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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUL 10 2014

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CHRISTOPHER ROSS

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

CHRISTOPHER ROSS,

Plaintiff.

v.

COUNTY OF RIVERSIDE; PAUL
ZELLERBACH, as an individual and as the
District Attorney; SEAN LAFFERTY, as an
individual and as an Assistant District
Attorney; DAVID GREENBERG, as an
individual and as the Chief Deputy District
Attorney; JEFFREY VAN WAGENEN, as
an individual and as an Assistant District
Attorney, TRICIA FRANS DAL, as an
individual and as a Deputy District Attorney

Defendants.

Case No. P.S.C. 1403729

COMPLAINT FOR RETALIATION
AND DISABILITY DISCRIMINATION

DEMAND FOR JURY TRIAL

Plaintiff CHRISTOPHER ROSS alleges:

VIA EMAIL
Electronic Signature
Civil Code 1633.7

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8. Defendant Tricia Fransdal is a Deputy District Attorney for the County of Riverside. Plaintiff is informed and believes that during the relevant time period, Defendant Fransdal resided in Riverside County.

FACTUAL BACKGROUND

DEFENDANTS RETALIATED AGAINST PLAINTIFF FOR OBJECTING TO

THEIR INSISTENCE THAT HE PROSECUTE AN INNOCENT MAN FOR MURDER

9. Plaintiff Christopher Ross began his employment with the Riverside County District Attorney's Office on October 1, 2005. Ross is a talented and successful prosecutor. He quickly rose through the ranks until he was prosecuting the most serious offenses, including death penalty cases. His record as of June 2013 was 59-0-1.

10. In 2011, Plaintiff was assigned a murder case against Roger Wayne Parker. He was assigned the case after another prosecutor refused to prosecute the case due to lack of evidence against the accused. In late 2011, Plaintiff completed a memo analyzing the case against Parker, in which he concluded that the current evidence was insufficient to prosecute Parker. Plaintiff then requested further DNA analysis of physical evidence against Parker. The results of this analysis were inconclusive at best. Plaintiff then (in May 2012) completed another memo, in which he recommended -- after thorough analysis of all evidence -- that the District Attorney "[d]ismiss the case as it appears rife with reasonable doubt." In Plaintiff's view, the facts demonstrated extremely shoddy police work that coerced a confession from an innocent man with significant intellectual disabilities who plainly knew nothing about the crime. The evidence, in fact, pointed to another individual as the guilty party.

11. Plaintiff's supervisor at the District Attorney's office refused to accept Plaintiff's recommendation, ordering that Plaintiff submit yet more physical evidence for DNA analysis. These results continued to be inconclusive at best and arguably supported the accused's innocence.

12. Plaintiff also conducted further investigation into the case. He discovered that another suspect, whom the police initially ruled out, had been recorded confessing to the murder. In October 2013, Plaintiff issued an updated memo notifying the District Attorney's office of this fact and recommending dismissal of the case against Parker. Plaintiff's supervisor, Defendant Sean Lafferty,

1 responded with anger and hostility. Ultimately, Defendant Lafferty and the District Attorney's Office
2 reassigned the Parker case to another prosecutor. Defendant Lafferty instructed Plaintiff not to turn over
3 exculpatory evidence -- the recorded confession -- to Parker's attorney.

4 13. On information and belief, only weeks before the filing of this action, the District
5 Attorney's office formally dismissed all charges against Parker.

6 DEFENDANTS SUBJECTED PLAINTIFF, A VETERAN, TO HARASSMENT, DISCRIMINATION

7 AND RETALIATION BASED ON HIS MEDICAL CONDITION

8 14. In approximately July 2013, a doctor recommended that Plaintiff see a neurologist based
9 on symptoms he was displaying. He was initially evaluated at Cedars-Sinai, where he was warned that
10 he might be suffering from a number of neurological conditions, including amyotrophic lateral sclerosis
11 (ALS or "Lou Gehrig's disease"). In August 2013, Plaintiff began travelling to the Mayo Clinic in
12 Arizona for diagnosis by specialists. Ultimately, Plaintiff was diagnosed with Post-Traumatic
13 Concussion Syndrome. His doctors believe that Plaintiff suffered from traumatic brain injuries while
14 serving in the Army in Iraq, where he served on the frontlines dealing with explosives on a regular basis.

