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NICHOLAS RAMPONE & KATHERINE VOYER

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

BC508686

NICHOLAS RAMPONE; KATHERINE VOYER,

Plaintiffs,

v.

COUNTY OF LOS ANGELES and DOES 1-100, inclusive,

Defendants

CASE NO.:

COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

1. DISCRIMINATION
2. FEHA RETALIATION
3. WHISTLEBLOWER RETALIATION
4. FAILURE TO TAKE CORRECTIVE ACTION

GENERAL ALLEGATIONS

COME NOW NICHOLAS RAMPONE ("Rampone") and KATHERINE VOYER ("Voyer") (collectively referred to as "Plaintiffs") who demand a jury trial, and seek monetary compensation against Defendant, as follows:

1. Plaintiff NICHOLAS RAMPONE was at all times herein, a resident of the State of California, and an employee of the COUNTY OF LOS ANGELES and DOES 1 - 30 (hereinafter collectively "COUNTY" or "Defendants").
2. Plaintiff KATHERINE VOYER was at all times herein, a resident of the State of California, and

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DATE PAID: 05/10/13 04:17 PM  
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1 an employee of the COUNTY OF LOS ANGELES and DOES 1 - 30 (hereinafter collectively  
2 "COUNTY" or "Defendants").

3 3. Plaintiffs' addresses are confidential pursuant to the Penal Code. Plaintiffs are peace officers with  
4 the Los Angeles County Sheriff's Department ("LASD"), a component of the COUNTY.

5 4. Defendants Does 31-60, and each of them (hereinafter collectively referred to as "COUNTY" or  
6 "Defendants") were employees, supervisors, managers, agents, joint venturers, directors,  
7 principals, or otherwise employed by or working with each of the other Defendants. The acts,  
8 omissions and conduct of Defendants and each of them were authorized, ratified and/or approved  
9 of by each of the other Defendants herein.

10 5. The true names or capacities, whether individual, corporate, associate, or otherwise of Defendants  
11 Does 1 through 100, inclusive, are unknown to Plaintiffs, who therefore sues these Defendants by  
12 such fictitious names pursuant to California Code of Civil Procedure Section 474. Plaintiffs will  
13 amend this complaint to allege their true names and capacities when ascertained.

14 6. Plaintiffs are informed and believe and thereon allege that each of these fictitiously named  
15 Defendants engaged in intentional, reckless, or negligent conduct, and are responsible in some  
16 manner for the occurrences herein alleged, and that Plaintiffs' damages as herein alleged were  
17 directly and legally (proximately) caused by Defendants' conduct.

18 7. Reference to actions or conduct of "Defendants and each of them" or to "Defendant" shall include  
19 the singular and plural and shall include all Defendants in this action, whether named or  
20 designated as a Doe. Reference to any singular Defendant shall include all Doe Defendants to  
21 which the facts later are shown to apply.

22 8. On or about November 20, 2012, Rampone and Voyer submitted complaints to the DFEH. A true  
23 and correct copy of the respective DFEH complaints are attached hereto as Exhibits "1" & "2". On  
24 or about December 12, 2012, Voyer filed another DFEH complaint and received an immediate  
25 right to sue letter. A true and correct copy of the December 12, 2012 DFEH complaint and right to  
26 sue are attached hereto as Exhibit "3". On or about March 29, 2013, Rampone filed another DFEH  
27 complaint and received an immediate right to sue letter. A true and correct copy of the March 29,  
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1 2013 DFEH complaint and right to sue are attached hereto as Exhibit "4".

2 9. On or about April 25, 2013, Voyer filed a supplemental DFEH complaint and received an  
3 immediate right to sue. Exhibit "5". Similarly, on or about May 2, 2013, Rampone filed a  
4 supplemental DFEH complaint and received an immediate right to sue. Exhibit "6".

5 10. On or about March 27, 2013, Plaintiffs filed government claims with the County of Los Angeles  
6 and the California Labor Commissioner. A true and correct copy of the respective government  
7 claims are attached hereto as Exhibit "7".

8 **FACTS APPLICABLE TO ALL CLAIMS:**

9 11. At all times relevant herein, Plaintiff Rampone was, and is, of Italian ancestry. Yet, LASD has him  
10 classified as a Hispanic. At all times relevant herein, Plaintiff Voyer was, and is, a Caucasian  
11 female.

12 12. Rampone and Voyer are senior lieutenants at LASD.

13 13. On or about 2004, Rampone and Voyer were assigned to Century Station. At the time, Ronnie  
14 Williams was chief of Region II.

15 14. On or about 2004, Rampone and Voyer stood up against harassment, discrimination, and  
16 retaliation towards Hispanic deputies by Chief Williams and other high-ranking LASD officials.

