

AUG 15 2018

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By: Charlie L. Coleman, Deputy

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Attorneys for Plaintiff,
MARLO RICHARDSON

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL DISTRICT

MARLO RICHARDSON, an individual,

Plaintiff,

v.

Case No:

BC 7 18 1 0 2

**PLAINTIFF'S VERIFIED
COMPLAINT FOR DAMAGES:**

CITY OF LOS ANGELES, a municipality;
DAVID L. MAGGARD, JR., individually and
in his official capacity as CHIEF OF THE LOS
ANGELES WORLD AIRPORTS POLICE
DEPARTMENT; and Does 1 Through 30
Inclusive,

Defendants.

1. Wrongful Termination in Violation of FEHA, Discrimination Based on Gender and Race [Govt. Code § 12940 et seq.]
2. Wrongful Termination in Violation of Public Policy - Discrimination Based on Race and Gender;
3. Intentional Infliction of Emotional Distress

DEMAND FOR JURY TRIAL

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BY FAX

1. Plaintiff, Marlo Richardson, complains against Defendants, City of Los Angeles ("City"), the municipality who controls the Los Angeles World Airports Police Department ("LAWAPD"), David L. Maggard, Jr ("Maggard"), and Does 1 through 30. Plaintiff is an eighteen-year female, African-American Lieutenant, whose meritorious and promising career was cut short by Chief David L. Maggard who terminated Lieutenant Richardson for specious and pretextual reasons. Chief Maggard's termination of Lieutenant Richardson was based on a discriminatory mind-set as is evidenced by the campaign of discrimination against numerous black sworn personnel of the LAWAPD.

JURISDICTION AND VENUE

2. Plaintiff brings this action pursuant to and under the provisions of the Fair Employment and Housing Act, California Government Code sections 12940, et. seq. (hereinafter referred to as FEHA). Article I, section 1 of the California Constitution and other common and statutory laws.

3. The amount in controversy exceeds the minimum jurisdictional threshold of this Court.

4. Defendant is, and at all times relevant hereto has been, an “employer” as defined by FEHA. At all times set forth herein, Defendant employed 5 or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year and is otherwise subject to the provisions of FEHA and other applicable laws.

5. Jurisdiction is proper pursuant to California Code of Civil Procedure section 410.10.

6. Plaintiff is informed and believes, and thereon alleges, that most of the witnesses and evidence relevant to this case are located in Los Angeles County in California and at other locations in the State of California.

7. Plaintiff is informed and believes, and thereon alleges, that the relative costs and burdens to the parties herein favor the filing of this lawsuit in this Court. Defendant suffers no burden or hardship by having to defend this case in this Court. However, Plaintiff would suffer severe and undue burden and hardship if she were required to file in an alternative forum, if any

1 such forum exists. Such burden and hardship on Plaintiff includes, but is not limited to prohibitive
2 monetary expenses for travel, obtaining counsel in a different venue and/or jurisdiction, increased
3 expenses to investigate and obtain evidence and depose and interview witnesses.

4 8. State policy favors jurisdiction and venue in the County of Los Angeles, California
5 because the State of California has a policy of protecting California residents and ensuring the
6 applicability of FEHA, and other applicable California laws.

7 9. Venue is proper in this Court because the acts and events set forth in this
8 Complaint occurred in whole or in part in the County of Los Angeles, California

9 10. Plaintiff's claims arise out of a course of conduct involving officials for the County
10 of Los Angeles, in the County of Los Angeles, State of California, and within this judicial district.

11 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

12 11. Within the time provided by law, Plaintiff filed charges with the California
13 Department of Fair Employment and Housing ("DFEH") alleging sex, gender, and race
14 discrimination against Defendants. Plaintiff has received notice of "right to sue" letters to sue in
15 California Superior Court pursuant to California Government Code section 12965, subdivision
16 (b). Plaintiff files this action within one year of her receipt of her "right to sue" letter from the
17 DFEH, and has, therefore, properly exhausted her administrative remedies and has timely filed
18 this complaint. A true and correct copy of same is attached hereto as **Exhibit "A"**.

19 12. Within the time provided by law, Plaintiff has also filed a complaint pursuant to
20 Government Code section 910. A true and correct copy of Plaintiff's Tort Claim and the City of
21 Los Angeles' Notice of Rejection is attached hereto collectively as **Exhibit "B"**.

22 **PARTIES**

23 13. Plaintiff Marlo Richardson (hereinafter "Plaintiff") is an adult competent to sue.
24 At all relevant times Plaintiff was employed by the City of Los Angeles, through the Los Angeles
25 World Airport Police Department and was a resident of the State of California. Plaintiff is an
26 African American female and as such is a member of a protected class within the meaning of the
27 California Fair Employment and Housing Act, California Government Code section 12920 et seq.
28 (hereinafter "FEHA"). The amount in controversy in this matter exceeds the sum of \$25,000.00,

1 exclusive of interest and costs.