15 15. Plaintiff told his supervisor Tricia Fransdal in late July 2013 that he needed a medical
16 evaluation. He requested an accommodation in the form of a transfer out of his homicide assignment
17 until his diagnostic procedures were complete. Ms. Fransdal refused the accommodation request until
18 Plaintiff had a full diagnosis. The very next day, she called Plaintiff into her office and assigned him
19 two new murder cases, bringing his total cases to 8 murder cases. By comparison, the other members of
20 the homicide team were handling 3, 6 and 10 murder cases, respectively.

21 16. Plaintiff took steps to schedule his cases to accommodate his medical treatment at the
22 Mayo Clinic. In approximately the second week of August, Defendant Chief Deputy District Attorney
23 David Greenberg called Plaintiff and informed Plaintiff that he was aware of Plaintiff's medical
24 situation. Mr. Greenberg asked whether Plaintiff needed to transfer to a complaint-filing position and
25 have his cases transferred to other prosecutors. Plaintiff told him this was unnecessary that he had
26 adjusted his calendar and hearing dates to accommodate his periodic visits to the Mayo Clinic until the
27 end of the year.
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1 17. Plaintiff, however, did request an accommodation from Mr. Greenberg in the form of no
2 further assignment of homicide cases until Plaintiff's medical evaluation at the Mayo Clinic was
3 complete. Plaintiff explained that they would discuss any further necessary accommodations after the
4 diagnosis was complete because Plaintiff anticipated that he would be able to try cases with many of the
5 possible diagnoses. The discussion at this time was pleasant and professional.

6 18. In or about early October 2013, after Plaintiff was transferred off of the Parker case, Ms.
7 Fransdal assigned him another homicide case. Plaintiff reminded Ms. Fransdal that he had requested
8 that he not be assigned additional homicide cases through the end of the year while visiting the Mayo
9 Clinic for evaluation. Plaintiff requested that she refrain from assigning the case to him, at least
10 temporarily. Ms. Fransdal refused and insisted that he was obligated to take the case now.

11 19. Plaintiff went to Mr. Greenberg and complained that Ms. Fransdal was not accepting his
12 request for a reasonable accommodation, contrary to Defendant Greenberg's earlier agreement that no
13 additional cases would be assigned to Plaintiff while undergoing medical evaluation.

14 20. About a week thereafter, Plaintiff was summoned to a meeting with Defendant Assistant
15 District Attorney Sean Lafferty, Defendant Greenberg, and Ms. Fransdal. Defendant Lafferty demanded
16 to know what was medically wrong with Plaintiff. Plaintiff informed him that he had been diagnosed
17 with Post-Traumatic Concussion Syndrome as a result of military service, as well as a possible
18 autoimmune disorder. Plaintiff informed his superiors that he was still being evaluated, but that he had
19 been advised by his treating doctors to avoid stress. Plaintiff told his supervisors that he would keep
20 them informed of updates.

21 21. In this meeting, Defendant Lafferty told Plaintiff that he was a non-productive member of
22 the homicide unit because (1) he was not going to trial in the following six weeks, and (2) he could not
23 take two more new murder cases, and that Defendant Lafferty had no one else available to whom he
24 could assign the cases. Defendant Lafferty then informed Plaintiff that he was being demoted to a
25 filings assignment because of his medical condition.

26 22. Defendant Lafferty's assertion that Plaintiff was a "non-productive" employee was false
27 because (1) it is not uncommon for homicide prosecutors to go six weeks or more without going to trial,
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1 and (2) at that time, Plaintiff was carrying more homicide cases than several other prosecutors in the
2 unit.

