their actions as duly authorized law enforcement officers,
27 and thus are entitled to qualified immunity from suit herein.

28 6. Plaintiffs failed to exercise ordinary care, caution, and prudence for

1 their own welfare so as to avoid the happening of the alleged injuries and thereby
2 contributing thereto. Plaintiffs' recovery is therefore barred to the degree of such
3 contribution, comparative fault and/or negligence, including Plaintiffs' own
4 criminal conduct.

5 7. To the extent the Complaint seeks damages for any state tort claims,
6 those claims are barred in that Plaintiffs have failed to properly comply with the
7 provisions of the California Tort Claims Act in the filing of an appropriate claim
8 with a public entity prior to the initiation of the lawsuit, pursuant to the provisions
9 of Government Code sections 900, 901, 910, and 911.2; furthermore, the Tort
10 Claim(s) submitted does not authorize the various state torts set forth in Plaintiffs'
11 Complaint.

12 8. Plaintiffs assumed the risk of injury for their actions and the results
13 thereof.

14 9. This answering defendant is immune from liability by the application
15 of one or more of the immunities set forth in the California Government Code,
16 including the immunities set forth in sections 818.6, 820, 820.2, 820.25, 820.4,
17 820.6, 820.8, 821, 821.6, 821.8, 822.2, 845, and 845.6; Civil Code sections 43.55,
18 47, and 3333.3; Penal Code sections 243, 834, 835, 835(a), 836, and 836.5.

19 10. The acts complained of by Plaintiffs were provoked by Plaintiffs
20 themselves in that they failed to comply with the lawful orders of law enforcement.

21 11. Any recovery on Plaintiffs' Complaint, or any purported claim or
22 cause of action alleged therein, is barred in whole or in part by Plaintiffs' own
23 conduct which violated numerous provisions of the California Penal Code and, as
24 such, was negligent per se.

25 12. In doing the acts alleged in Plaintiffs' Complaint, the involved
26 deputies were acting in self-defense and defense of others.

27 13. Plaintiffs' action is barred by the doctrines of res judicata and/or
28 collateral estoppel.

1 14. Plaintiffs consented to the acts and conduct of the involved deputies
2 involved in the subject incident.

3 15. Plaintiffs' claims are barred by superseding or intervening causes.

4 16. Any recovery on Plaintiffs' Complaint, or any purported claim or
5 cause of action alleged therein, is barred in whole or in part by Plaintiffs' failure to
6 mitigate their damages.

7 17. Plaintiffs' action is barred by the applicable statute of limitations.

8 18. The conduct of the involved deputies at the time of the incidents and
9 events referred to in the Complaint was privileged under California law.

10 19. Plaintiffs' action is barred by the doctrines of waiver, laches, estoppel
11 and unclean hands.

12 20. The acts complained of by the plaintiffs were provoked by their own
13 unlawful and wrongful conduct in that they willfully, maliciously, unlawfully, and
14 wrongfully interfered with the lawful orders of a police officer, and purposefully
15 resisted the detention, arrest and/or investigatory orders, despite requests that they
16 desist, and continued to do so.

17 21. At the time of the incident that gives rise to this lawsuit, the plaintiffs
18 were on parole and/or probation and, thus, subject to search and seizure without
19 probable cause or reasonable suspicion.

20 22. At all times mentioned in the Complaint, Plaintiffs knowingly,
21 willingly and voluntarily assumed the risks involved in their conduct and
22 appreciated the foreseeability of being injured, when they continued their conduct
23 and actions of refusing to obey the lawful orders of peace officers, resisting the
24 detention and/or arrest and/or attempting to escape and/or flee a lawful arrest
25 and/or detention. Despite said knowledge and appreciation of the risk of injuries,
26 Plaintiffs voluntarily chose to continue their actions and conduct, which resulted in
27 their alleged injuries and damages.

28 23. All times mentioned in the Complaint, and prior to the time when the
- 5 -

1 involved deputies are alleged to have committed the acts complained of, the
2 plaintiffs willfully, wrongfully and unlawfully refused to follow the reasonable
3 instructions and directions and commands of said peace officers, and attempted to
4 assault, batter and use deadly force on the peace officers, as well as presented a
5 threat to others in the vicinity, so as to cause the involved deputies to take
6 reasonable action to restrain the plaintiffs, and overcome resistance. For this
7 reason, the conduct of the involved deputies was in the interests of officer safety,
8 self-defense, defense of others, and in defense of property.

9 24. Probable cause and/or a good faith belief of probable cause existed for
10 the plaintiffs' arrest, detention, search and/or investigation of the incidents and
11 events referred to in the Complaint.

12 25. Reasonable suspicion existed for the plaintiffs' arrest, detention,
13 search and/or investigation of the incidents and events referred to in the Complaint.

14 26. Any search of the plaintiffs' person was lawful under numerous
15 exceptions to the warrant requirement, including but not limited to search incident
16 to lawful arrest, exigent circumstances, emergency aid and consent.