2 a. Defendant City of Los Angeles (hereinafter "City") is a legal and political entity
3 established under the laws of the State of California, with all the powers specified
4 and necessarily implied by the Constitution and the laws of the State of California
5 and exercised by various government agents and officers. County is responsible
6 for the actions, omissions, policies, procedures, practices, and customs of its
7 various agents and employees. The City of Los Angeles controls the LAWAPD
8 through the Los Angeles World Airports which provides oversight and control. At
9 all relevant times, City was responsible for ensuring that the actions, omissions,
10 policies, procedures, practices, and customs of its employees and agents complied
11 with the laws of the United States and of the State of California. At all relevant
12 times, County was the employer of each of the individually named defendants.

13 14. The Los Angeles World Airport Police Department ("LAWAPD") is a public
14 agency within the City of Los Angeles with a headquarters at 6320 West 96th Street Los Angeles,
15 California 90045-5233. At all relevant times the City of Los Angeles was responsible for ensuring
16 that the actions, omissions, policies, procedures, practices, and customs of LAWAPD's
17 employees and agents complied with the laws of the State of California.

18 15. At all times relevant hereto, David L. Maggard, Jr. (hereinafter "Maggard") was
19 the acting Chief of Police for the Los Angeles World Airport Police Department and is sued in
20 both his official and individual capacities. At all relevant times Chief Maggard was responsible
21 for ensuring that the actions, omissions, policies, procedures, practices, and customs of employees
22 and agents complied with the laws of the State of California. Plaintiff alleges on information and
23 belief that during Plaintiff's employment at LAWAPD Defendant, Chief Maggard, was Plaintiff's
24 supervisor, manager or otherwise an agent of LAWAPD and a resident of Orange County.

25 16. As Plaintiff's supervisor, Defendant Maggard was responsible for maintaining a
26 workplace free from discrimination and/or harassment. However, Defendant Maggard
27 intentionally failed and refused to do so and deliberately terminated Plaintiff based on her race
28 and gender. In fact, Maggard was an active co-conspirator, along with each and every Defendant,

1 in the planning and execution of the unlawful workplace harassment and/or discrimination
2 perpetrated against the Plaintiff as alleged herein. Chief Maggard is, and at all times relevant
3 herein was, acting in his capacity as a Supervisor.

4 17. The true names of defendants, Does 1 through 30 are presently unknown to
5 Plaintiff, who therefore sues each of these defendants by such fictitious name; but upon
6 ascertaining the true identity of a defendant Doe, Plaintiff will amend this complaint or seek leave
7 to do so by inserting the true and correct name in lieu of the fictitious name. Plaintiff is informed
8 and believes, and on the basis of such information and belief alleges that each defendant Doe
9 herein is in some manner responsible for the injuries and damages alleged herein. Each
10 individually names Doe defendant, like each individually named defendant, acted under color of
11 law and within the scope of his or her agency and employment with the City and LAWAPD. Each
12 Doe is sued in both his/her official and individual capacities.

13 **FACTS PERTINENT TO ALL CAUSES OF ACTION**

14 18. Plaintiff, Lieutenant Marlo Richardson, is an African American female who was
15 employed by Defendants City and LAWAPD for approximately eighteen (18) years. She made
16 approximately 160,000 annually.

17 19. While employed by Defendants, Plaintiff received high praise from her superiors
18 and promotions throughout her career. Her Captain, Fernando Castro, pointed out in a review
19 dated March 8, 2016, that she was an "excellent employee" who adapted well to new assignments
20 and whose transition from Sergeant to the higher rank of Lieutenant was "seamless".

21 20. He further stated that, "Ms. Richardson was a great example to follow", "exceeds
22 standards in application of duties and is above satisfactory in application of rules." Captain Castro
23 went to state that Plaintiff was, "always prepared and focused on the assigned task."

24 21. During the entirety of her employment with LAWAPD, Plaintiff fully and
25 satisfactorily performed the duties expected of her.

26 22. On or about February 13, 2018, Plaintiff's career was unjustifiably terminated.
27 Plaintiff's termination was a direct violation of her employment agreement with the department
28 and the Fair Employment & Housing Act's prohibition against discrimination and harassment.

1 23. Plaintiff's termination arose from a specific memorandum she submitted to human
2 resources on or about February 9th, 2016, requesting temporary light duty on behalf of Officer
3 Carley Oliver, whom reported directly to Plaintiff.

4 24. Human Resources reviewed and approved the aforementioned request.
5 Unbeknownst to Plaintiff, Human Resources approved the light duty request without requiring a
6 doctor's note or medical certification per department policy.