3 23. During the last week of October 2013, Plaintiff was called into another meeting and told
4 by Defendant Lafferty that Plaintiff was "going out on FMLA leave." Plaintiff had never requested to
5 go out on leave. When Plaintiff later explained this to Human Resources, the Human Resources
6 employee informed him that he did not have to go out on FMLA leave unless he wanted to. Plaintiff
7 informed her that he did not want or need to use FMLA leave at that time.

8 24. A few days later, Plaintiff was summoned to another meeting with Defendant Lafferty.
9 Defendant Lafferty confirmed that Plaintiff was being demoted to filings effective November 1.
10 Defendant Lafferty also told Plaintiff that he was required to provide a doctor's note stating that Plaintiff
11 was medically able to work, and if Plaintiff did not do so, he would not be allowed to "return" to work.
12 At this point, Plaintiff had never left work and was not required to provide any proof of his ability to
13 "return" to work. Defendant Lafferty continued to insist that Plaintiff had to provide him with a
14 doctor's note. Plaintiff repeatedly explained that he was not required to do so because he had never
15 been on leave.

16 25. A few days later, Plaintiff was summoned to another meeting with Defendant Lafferty.
17 Defendant Lafferty began by again asking what was medically wrong with Plaintiff. Plaintiff again
18 explained the diagnosis. Defendant Lafferty became agitated and angry and began yelling at Plaintiff.
19 He accused Plaintiff of insubordination for refusing to provide a doctor's note to return to work. After a
20 break, Plaintiff returned to the meeting along with his Union representative.

21 26. Defendant Lafferty stated that he was sending Plaintiff home under a provision of the
22 governing Memorandum of Understanding ("MOU"), which permits a department head to place a
23 prosecutor on leave where there is good cause to believe that the he or she may be a danger to the health
24 of the public, himself, or other District Attorney employees. Defendant Lafferty, however, refused to
25 provide his good cause basis during that meeting and stated he would do so in writing later.

26 27. Since that meeting, Plaintiff has been on administrative leave. Under the provision of the
27 MOU, the County of Riverside must arrange for the employee to be evaluated by an independent
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1 medical specialist. The County first attempted to send Plaintiff to a County-employed doctor. When
2 Plaintiff objected, the County then demanded that Plaintiff provide his medical records. Plaintiff
3 objected that the evaluation is required to be an independent evaluation. The County has refused to
4 permit Plaintiff to return to work unless he provides his medical records for evaluation.

5 28. On or about January 27, 2014, Assistant District Attorney Jeffrey Van Wagenen informed
6 Plaintiff's union representative that Plaintiff was obligated to waive his rights under HIPPA and provide
7 his medical records. Mr. Van Wagenen stated that failure to do so would lead to discipline for
8 insubordination. The County continued to refuse to permit Plaintiff to return to work unless he provided
9 medical records prior to a fitness for duty exam.

10 29. Plaintiff resigned his employment on or about April 24, 2014, being unable to return to
11 work under the intolerable conditions established by Defendants. No reasonable person would have
12 continued working in the position under those circumstances.

13 30. On information and belief, Defendants Fransdal, Lafferty, Greenberg, and Van Wagenen
14 acted at the specific direction of Zellerbach and with his express knowledge and consent of their actions.

15 EXHAUSTION OF REMEDIES

16 31. On February 27, 2014, Plaintiff filed a claim for damages with the County of Riverside.
17 On March 10, 2014, the Clerk of the Board of Supervisors rejected the claim and issued a letter
18 indicating that Plaintiff had six months to file suit under California law.

19 32. On February 11, 2014, Plaintiff filed a complaint against Defendants with the Department
20 of Fair Employment and Housing ("DFEH") alleging multiple violations of California's Fair
21 Employment and Housing Act ("FEHA"). Plaintiff subsequently received a Right To Sue letter from the
22 DFEH.