17 27. This answering defendant reserves the right to amend this Answer to
18 include additional affirmative defenses that may become known.

19
20 Wherefore, this answering defendant prays for relief as follows:

21 1. That Plaintiff take nothing by his Complaint herein;

22 2. That this answering defendant recover the costs of suit incurred
23 herein.

24 3. That this answering defendant recover his reasonable attorney's fees
25 incurred herein.

26 4. That the Court award such other and further relief as it deems just and
27 proper.

28 ///

1 DATED: November 3, 2023 CARPENTER, ROTHANS & DUMONT LLP

2 /s/ Kimberly Morosi

3 By: _____

4 STEVEN J. ROTHANS

5 KIMBERLY MOROSI

6 Attorneys for Defendant,

7 County of Los Angeles

DEMAND FOR JURY TRIAL

Pursuant to Local Rule 38-1, Defendant hereby demands a jury trial as provided in Rule 38(b) of the Federal Rules of Civil Procedure.

DATED: November 3, 2023 CARPENTER, ROTHANS & DUMONT LLP

/s/ Kimberly Morosi

By: _____

STEVEN J. ROTHANS

KIMBERLY MOROSI

Attorneys for Defendant,

County of Los Angeles

EXHIBIT 2

PARTY ADMISSIONS BY THE COUNTY: JOINT REPORT

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srothans@crdlaw.com / kmorosi@crdlaw.com

Attorneys for Defendant County of Los Angeles

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

YEAYO RUSSELL, an individual and
as Guardian Ad Litem for minor D.F.,

Plaintiffs,

vs.

COUNTY OF LOS ANGELES, a
public entity, and DOES 1-10 inclusive,

Defendants.

Case No.: 2:23-cv-05979-FMO-SK

**JOINT REPORT RE: EARLY
MEETING OF COUNSEL**

COME NOW Plaintiffs Yeayo Russell and D.F., and Defendant County of Los Angeles, a public entity, pursuant to the Court's order setting scheduling conference (Dkt. 16), hereby submit the following joint report regarding their early meeting of counsel, which was held on November 14, 2023.

A. STATEMENT OF THE CASE

This civil action arises out of a traffic stop and subsequent use of force incident that occurred between Plaintiffs and deputies with the Los Angeles Sheriff's Department ("LASD") on July 14, 2022. Plaintiffs, Yeayo Russell and

1 her minor son D.F., filed this civil lawsuit against the County of Los Angeles,
2 asserting claims under 42 U.S.C. § 1983 for excessive force and municipal
3 liability.

4 Defendant denies Plaintiffs' allegations and asserts that the deputies'
5 conduct was reasonable, and thus, did not amount to excessive force. Defendant
6 further denies that the deputies violated any of Plaintiffs' constitutional rights and
7 assert that the involved deputies are entitled to qualified immunity.

8 **B. SUBJECT MATTER JURISDICTION**

9 Jurisdiction is proper in this court, given the plaintiffs' claims against the
10 defendant are brought under 42 U.S.C. § 1983.

11 **C. LEGAL ISSUES**

12 **Plaintiffs:**

13
14 **Defendant:**

15 At this time, Defendant believes the following are the key legal issues to be
16 decided:

- 17 1. Whether the deputies used force against Plaintiff D.F.;
- 18 2. Whether the use of force against Plaintiff Yeayo Russell was reasonable;
- 19 3. Whether the County of Los Angeles has a custom, practice, and/or policy
20 that led to a violation of Plaintiffs' civil rights;
- 21 4. Whether the County of Los Angeles had deficient training policies that
22 led to a violation of Plaintiffs' civil rights;
- 23 5. Whether the involved deputies are entitled to qualified immunity.

24 **D. PARTIES, EVIDENCE, ETC.**

25 Plaintiffs are Yeayo Russell and her minor son D.F.

26 Defendant is the County of Los Angeles.

27 Percipient witnesses in the case will be the other law enforcement personnel
28 and Plaintiffs' friends/acquaintances who were present at the scene of the subject

1 traffic stop and use of force incident.

2 Relevant evidence will include investigative materials regarding the
3 incident, and the plaintiffs' medical records and other records relevant to damages.

4 **E. INSURANCE**

5 The County of Los Angeles is permissibly self-insured pursuant to
6 Government Code section 990.

7 **F. MAGISTRATE JUDGE**

8 At this time, the parties do not agree to try the case before a magistrate
9 judge.

10 **G. DISCOVERY**

11 DISCOVERY CUT-OFF

12 The parties jointly propose a discovery cut-off date of **September 24, 2024**

13 EXPERT DISCOVERY

14 The parties propose that expert disclosures be governed by the timetable
15 outlined in Federal Rule of Civil Procedure 26(a)(2)(D). Based on the proposed
16 December 10, 2024 trial date, the proposed disclosure dates are:

17 Initial disclosures: **October 29, 2024**

18 Rebuttal disclosures: **November 19, 2024**

19 With these disclosure dates, the parties propose an expert discovery cut-off
20 date of **December 17, 2024**.

21 **H. MOTIONS**

22 At this time, Defendant does not anticipate filing any motions to add parties
23 or claims, file amended pleadings or transfer venue. Defendant requests that the
24 deadline to amend the pleadings or add parties be set at February 13, 2024.