7 25. Following the approval, an issue arose challenging the validity of the Officer
8 Oliver's light duty designation. As a result, an investigation ensued and was concluded with the
9 LAWAPD wrongfully terminating Plaintiff on or about February 13, 2018.

10 26. As a Lieutenant for LAWAPD it was neither Lieutenant Richardson's role, or
11 responsibility, to grant or deny light duty requests to subordinate officers. Such responsibility was
12 solely within the discretion of human resources.

13 27. In granting Officer Oliver's request without a doctor's note or medical
14 verification, human resources did not follow policy. However, despite the failure of human
15 resources, the City of Los Angeles, LAWAPD, and Chief Maggard unfairly singled out Plaintiff
16 for termination. Even if Defendant City mistakenly believed Plaintiff had done something wrong,
17 it did not rise to the level of a firing offense.

18 28. After disciplinary proceedings were instituted against her, Officer Oliver initiated
19 a complaint alleging misconduct against Sergeant Schoenbaum, Captain Castro, and Plaintiff, but
20 only Plaintiff, an African American female, was disciplined and terminated.

21 29. The department's decision to institute discipline against Plaintiff based on the
22 contents of a form which human resources was obligated to verify was unwarranted, arbitrary and
23 illegal.

24 30. Leading up to the unjustified termination, Plaintiff experienced other instances of
25 discrimination based on her gender and race, a hostile work environment, and subsequent
26 emotional distress.

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1 31. Prior to termination, Plaintiff had one written reprimand in her 18 plus year career.
2 This reprimand was based on an unsubstantiated anonymous letter and issued in violation of
3 Government Code section 3304, subdivision (d).

4 32. Government Code section 3304, subdivision (d) prohibits the taking of punitive
5 actions against an officer if the investigation of alleged misconduct is “not completed within one
6 year of the public agency’s discovery by a person authorized to initiate an investigation...”
7 Furthermore, the law states that if the agency “determines that discipline may be taken, it shall
8 complete the investigation and notify the public safety officer of its proposed disciplinary action
9 within that year...”

10 33. On or about February of 2016, Plaintiff was notified by Captain Castro of an
11 anonymous letter alleging misconduct on her behalf, specifically favoritism and time accounting
12 violations.

13 34. At the time, Captain Castro made it clear that he placed no stock in the allegations
14 and provided an excellent review of Plaintiff in March of 2016 as discussed above.

15 35. On or about May 2017, Chief Maggard hired two new employees for Adjutant
16 positions. Based on information and belief, moving to Adjutant position is a direct pathway to
17 promotion within the LAWAPD.

18 36. On or about one week after the new hiring, Plaintiff went to Chief Maggard and
19 asked him about her performance level. Chief Maggard told Plaintiff that she was doing a good
20 job. Plaintiff informed Chief Maggard that the reason she was asking was because out of all
21 Lieutenants, Plaintiff was the only one who wasn’t moved to different positions, which provided
22 a pathway to promotion, thereby, denied Plaintiff opportunities for promotion.

23 37. Defendant Maggard assured Lieutenant Richardson that there will be more moves
24 in the near future but deliberately did not provide any additional opportunities to Lieutenant
25 Richardson.

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1 38. From May 2017 to February 2018, when Lieutenant Richardson was wrongfully
2 terminated, however, Plaintiff's position was not moved and Plaintiff was not provided any
3 opportunity to be promoted, despite the promises made by Defendant Maggard to move Plaintiff
4 to different position.

5 39. On or about June 29th, 2017, Lieutenant Richardson was informed by letter that
6 Chief Maggard intended on administering discipline based on the stale February 2016 claims,
7 despite Captain Castro's representations and positive review.

8 40. This action was taken in violation of the 1-year statute of limitations on discipline
9 imposed by Government Code section 3304, subdivision (d) and was a pretextual discipline to
10 provide justification for Ms. Richardson's subsequent termination.

11 41. The Defendants' pattern and practice of discriminatory conduct on the basis of
12 race in direct Violation of California Government Code section 12940, subdivision (j)(1)
13 manifested itself in other ways, including systematically maintaining an inconsistent and
14 discriminatory double standard of discipline including, maintaining a policy and practice of
15 terminating African American employees for purported transgressions that would not have
16 resulted in termination had these individuals been other races or ethnicities.

17 42. Based on information and belief, since Defendant Maggard became Chief on or
18 about September 1, 2016, at least eleven (11) African American employees, including Plaintiff,
19 were subjected to discriminatory policies, customs, and/or practices based on their race and/or
20 national origin. These African American employees were either placed on leave, terminated, are
21 currently pending termination or demotion or subjected to other adverse employment actions.

22 43. Based on information and belief, Sergeant J.C., an African American male, was
23 recently terminated by LA WAPD for reasons, which had been otherwise acceptable for his White
24 counterparts, and did not result in their termination.