23 FIRST CLAIM FOR RELIEF

24 Violation Of California Labor Code Section 1102.5

25 (Against All Defendants)

26 33. The preceding paragraphs of this Complaint are realleged and herein incorporated by
27 reference.
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34. California Labor Code Section 1102.5 bars employers from retaliating against employees for disclosing a violation of a state or federal statute or regulation or refusing to participate in activity that would result in violation of a state or federal statute or regulation.

35. Plaintiff was retaliated against because he reported to his employer that it was in violation of the law by prosecuting an innocent man in violation of guarantees to due process under the Fifth and Sixth Amendments to the U.S. Constitution (and similar guarantees under the California Constitution), the bar against cruel and unusual punishment under the Eighth Amendment to the U.S. Constitution (and similar guarantees under the California Constitution), the Fourteenth Amendment's bar against discriminatory prosecution, falsely imprisoning a defendant without probable cause in violation of California Penal Code Section 236, and prosecuting without probable cause in violation of California Rule of Professional Conduct 5-110.

36. The retaliation took the form of assigning him additional cases when Plaintiff had asked for a temporary break from new cases, demoting Plaintiff (depriving him from significant "overtime" compensation), placing Plaintiff on administrative leave, and pressuring Plaintiff to waive his HIPPA rights. Ultimately, this retaliation led to the constructive termination of Plaintiff's employment.

37. As a direct result of the retaliation faced by Plaintiff, he has sustained, and continues to sustain, substantial losses in earnings and continues to suffer humiliation, emotional distress, and mental and physical pain and anguish, all to his damage in a sum according to proof.

SECOND CLAIM FOR RELIEF

Disability Discrimination And Retaliation In Violation Of
The Fair Employment And Housing Act
(Against Defendant County of Riverside)

38. The preceding paragraphs of this Complaint are realleged and herein incorporated by reference.

39. At all times herein mentioned, the FEHA, embodied in Government Code section 12940 was in full force and effect. This act prohibits discrimination based on physical and mental disability, as well as on other grounds.

40. Defendant County of Riverside is a qualified employer subject to the requirements of FEHA.

41. Defendant County of Riverside discriminated against Plaintiff on the basis of his real or perceived disability. This disability has caused Plaintiff to suffer significant limitations to major life activities, including insomnia, unsteady gait, and problems with elimination. On information and belief, Defendant County of Riverside perceived Plaintiff to have a neurological condition that significantly interfered with his ability to, among other things, work. The discrimination includes demoting Plaintiff and placing him on administrative leave, requiring clearance from a doctor to return to work, and the constructive termination of his employment.

42. As a result of the discriminatory acts, Plaintiff suffered from stress and anxiety which has negatively impacted his physical and emotional condition.

43. Plaintiff believes and thereon alleges that any claims of misconduct, necessity, or performance issues as the basis for any disciplinary actions against Plaintiff are pretextual and meant to disguise the discriminatory reasons for his treatment.

44. As a direct and proximate cause of the discrimination, Plaintiff has suffered and continues to suffer general, compensatory, and special damages, including lost wages and benefits, future loss of wages and benefits, and emotional distress and physical illness in an amount unknown, but according to proof at trial.

45. Moreover, Plaintiff is entitled to attorneys' fees and costs for bringing suit alleging these violations. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees as a result of his FEHA claims against County of Riverside, and the other defendants. Plaintiff is presently unaware of the precise amount of these expenses and fees, but seeks an award of attorneys' fees and costs according to proof at trial.

THIRD CAUSE OF ACTION

Failure To Engage In the Interactive Process In Violation Of The

Fair Employment And Housing Act

(Against Defendant County of Riverside)

1 46. Plaintiff realleges and incorporates herein by reference each of the allegations set forth
2 above as if fully set forth herein.

3 47. At all times herein mentioned, the FEHA, embodied in Government Code section 12940
4 was in full force and effect. This act requires that employers engage employees known to have
5 disabilities in the interactive process.