25 **I. CLASS CERTIFICATION**

26 Not applicable.

27 **J. DISPOSITIVE MOTIONS**

28 Defendant anticipates that they will file a Motion for Summary Judgment on

the grounds that the evidence does not support any of the plaintiffs' claims and that the involved deputies are entitled to qualified immunity. The parties propose that the cut-off date for dispositive motions be **October 22, 2024**. Plaintiffs request two weeks to file their opposition to any dispositive motion, and do not oppose if Defendant requests two weeks to reply. The defendant is agreeable to stipulating to a briefing schedule for dispositive motions.

The parties expect that Motions in Limine will be filed prior to trial, but at this time it is premature to identify what evidentiary issues will be raised on those motions.

K. SETTLEMENT/ALTERNATIVE DISPUTE RESOLUTION (ADR)

The parties have not yet engaged in any dialogue concerning settlement possibilities and no demands or offers have been made. The parties choose to participate in ADR Procedure 2, that is, to participate in a mediation with Rick Copeland from the Court's panel of pro bono mediators.

L. PRETRIAL CONFERENCE AND TRIAL

The parties propose **January 7, 2025** for the pretrial conference and **January 28, 2025** for trial.

M. TRIAL ESTIMATE

The parties are requesting a jury trial. The estimated length of trial is 5-7 days. At this time, Defendant anticipates calling approximately 8 witnesses.

N. TRIAL COUNSEL

Defendant – Steven J. Rothans and Kimberly Morosi of Carpenter, Rothans & Dumont LLP

Plaintiffs – Jamon Hicks

O. INDEPENDENT EXPERT OR MASTER

The parties do not believe that an independent expert or master is necessary in this case.

1 **P. OTHER ISSUES**

2 At this time, the parties do not anticipate there being other significant issues
3 affecting the case. The parties are not requesting a telephonic scheduling
4 conference.

5
6 DATED: November 15, 2023

DOUGLAS HICKS LAW, APC

7
8 By: /s/ Jamon Hicks

9 JAMON R. HICKS

10 RACHEL P. JACOBS

11 BRENNAN L.G. HUGHES

Attorneys for Plaintiffs

12
13 DATED: November 22, 2023

CARPENTER, ROTHANS & DUMONT LLP

14
15 By: /s/ Kimberly Morosi

16 STEVEN J. ROTHANS

17 KIMBERLY MOROSI

18 Attorneys for Defendant,

County of Los Angeles

EXHIBIT 3

RIGHT TO SUE LETTER



Civil Rights Department

651 Bannan Street, Suite 200 | Sacramento | CA | 95811
1-800-884-1684 (voice) | 1-800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

March 9, 2025

Timothy Gardner
16255 Ventura Blvd, Encino, CA 91436 Suite 625
Encino, 91436

RE: **Notice of Case Closure and Right to Sue**
CRD Matter Number: 202503-28434310
Right to Sue: Gardner / County of Los Angeles

Dear Timothy Gardner:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective March 9, 2025 because an immediate Right to Sue notice was requested.

This letter is also your 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.

After receiving a Right-to-Sue notice from CRD, you may have the right to file your complaint with a local government agency that enforces employment anti-discrimination laws if one exists in your area that is authorized to accept your complaint. If you decide to file with a local agency, you must file before the deadline for filing a lawsuit that is on your Right-to-Sue notice. Filing your complaint with a local agency does not prevent you from also filing a lawsuit in court.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

**COMPLAINT OF EMPLOYMENT DISCRIMINATION
BEFORE THE STATE OF CALIFORNIA
Civil Rights Department
Under the California Fair Employment and Housing Act
(Gov. Code, § 12900 et seq.)**

In the Matter of the Complaint of

Timothy Gardner

CRD No. 202503-28434310

Complainant,

vs.

County of Los Angeles

,

Respondents

1. Respondent **County of Los Angeles** is an **employer** subject to suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

2. Complainant **Timothy Gardner**, resides in the City of **Encino**, State of .

3. Complainant alleges that on or about **March 9, 2025**, respondent took the following adverse actions:

Complainant was discriminated against because of complainant's color, race (includes hairstyle and hair texture) and as a result of the discrimination was terminated.

Additional Complaint Details:

1 VERIFICATION

2 I, **Vincent Miller**, am the **Attorney** in the above-entitled complaint. I have read the
3 foregoing complaint and know the contents thereof. The matters alleged are based on
4 information and belief, which I believe to be true. The matters alleged are based on
information and belief, which I believe to be true.

5 On March 9, 2025, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

7 **Encino, California**