25 44. Based on information and belief, Sergeant H.C., an African American male, made
26 several complaints to the department regarding various discriminatory conducts by his
27 supervisors. These complaints were not appropriately resolved through corrective action.

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1 45. Based on information and belief, Officer L.A., an African American female, was
2 consistently disregarded as a Commanding Officer. On various occasions, Commanding Officer
3 L.A. was disregarded on emails and was not invited to meetings. Based on information and belief,
4 Commanding Officer L.A. was singled out only because she was an African American female.

5 46. Even though Commanding Officer L.A. was Plaintiff's supervisor at the time the
6 anonymous letter was initially sent and she was well aware of Plaintiff's time accounting,
7 Commanding Officer L.A. was never interviewed during the investigation regarding false
8 allegations against Plaintiff, which she could had easily disproved.

9 47. Based on information and belief, Commanding Officer C.S., an African American
10 female, was consistently disrespected, and mistreated during her course of employment with
11 LAWAPD. Commanding Officer C.S. went on stress leave and retired shortly thereafter.

12 48. Based on information and belief, Lieutenant V.W., an African American male, was
13 recently placed on an administrative leave regarding unknown allegations against him, which
14 were a pretext for discrimination.

15 49. Based on information and belief, Lieutenant T.H. was the only other African
16 American female Lieutenant, who was also mentioned in anonymous letters, dated February
17 2016, alleging misconduct on her behalf, which was a pretext for discrimination.

18 50. In July 2009, Lieutenant M.P., an African American male, who was also an
19 employee of LAWAPD and worked for General Service Police Department at the time, was
20 awarded \$607,148 in damages for his claim of race discrimination in violation of FEHA against
21 the City of Los Angeles.¹

22 51. Based on information and belief, Sergeant T.A., an African American male, was
23 demoted from Sergeant to an officer position as a result of unknown allegations of time fraud
24 against him. Based on information and belief, Sergeant T.A. was initially terminated and he
25 settled for a demotion in lieu through appeal as he needed his job to care for his family. On
26 information and believe, the allegations against him were pretextual and discriminatory in nature.

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¹ *Mario Patrick v. City of Los Angeles*, Case No. B218770.

1 52. Based on information and belief, Mr. A.C., an African American male, was
2 promoted to Lieutenant position. Prior to becoming a Lieutenant, Mr. A.C. was the Adjutant to
3 Director of Public Safety. After his promotion, Lieutenant A.C., was consistently subjected to
4 mistreatment at the hands of other staff. Since his promotion, Mr. A.C.'s authority has been
5 limited in regards to decision making, which is inconsistent with his promotion. Despite his
6 promotion, Lieutenant A.C. was told "not to do anything", which was a pretext for discrimination.

7 53. Based on information and belief, Officer M.G., an African American male, was
8 recently promoted to Sergeant position. One Hundred and seventy-seven days (177) into his
9 promotion, Sergeant M.G. was terminated from his promotion for allegedly making an
10 inappropriate comment to a subordinate female. Sergeant M.G.'s comment to the female
11 subordinate was "honey, don't do that, you'll get yourself into trouble." The harsh and onerous
12 decision to termination Sgt. M.G. was substantially motivated by a discriminatory animus based
13 on race.

14 54. Prior to her termination, Plaintiff was verbally reprimanded and chastised by
15 Maggard for using her lunch break to drop her daughter off at school in her personal vehicle.
16 Maggard insisted that although Plaintiff was a single mother with an eight (8) year old daughter,
17 she needed to find another way to ensure her daughter got to school.

18 55. Plaintiff's male counterparts, however, were routinely allowed to drop their
19 children off at school during lunch time with no consequences or reprimand. Plaintiff was
20 informed by Captain Castro that Plaintiff was the only employee who was reprimanded for
21 dropping her child off at school during lunch time.

22 56. Plaintiff was also subjected to derogatory and sexually explicit comments based
23 on "anonymous complaint letters" during her tenure at the department.

24 57. These letters falsely alleged that Lieutenant Richardson was having intimate
25 relationships with male Lieutenants. The letters were later unlawfully disseminated by
26 management throughout the department and she faced constant comment and ridicule as a result.

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58. The pattern and practice of discrimination and harassment, coupled with the unjustified termination of Richardson's 18-year career, clearly evidence the department's policy and custom of discrimination against minority and female sworn personnel of the LAWAPD.

59. Lieutenant Richardson was devastated by this termination as she could not believe that the agency to which she dedicated her efforts would abjectly abandon her through termination at a time when she needed its protection.

60. As a result of this unjustified termination and due to financial hardship, Lieutenant Richardson had to pull out her entire pension to support her minor daughter. Due to pulling out the entire amount of her pension early, Lieutenant Richardson had to pay a total amount of \$30,000 in penalty, including tax. Plaintiff intended to finish her career at LAWPD.