6 48. Defendant County of Riverside is a qualified employer subject to the requirements of
7 FEHA.

8 49. When Plaintiff requested accommodations as alleged above, Defendant County of
9 Riverside failed to engage Plaintiff in the interactive process. Accordingly, Plaintiff's requests for a
10 reasonable accommodation were ignored.

11 50. As a result of the County's failure to engage with Plaintiff in the interactive process,
12 Plaintiff was discriminated against based on his perceived or actual disability and was never given a
13 reasonable accommodation. Plaintiff has suffered from stress and anxiety which has negatively
14 impacted his physical and emotional condition due to the County failure to engage in the interactive
15 process.

16 51. Plaintiff believes and thereon alleges that any claims of misconduct, necessity, or
17 performance issues as the basis for any disciplinary actions against Plaintiff are pretextual and meant to
18 disguise the discriminatory reasons for his treatment.

19 52. As a direct and proximate cause of the discrimination, Plaintiff has suffered and
20 continues to suffer general, compensatory, and special damages, including lost wages and benefits,
21 future loss of wages and benefits, and emotional distress and physical illness in an amount unknown, but
22 according to proof at trial.

23 53. Moreover, Plaintiff is entitled to attorneys' fees and costs for bringing suit alleging these
24 violations. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees as a result of
25 his FEHA claims against the County. Plaintiff is presently unaware of the precise amount of these
26 expenses and fees, but seeks an award of attorneys' fees and costs according to proof at trial.
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1 FOURTH CAUSE OF ACTION

2 Failure To Provide A Reasonable Accommodation Under The

3 Fair Employment And Housing Act

4 (Against Defendant County of Riverside)

5 54. Plaintiff realleges and incorporates herein by reference each of the allegations set forth
6 above as if fully set forth herein.

7 55. At all times herein mentioned, the FEHA, embodied in Government Code section 12940
8 was in full force and effect. This act requires that employers provide reasonable accommodations to
9 employees with actual or perceived disabilities.

10 56. Defendant County of Riverside is a qualified employer subject to the requirements of
11 FEHA.

12 57. When Plaintiff requested accommodations as alleged above, Defendant County of
13 Riverside failed to engage Plaintiff in the interactive process. Accordingly, Plaintiff's requests for a
14 reasonable accommodation were ignored.

15 58. Defendant County of Riverside failed to provide a reasonable accommodation relating to
16 Plaintiff's need for a temporary pause from receiving new case assignments. Due to the County's
17 failure to provide Plaintiff with a reasonable accommodation, Plaintiff has suffered from stress and
18 anxiety which has negatively impacted his physical and emotional condition.

19 59. Plaintiff believes and thereon alleges that any claims of misconduct, necessity, or
20 performance issues as the basis for any disciplinary actions against Plaintiff are pretextual and meant to
21 disguise the discriminatory reasons for his treatment.

22 60. As a direct and proximate cause of the discrimination, Plaintiff has suffered and
23 continues to suffer general, compensatory, and special damages, including lost wages and benefits,
24 future loss of wages and benefits, and emotional distress and physical illness in an amount unknown, but
25 according to proof at trial.

26 61. Moreover, Plaintiff is entitled to attorneys' fees and costs for bringing suit alleging these
27 violations. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees as a result of
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1 his FEHA claims against the County. Plaintiff is presently unaware of the precise amount of these
2 expenses and fees, but seeks an award of attorneys' fees and costs according to proof at trial.

3 FIFTH CAUSE OF ACTION

4 Disability Harassment Under The
5 Fair Employment And Housing Act

6 (Against Defendants County of Riverside, Lafferty, and Van Wagenen)

7 62. Plaintiff realleges and incorporates herein by reference each of the allegations set forth
8 above as if fully set forth herein.