17 15. As a result, Rampone and Voyer suffered discrimination and retaliation. Both Rampone and Voyer  
18 were previously viewed as rising stars within LASD.

19 16. High-ranking LASD officials subjected Rampone and Voyer to a multitude of adverse actions,  
20 including but not limited to, retaliatory internal affair investigations, freeway therapy, denial of  
21 transfers, and later, putative transfers.

22 17. In response, Voyer filed a successful civil lawsuit. In contrast, Rampone sought to work within  
23 LASD and thus, avoid further retaliation. LASD has a significant and troubling practice and  
24 pattern of retaliation against LASD members who challenge the department.

25 18. Rampone spent on or about three years fighting the frivolous investigations, which ended in a  
26 written reprimand.

27 19. In 2006, Rampone transferred to Technical Services Division in order to escape continued  
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1 retaliation in Region II. Chief Aranda had sought the transfer in 2005, but it had been blocked by  
2 Chief Williams. After Assistant Sheriff Campbell interceded on Rampone's behalf, the transfer  
3 went through.

4 20. In 2008, Rampone provided truthful testimony in a FEHA-based civil lawsuit brought by a  
5 Hispanic deputy, *Jaimes v. County of Los Angeles, et al.*

6 21. Moreover, Rampone was listed as a witness in discovery and trial in Voyer's FEHA lawsuit, *Voyer*  
7 *v. County of Los Angeles, et al.*

8 22. In 2010, Rampone attended the FBI Academy.

9 23. However, Rampone has been stuck in the same position at Technical Services Division since  
10 2006. Yet, Rampone has been denied transfers to other assignments, which would further improve  
11 his chances of promotion.

12 24. Rampone has taken the Captain's exam three times and was placed in band 1, the highest possible  
13 band, yet he has been passed over for promotion. The Sheriff's Department historically has  
14 placed those Lieutenants who passed their Captain's exam in bands 1, 2 or 3. Promotions start  
15 with those Lieutenants who are in band 1, with Sheriff Baca officially being in charge of the  
16 promotional process. In actuality, Undersheriff Tanaka has made the appointments for  
17 promotions. Similarly, various lawsuits against the department have demonstrated that employees  
18 who sue the department for discrimination, harassment or retaliation, and those employees who are  
19 witnesses in support of said employees, are passed over and placed at the bottom of the  
20 promotional list.

21 25. Within the past year, Rampone has repeatedly been passed over for promotion to Captain and  
22 based on information and belief, lesser qualified individuals were given that promotion.

23 26. On or about August, 2010, the Board of Supervisors voted on a settlement in which Lt. Voyer  
24 successfully resolved a civil lawsuit in which she pursued various claims of discrimination,  
25 harassment and retaliation. Lt. Nick Rampone was a listed witness on behalf of Voyer in said  
26 litigation. Both Lts Voyer and Rampone were also witnesses in the lawsuit brought by Angel  
27 Jaimes, a Sheriff's Deputy against the Sheriff's Department for various claims of discrimination,  
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1 harassment and retaliation, based in part on his Latino ancestry.

2 27. Defendants have an established pattern of discriminating, harassing and retaliating against Latinos  
3 and/or those who are associated with Latinos. The Department was hit with a jury verdict in  
4 excess of \$1 million in the *Jaimes* case, and was forced to settle a lawsuit brought by (now)  
5 Commanders Herran, Leyva, and Webb based in part on their being Hispanic, and having  
6 complained about cheating on various promotional examinations within the Sheriff's Department  
7 which resulted in Latinos and Caucasians being under represented in promotional examinations for  
8 Lieutenant and promotions beyond. Yet, the plaintiffs are not the only ones to suffer for their  
9 association with Latinos. Captain Sam Dacus was given freeway therapy after he was seen as a  
10 witness in the mediation involving the lawsuit by (now) Commanders Herran, Leyva and Webb.

11 28. Following the pursuit of her civil lawsuit, Voyer was transferred from Century Station to Inmate  
12 Reception Center (IRC), which was further from her home. That transfer was in February, 2005,  
13 and was part of an established custom, pattern and practice of the Sheriff's Department giving  
14 "Freeway Therapy" to individuals who are subjected to discrimination, harassment and/or  
15 retaliation. Tanaka, the Undersheriff, has even used the terms "Freeway Therapy."

16 29. Even after settlement of her first civil lawsuit, Voyer continued to suffer discrimination,  
17 harassment, and retaliation.

18 30. In November 2010, Voyer put in for the captain's position once again.

19 31. Moreover, Voyer reached out to her superiors and other high-ranking LASD officials. Voyer was  
20 concerned with continued discrimination, harassment, and retaliation. An LASD official warned  
21 Voyer that LASD executives could not put the prior lawsuit behind them.