FIRST CAUSE OF ACTION

Wrongful Termination in Violation of FEHA- Discrimination Based on Gender and Race

(Against Defendant City of Los Angeles)

61. Plaintiff incorporates by reference each and every allegation contained in paragraphs 1 through 43 as though fully set forth herein.

62. Government Code section 12940, subdivision (a) prohibits an employer from discriminating against or wrongful any employee due to her race or gender.

63. Defendants were at all relevant times employers within the meaning of the California Government Code section 12926, subdivision (d) and, as such barred from discriminating against or wrongful terminating any employee because of race or gender as set forth in Government Code section 12940, subdivision (a).

64. Plaintiff was at all relevant times a person within the meaning of California Government Code section 12925, subdivision (d) and, as such covered by California Government Code section 12940, subdivision (a) prohibiting discrimination against employees on the basis of race or gender.

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1 65. Through the acts described fully in Paragraphs 18 through 60 above, Defendants,
2 and each of them, violated Government Code section 12940, subdivision (a), by discriminating
3 against Plaintiff on the basis of race and in February 13, 2018, after a period of wholly
4 satisfactory, competent, and diligent performance to the benefit of the Defendants, Chief
5 Maggard, in the course and scope of his employment with the City of Los Angeles wrongfully
6 terminated Plaintiff for discriminatory and pretextual reasons.

7 66. Defendants, and each of them, failed to comply with their statutory duty to take
8 all reasonable steps necessary to prevent discrimination due to race from occurring in the
9 workplace and to prevent it from occurring in the future in violation of Government Code section
10 12940.

11 67. As a direct, foreseeable and proximate result of Defendants' discriminatory acts,
12 Plaintiff has sustained and continues to sustain substantial losses in earnings and job benefits.

13 68. As a direct, foreseeable and proximate result of Defendants' discriminatory acts,
14 Plaintiff has suffered and continues to suffer humiliation, embarrassment, mental anguish,
15 emotional distress and discomfort, all to her damage, in an amount in excess of \$25,000, the
16 precise amount of which will be proven at trial.

17 69. As a further direct, foreseeable and proximate result of Defendants' discriminatory
18 acts, Plaintiff has suffered and continues to suffer severe damage to her professional reputation
19 the precise amount of which will be proven at trial.

20 70. Defendants, and each of them, have committed the acts set forth in paragraphs 18
21 through 60 above, maliciously and oppressively, with the wrongful intention of injuring Plaintiff,
22 with an improper and intentional motive amounting to malice and in conscious disregard of
23 Plaintiff's rights. Accordingly, Plaintiff requests the assessment of punitive damages against
24 Defendants, and each of them, in an amount appropriate to punish and make an example of them.

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78. Defendants, and each of them, have committed the acts set forth in paragraphs 18 through 60 above, maliciously and oppressively, with the wrongful intention of injuring Plaintiff, with an improper and intentional motive amounting to malice and in conscious disregard of Plaintiff's rights.

79. Accordingly, Plaintiff requests the assessment of punitive damages against Defendants, and each of them, in an amount appropriate to punish and make an example of them

THIRD CAUSE OF ACTION

Intentional Infliction of Emotional Distress

(Against All Defendants)

80. Plaintiff incorporates by reference the allegations set forth in paragraphs 18 through 60 of this complaint as though fully set forth herein.

81. Defendants had a pattern and practice of treating employees in a hostile and unacceptable manner. Chief Maggard singled Plaintiff out for unfair discipline and discriminated against her when he would not permit her to drop off her minor daughter to school when non-African American males were allowed to do so.

82. Chief Maggard knew that Plaintiff had an exemplary 18-year career as exemplified by her promotion to Lieutenant. He knew that the Captains that supervised Plaintiff provided positive performance reviews. Chief Maggard knew that Plaintiff was a single mom depending on her paycheck to provide for her family. Chief Maggard knew that firing a Lieutenant for not making sure a Doctor's note was provided with a request for light duty is completely bogus and specious because this is the responsibility of the human resources department. Despite all this, Chief Maggard acted outrageously and with an intention to cause harm when he terminated Plaintiff's employment

83. Defendant treated Plaintiff in such an outrageous manner that she would be obviously affected emotionally by this discriminatory conduct.

84. As a result of Defendants' intentional misconduct, Plaintiff experienced severe emotional distress.

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85. As a direct, foreseeable and proximate result of Defendants' conduct, as set forth above, Plaintiff has suffered and continues to suffer bodily injury, emotional distress, humiliation, embarrassment, mental anguish and severe injury to her professional reputation. Plaintiff's damages are an amount in excess of \$25,000, the precise amount of which will be proven at trial.

86. At all times relevant herein Defendants authorized, ratified and had actual and constructive knowledge of the conduct described above.