9 63. At all times herein mentioned, the FEHA, embodied in Government Code section 12940
10 was in full force and effect. This act prohibits employees, and nonemployees, from creating a hostile
11 work environment by harassing their co-workers and subordinates on the basis of an actual or perceived
12 disability. This act makes employers liable for the harassment of their employees when the employer
13 knew or should have known of the harassment and failed to prevent it.

14 64. Under the FEHA (Govt. Code Section 12940(j)), individual employees are personally
15 liable for their acts of harassment. Similarly, an employer for purposes of harassment law is any entity
16 employing one or more individuals. The County of Riverside is a qualified employer for this purpose.

17 65. As alleged above, Defendants harassed Plaintiff due to his actual or perceived disability
18 including without limitation by repeatedly asking him to disclose his medical condition, by threatening
19 him with insubordination, by insisting he waive his HIPPA rights, by attempting to make him take
20 FMLA leave involuntarily, and by demoting him. The harassment of Plaintiff was both severe and
21 pervasive. The conduct was not welcomed by Plaintiff.

22 66. As a result of the harassment suffered by Plaintiff, he has suffered from stress and anxiety
23 which has negatively impacted his physical and emotional condition.

24 67. As a direct and proximate cause of the harassment, Plaintiff has suffered and continues to
25 suffer general, compensatory, and special damages, including lost wages and benefits, future loss of
26 wages and benefits, and emotional distress and physical illness in an amount unknown, but according to
27 proof at trial.
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68. Moreover, Plaintiff is entitled to attorneys' fees and costs under Govt. Code Section 12965(b), which provides that "the court, in its discretion, may award to the prevailing party. . . reasonable attorney's fees and costs, including expert witness fees." . Plaintiff has incurred and continues to incur legal expenses and attorneys' fees as a result of his FEHA claims against Defendants. Plaintiff is presently unaware of the precise amount of these expenses and fees, but seeks an award of attorneys' fees and costs according to proof at trial.

69. The conduct by Defendants was willful and malicious and in conscious disregard of Plaintiff's rights with the intent to vex, injure and annoy him, such as to constitute oppression, fraud and/or malice under California Civil Code section 3294. Accordingly, Plaintiff is entitled to punitive damages in an amount appropriate to punish and make an example of Defendants. Plaintiff seeks punitive damages only against the individual Defendants and not the County of Riverside.

SIXTH CAUSE OF ACTION

**Failure To Prevent Harassment, Discrimination And Retaliation Under The
Fair Employment And Housing Act
(Against Defendant County of Riverside)**

70. Plaintiff realleges and incorporates herein by reference each of the allegations set forth above as if fully set forth herein.

71. At all times hereto, the FEHA, in particular Government Code section 12940(k), was in full force and effect. This subsection imposes a duty on employers to take all reasonable steps necessary to prevent discrimination, harassment and retaliation from occurring. As alleged above, the County of Riverside violated this subsection and breached its duty by failing to take all reasonable steps necessary to prevent harassment, discrimination and retaliation from occurring.

72. As alleged above, the County of Riverside's conduct violates the FEHA. As a direct and proximate cause of said conduct, Plaintiff has suffered and continues to suffer general, compensatory, and special damages, including past and future lost wages, bonuses and benefits; and emotional distress and physical illness in an amount unknown, but according to proof at trial.

73. Plaintiff also is entitled to attorneys' fees and costs under Govt. Code section 12965(b),

1 which provides that "the court, in its discretion, may award to the prevailing party. . . reasonable
2 attorney's fees and costs, including expert witness fees." . Plaintiff has incurred and continues to incur
3 legal expenses and attorneys' fees as a result of his FEHA claims against the County of Riverside.
4 Plaintiff is presently unaware of the precise amount of these expenses and fees, but seeks an award of
5 attorneys' fees and costs according to proof at trial.

6 SEVENTH CAUSE OF ACTION

7 Intentional Infliction Of Emotional Distress

8 (Against Defendants Zellerbach, Lafferty, Fransdal, and Van Wagenen)

9 74. Plaintiff realleges and incorporates herein by reference each of the allegations set forth
10 above as if fully set forth herein.