22 32. Nevertheless, in a continued effort to mend fences, Voyer met with a Tanaka confidant. However,  
23 the meeting did not result in a positive resolution. Instead, Voyer had trouble breathing and  
24 suffered chest pains. She was taken to the emergency room. It is customary for a unit commander,  
25 e.g. a captain, to check in with a deputy who is hospitalized. But no one followed up to see  
26 whether Voyer was fine.

27 33. In early 2011, medical tests reconfirmed that Voyer needed knee replacement surgery because of  
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1 injuries sustained on duty. Such need was first identified in 2006 and reconfirmed again in 2011.  
2 But Defendants continued to deprive Voyer of essential medical care.

3 34. In May 2011, Voyer interviewed for the "Narcotics Bureau Lieutenant" position with the bureau  
4 captain, a Tanaka confidant. The captain claimed Tanaka had reached out to Voyer, but Voyer had  
5 turned him down. Voyer corrected this claim and noted that Tanaka had never reached out. While  
6 other Tanaka confidants had offered to help Voyer set a meeting with Tanaka to address matters,  
7 such overtures were apparently rebuffed by Tanaka.

8 35. On or about November 2011, Voyer had back surgery. Voyer's surgeon noted the delay in  
9 treatment had aggravated her back problems. Voyer sought said surgery in 2006, but it was  
10 inexplicably delayed for years.

11 36. On or about March 2012, Voyer received a letter dated February 18, 2011. Voyer had never seen  
12 the letter before. The letter stated that Voyer had been placed in Band No. 5 for the last captain's  
13 exam.

14 37. Before she was successful in her last lawsuit against the Department, she placed in Band 1 as a  
15 Captain (two times) and Band 2, once. Based on information and belief, Voyer is the only  
16 lieutenant who was placed in Band 5 for promotion. Defendants have not provided an  
17 explanation as to why it took them more than one year to provide Voyer with the letter containing  
18 her test score.

19 38. However, the delay prevented Voyer from challenging the retaliatory actions as it limited her to 10  
20 business days from the date of the letter. Defendants have not explained why there was more than  
21 a one year delay.

22 39. On or about April 2012, Voyer returned to work on light duty. A deputy is usually not promoted or  
23 transferred while on light duty. However, LASD has made exceptions for some, none of whom has  
24 ever filed a FEHA lawsuit against the Department.

25 40. In 2012, Voyer made multiple requests for additional medical care to facilitate her recovery as well  
26 as get her back to work at full duty. Yet, these requests were denied. LASD frequently delays or  
27 postpones matters in order to prevent promotions or transfers.  
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1 41. Undeterred, Voyer once again put in for captain in October 2012.

2 42. Since January 2011, a total of 40 new Captains have been promoted while Voyer languished on the  
3 novel, and unheard of, "Band 5." Thus, Voyer has been passed over for promotion to Captain, 40  
4 times in the past two years (all after her first FEHA lawsuit). The forty new captains represent  
5 61% of the total number of LASD Captains.

6 43. Plaintiffs have suffered various adverse actions, in large part, due to Undersheriff Tanaka.

7 44. Deputies, to the rank of Under Sheriff use their involvement in Sheriff's Department Gangs like  
8 the Vikings to help discriminate against employees who are not members of the gangs. The  
9 plaintiffs are not members of said gangs and thus have demonstrated a dislike for racially-  
10 motivated gangs that Tanaka is a member in, and which Baca openly protects. Members of the  
11 these gangs are part of Tanaka's "smoking club" which meets on the patio of the Sheriff's  
12 Headquarters on Ramona Blvd., and to which membership is limited. Based on information and  
13 belief the requirement to be a member of Tanaka's smoking club include a cash payment to  
14 Tanaka of at least \$500, an agreement to subscribe to the discriminatory practice of gang-like  
15 cliques (i.e. Vikings, Regulators and other similar Sheriff's Department Gangs), an agreement to  
16 uphold the "Code of Silence" and protection of Tanaka when working in the "Grey Area."

17 45. Baca was questioned in Voyer's prior lawsuit about Sheriff's Department Gangs. He recognized  
18 the existence of several gangs, including the Tazmanian Devils, Little Devils, Cavemen, "Mexican  
19 Mafia," Grim Reapers and similar gangs of Sheriff's Deputies. Yet, Baca failed and refused to  
20 take any type of corrective action.