87. Defendants, and each of them, have committed the acts alleged herein willfully, maliciously and oppressively with the wrongful intention of injuring Plaintiff. Defendants further acted with an improper and intentional motive amounting to malice, and in conscious disregard of Plaintiff's rights and any probability of legal recourse. As a result of Defendants' conduct, Plaintiff is entitled to recover punitive damages from Defendants, and each of them, in an amount according to proof.

PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF prays that Judgment be entered in her favor and against DEFENDANTS, and each of them, as follows, for:

1. All special damages, according to proof;
2. General damages for emotional distress and mental anguish in a sum according to proof;
3. Exemplary and punitive damages in a sum appropriate to punish Defendants and set an example for others;
4. For prejudgment interest at the prevailing legal rate;
5. Attorney's fees and costs as permitted based on above causes of action; and

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6. Such other and further relief as this Court may deem just and proper.

Date: August 15, 2018

**V. JAMES DESIMONE LAW
LESSEM, NEWSTAT & TOOSON, LLP**

By:

V. JAMES DESIMONE, ESQ.
JEREMY I. LESSEM, ESQ.
JAMAL TOOSON, ESQ.

Attorneys for Plaintiff,
MARLO RICHARDSON

DEMAND FOR JURY TRIAL

Plaintiff MARLO RICHARDSON hereby demands a trial by jury on all claims.

Date: August 15, 2018

**V. JAMES DESIMONE LAW
LESSEM, NEWSTAT & TOOSON, LLP**

By:

V. JAMES DESIMONE, ESQ.
JEREMY I. LESSEM, ESQ.
JAMAL TOOSON, ESQ.

Attorneys for Plaintiff,
MARLO RICHARDSON

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I, MARLO RICHARDSON have read the attached Complaint for Damages and hereby attest that the same is true of my own knowledge, except as to those matters, which are therein stated on my information or belief, and as to those matter that I believe it to be true.

I declare under penalty of perjury under to the laws of the United States of America that the foregoing is true and correct.

This Verification was executed on August 15, 2018, in Los Angeles, CA.



MARLO RICHARDSON

EXHIBIT A



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.
DIRECTOR KEVIN KISH

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 | TDD (800) 700-2320
<http://www.dfeh.ca.gov> | email: contact.center@dfeh.ca.gov

May 6, 2018

Marlo Richardson
[REDACTED]

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201805-02152606
Right to Sue: Richardson / Los Angeles World Airport Police Department et al.

Dear Marlo Richardson,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective May 6, 2018 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

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.

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 DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing

EXHIBIT B

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

RESERVE FOR FILING STAMP

CLAIM NO. _____

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages relating to any other type of occurrence must be filed not later than one year after the occurrence. (Gov. Code Sec. 911.2)
3. Read entire claim before filing. Claim can be mailed or filed in person. No faxes accepted.
4. See Page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on Page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details, SIGN EACH SHEET.
7. Fill out in duplicate, ONE COPY TO BE RETAINED BY CLAIMANT.
8. Claim must be filed with CITY CLERK, (Gov. Code Sec. 915a)
200 NORTH MAIN STREET, ROOM 615, LOS ANGELES, CA 90012

TO: CITY OF LOS ANGELES

MARLO RICHARDSON

Name of Claimant

Age of Claimant

Home address of Claimant

City, State and Zip Code

Home Telephone Number

Business address of Claimant

City, State and Zip Code

Business Telephone Number

13160 MINDANAO WAY, SUITE 280, MARINA DEL REY, CA 90292; (310) 693-5561

Give address to which you desire notices or communications to be sent regarding this claim:

SEE ATTACHMENT

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

SEE ATTACHMENT

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

SEE ATTACHMENT

Where did DAMAGE or INJURY occur? Please describe fully, and locate on the diagram on the reverse side of this sheet. Where appropriate, please give street names and addresses or measurements from specific landmarks:

SEE ATTACHMENT

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

SEE ATTACHMENT

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

SEE PAGE 2 (OVER)

THIS CLAIM MUST BE SIGNED ON REVERSE SIDE

What DAMAGE or INJURIES do you claim resulted? Please give full extent of injuries or damages claimed:

SEE ATTACHMENT

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

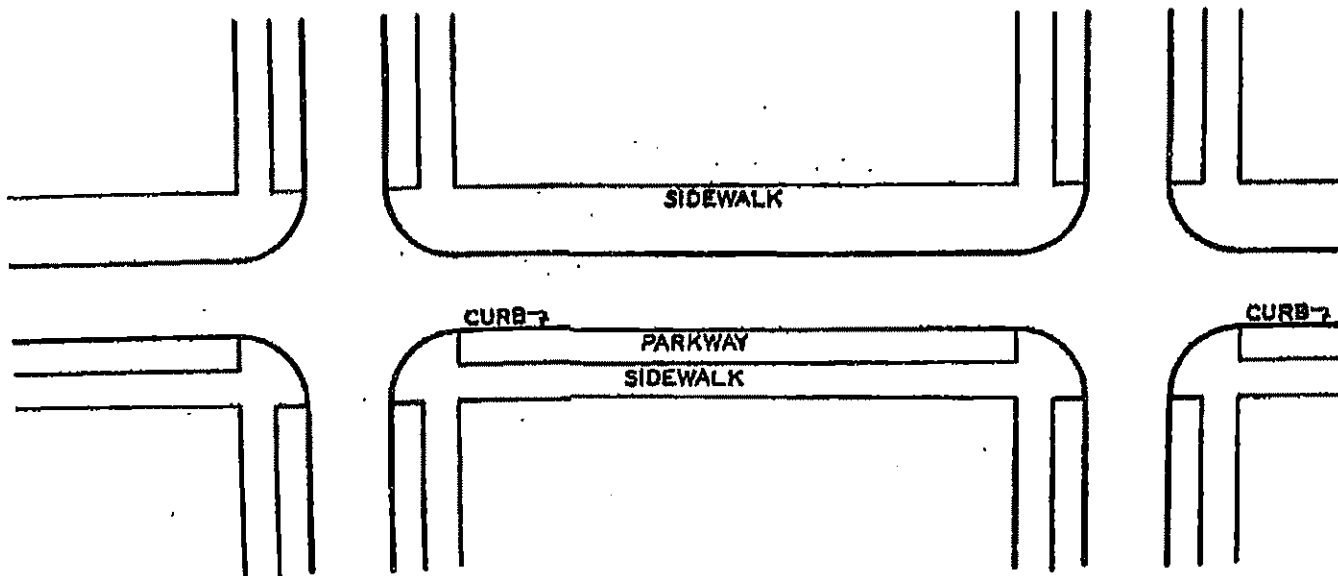
SEE ATTACHMENT

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

NOT APPLICABLE

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

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



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

Print Name:
V. James DeSimone

Date:
04/16/2018



V. James DeSimone Law
commitment to justice

V. James DeSimone, Esq.
13160 Mindanao Way, Suite 280
Marina del Rey, California 90292
310.693.5561 Telephone
323.544.6880 Facsimile
vjdesimone@gmail.com
www.vjamesdesimonelaw.com
Of Counsel: Lawrence A. Bohm, Esq.
Carmen Sabater, Esq.

April 16, 2018

[VIA OVERNIGHT DELIVERY]

City Clerk
200 North Main Street, Room 615
Los Angeles CA 90012
Tracking No.: 8124 0553 1961

Re: Claim for Damages Pursuant to Cal. Gov't Code § 910 et seq.

A. The name and address of the claimant as follows:

Marlo Richardson
[REDACTED]

B. The Post Office Address to which the persons presenting the Claim desire notices to be sent:

V. James DeSimone, Esq.
13160 Mindanao Way, Suite 280
Marina del Rey, California 90292

C. The date, place, and other circumstance of the occurrence transaction which gave rise to the claim asserted.

Lieutenant Richardson enjoyed an illustrious 18-year career as a Los Angeles World Airport Police Officer. Throughout Lieutenant Richardson's employment she consistently exceeded department expectations, as was evident by her stellar reviews and her rapid accession through the ranks. Despite Ms. Richardson's impeccable reputation, she was wrongfully terminated without cause on February 13th, 2018 for which Ms. Richardson now brings this claim.

Additionally, Ms. Richardson was also subjected to racial discrimination, gender discrimination, intentional/negligent infliction of emotional distress, and a hostile work environment.

Lieutenant Richardson's termination arose from a memorandum she submitted to human resources on February 9th, 2016, requesting temporary light duty on behalf of Officer Carley Oliver, whom reported directly to Lieutenant Richardson. Human resources reviewed and

approved the aforementioned request without requiring a doctor's note or medical certification per department policy. Following an inadequate and cursory investigation, the Los Angeles World Airport Police Department terminated Lieutenant Richardson while electing to take little to no action against other non-minority officers/ co-workers and Human Resources who were involved in the same incident.

Lieutenant Richardson was also subjected to racial discrimination, gender discrimination, intentional/negligent infliction of emotional distress, and a hostile work environment. Chief of Los Angeles Airport Police, David Maggard treated Lieutenant Richardson differently on account of her gender and race. As a single mother, Richardson was verbally reprimanded and chastised by Chief Maggard for taking her child to school during her lunch break. However, the Chief allowed Ms. Richardson's male counterparts to engage in identical behavior during lunch time without any such reprimand or adverse employment action.