11 75. In perpetuating the wrongful conduct described herein, Defendants Zellerbach, Lafferty,
12 Fransdal, and Van Wagenen abused the special positions they held in relation to Plaintiff. Defendants
13 acted with the knowledge that they could manipulate and damage Plaintiff's interest and well-being.

14 76. Plaintiff is informed and believes that Defendants Zellerbach, Lafferty, Fransdal, and Van
15 Wagenen intended to and did cause Plaintiff to suffer from severe emotional distress due to the
16 outrageous behavior of Defendants in harassing, discriminating and retaliating against Plaintiff.

17 77. As a result of these acts, Plaintiff suffered from stress and anxiety which negatively
18 impacted his physical and emotional condition.

19 78. Through their outrageous and unprivileged conduct as described herein and above,
20 Defendants Zellerbach, Lafferty, Fransdal, and Van Wagenen acted with the intent to cause, or with a
21 reckless disregard for the probability of causing, Plaintiff to suffer humiliation, isolation, mental
22 anguish, loss of job opportunities and reputation, and severe physical and emotional distress.

23 79. As a direct and proximate result of Defendants' actions, Plaintiff suffered and continues
24 to suffer general, compensatory, and special damages, including lost wages and benefits, future loss of
25 wages and benefits, loss of career opportunities, prejudgment interest, consequential and incidental
26 damages, plus tort damages including humiliation, isolation, emotional distress and physical injuries in
27 an amount unknown, but according to proof at trial.
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80. Based on Defendants' course of conduct, which was willful, malicious, knowing, intentional, and in conscious disregard for Plaintiff's rights and safety, Plaintiff seeks an award of punitive and exemplary damages in an amount according to proof at trial to punish Defendants, and each of them, and deter similar conduct in the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

1. General and compensatory damages including all lost wages, in a sum according to proof at time of trial;
2. Consequential and incidental damages in a sum according to proof at time of trial;
3. Damages for mental and emotional distress in a sum according to proof at time of trial;
4. General and special damages in a sum according to proof at time of trial;
5. Payment of Plaintiff's reasonable and actual attorney fees in a sum according to proof at time of trial;
6. For costs of suit herein incurred;
7. Injunctive relief;
8. Pre-judgment interest at the legal prevailing rate;
9. Punitive and exemplary damages in a sum according to proof at time of trial; and
10. For such other and further relief as the Court deems just and proper.

Dated: July 9, 2014

AITKEN CAMPBELL HEIKAUS WEAVER, LLP

By

Chris Heikaus Weaver
Attorney for Plaintiff
CHRISTOPHER ROSS

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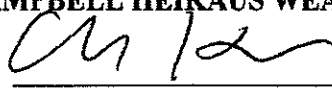
DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial of his claims by jury to the extent authorized by law.

Dated: July 9, 2014

AITKEN CAMPBELL HEIKAUS WEAVER, LLP

By



Chris Heikus Weaver
Attorney for Plaintiff
CHRISTOPHER ROSS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Chris M. Heikaus Weaver (SBN 231907) Aitken Campbell Heikaus Weaver, LLP 3877 Twelfth St. Riverside, CA 92501 TELEPHONE NO.: 951-530-4840 FAX NO.: 951-344-1762 ATTORNEY FOR (Name): Christopher Ross		FOR COURT USE ONLY			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside STREET ADDRESS: 3255 E. Tahquitz Canyon Way MAILING ADDRESS: CITY AND ZIP CODE: Palm Springs, CA 92262 BRANCH NAME: Palm Springs					
CASE NAME: ROSS v. COUNTY OF RIVERSIDE, ET AL					
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JUDGE: DEPT:					

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

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

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <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 postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): seven
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: July 9, 2014
 Chris M. Heikaus Weaver

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

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

Page 1 of 2