Lieutenant Richardson was also subjected to derogatory and sexually explicit comments based on "anonymous complaint letters" throughout her tenure with the department. The letters were unlawfully disseminated by management throughout the department, with the intent of causing Lieutenant Richardson emotional harm.

Additionally, the conduct of the department in terminating an 18-year veteran without cause, who had spent her entire adult life serving the community as a Police Officer, was extreme and outrageous conduct done with the intent of causing Lieutenant Richardson to suffer emotional distress.

Furthermore, Defendants' harassing conduct was so severe, widespread or persistent that a reasonable person in Lieutenant Richardson's circumstances, would have considered the work environment to be hostile or abusive. Given the totality of the conduct described herein, the Defendants knew, or should have known, that extreme and outrageous harassment was occurring, and failed to take appropriate corrective action.

The termination of Lieutenant Richardson was part of a policy and custom of discrimination against minority and female sworn personnel of the Los Angeles World Airport Police Department, including terminating the employment of minority and female employees for discriminatory and disparate reasons.

D. General Description of the Indebtedness Obligation, Injury Damage or Loss So Far as is Presently Known

Lieutenant Richardson has suffered physical injury and emotional distress, including but not limited to, loss of sleep, stress, humiliation, anxiety, anger and depression along with irreparable harm to her professional reputation.

Lieutenant Richardson has also sustained substantial economic losses, including but not limited to, loss of past and future income, loss of retirement income, loss of past and future benefits in addition to other economic losses in an amount to be established according to proof at the time of trial.

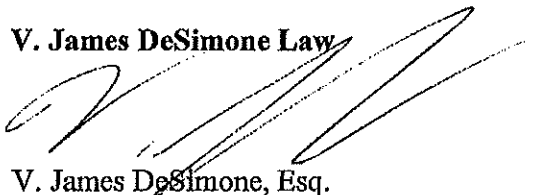
E. The Name(s) of the Public Employee(s) causing the injury damage or loss

Chief David Maggard, of the Los Angeles World Airport Police Department, and unknown agents, employees, officials, staff, personal and independent contractors of the City of Los Angeles, California and/or the County of Los Angeles, California.

F. The Amount Claimed

Unspecified amount but in excess of \$50,000 and within the jurisdiction of the Superior Court of Los Angeles. This case is not a limited civil case.

V. James DeSimone Law

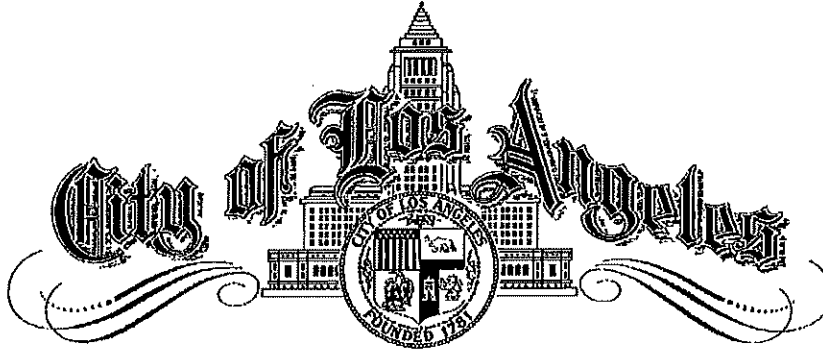
A handwritten signature in black ink, appearing to read 'V. James DeSimone', is written over the printed name.

V. James DeSimone, Esq.

RAYMOND S. ILGUNAS
GENERAL COUNSEL

D. TIMOTHY DAZÉ
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RAQUEL PEREZ



OFFICE OF THE CITY ATTORNEY

MICHAEL N. FEUER
CITY ATTORNEY

April 18, 2018

AIRPORT DIVISION
1 WORLD WAY
P.O. BOX 92216
LOS ANGELES, CA 90009-2216
TELEPHONE (424) 646-5010
FAX (424) 646-9212

V. James DeSimone, Esq.
V. James DeSimone Law
1360 Mindanao Way, Suite 280
Marina del Rey, CA 90292

Re: Claim for Damages
Claimant: Marlo Richardson

Dear Mr. DeSimone:

The claim you presented to the City of Los Angeles, Office of the City Attorney on April 3, 2018 has been referred to this Office. After reviewing the circumstances of this claim and the applicable law, we sent you a claim form pursuant to the California Government Code, and to help us better understand the issues contained in your claim. You have elected not to complete a claim form, and based on the information we have, we have determined that your claim should be denied. This letter represents a formal notice to you that your government claim has been rejected in its entirety on April 18, 2018. In view of these actions, we give you the following warning:

WARNING

"Notice is hereby given that the claim which you presented the City Attorney's Office on April 3, 2018 is rejected in its entirety.

**Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim.
See California Government Code Section 945.6.**

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

Sincerely,

Oscar R. Winslow
Deputy City Attorney

OW:dj
cc: RISK Management