21 46. Concerns about some of the gangs discriminating against other members of the department were  
22 raised in a written memo by then Chief Ronnie Williams to the Undersheriff in which there was a  
23 concern that members of the "Mexican Mafia" were engaged in discrimination of African  
24 Americans. However, based on information and belief, the defendants failed to take any type of  
25 corrective action in that regard. While the plaintiffs are not African American, the fact the  
26 Sheriff's Department knew at the highest levels there were employees complaining that they were  
27 discriminated against based on their race or association, the department failed to properly  
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1 investigate those claims, and failed to take any type of corrective action, sent a loud message to  
2 members of the department that even though officially the department has an anti-discrimination  
3 policy, in practice discrimination, harassment and retaliation is alive and well.

4 47. Ironically, after Chief Williams presented his concerns of discrimination (and that there was  
5 cheating on the Lieutenants Exam, resulting in discrimination against certain races) he was forced  
6 to quickly retire from the department. Based on information and belief, Sheriff Baca screamed at  
7 Williams being angry that he was attempting to investigate and eliminate discrimination. Baca  
8 further prevented Williams from attending an Executive Summit Retreat, in which all other Chiefs  
9 and Commanders were invited to attend. Williams was invited and then uninvited. Based on  
10 information and belief, this was after his discussions of discrimination, harassment and retaliation,  
11 including at Century Station where the plaintiffs worked previously.

12 48. Captains Leyva and Herran were part of the Hispanic Police Officers Association (HAPCOA)  
13 which since 2003 has filed complaints with the EEOC regarding discrimination against Hispanics,  
14 particularly in relation to promotions at the rank of Lieutenant and above. Those individuals who  
15 were responsible for compiling statistics in the department demonstrating a disproportionately low  
16 number of Latinos in the upper department are now being subjected to retaliation, discrimination  
17 and harassment as well.

18 49. Specifically, said individuals have been transferred, given freeway therapy, had jobs they enjoyed  
19 taken from them, and subjected to other forms of harassment. As an example, said individuals  
20 whose depositions were taken the lawsuit by (then) Captains Leyva and Herran were called into  
21 the office of Tanaka a couple of days before their deposition testimony, and they were asked what  
22 jobs they liked in the department. After these individuals provided testimony deemed favorable to  
23 Leyva and Herran, Tanaka, based on information and belief, personally (or through his agents) had  
24 the witnesses transferred and where the witnesses were members of the Police Unions, Tanaka had  
25 his loyal Sergeants run against the witnesses to remove the witnesses from their positions in the  
26 union(s).

27 50. Specifically, Sergeants Noe Garcia and Sgt. Medrano who are known loyal subjects of Tanaka, ran  
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1 for the POPA (Police Officer Professional Association) union to eliminate the positions of  
2 individuals on the union who have been listed as witnesses in connection with lawsuits involving  
3 claims of discrimination, harassment and retaliation against the Los Angeles County Sheriff's  
4 Department.

5 51. The elimination, of jobs and duties for Los Angeles County Sheriff's Department, employees of  
6 jobs they like is part of a pattern, practice and custom of the Sheriff's Department to retaliate  
7 against employees who are witnesses or plaintiffs in claims of discrimination, harassment or  
8 retaliation suits. It is so prevalent as to form an official custom or practice that has been endorsed  
9 and ratified by both Baca and Tanaka.

10 52. The practice is so prevalent that when employees at high ranks retire, members of the Department,  
11 when active Commanders and/or Lieutenants are present, will joke about firing employees that  
12 they want to target, even before there is an investigation, setting up an investigation to support that  
13 desire to fire the employees and if there is no policy violation, to make one up. Voyer in particular  
14 was a victim of this well known policy, practice and custom when she was subjected to various  
15 bogus internal affairs complaints in which she was alleged to have violated a policy that did not  
16 exist.

17 53. Rampone has spoken with two Assistant Sheriffs, who admitted the investigation against Rampone  
18 was "bull shit" yet the investigations remained against him for years, preventing his ability to  
19 promote. This was all part of an act of discrimination, harassment and retaliation. Defendants  
20 frequently stated that they will fire an employee, or suspend them, knowing the discipline would  
21 not stick, but in the mean time, the employee would suffer. The plaintiffs did suffer from these  
22 false complaints and imposed discipline.

23 54. The Plaintiffs have been passed over for promotion to Captain, by employees who are less well  
24 qualified than the plaintiffs. They had less time on the job, and less education or experience than  
25 the plaintiffs. For example, Rampone has a Masters Degree from Woodbury, (2008) and was a  
26 graduate of the FBI Academy. Rampone also has a Bachelor's Degree from Cal State Long  
27 Beach. Voyer has 5 ½ years of college education at Cal Poly San Luis Obispo majoring in  
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1 Animal Sciences and Bio Chemistry. Rampone further has worked patrol in all three field regions  
2 at the ranks of Deputy, Sergeant and Lieutenant which provides experience other Lieutenants are  
3 lacking.

4 55. Voyer has continuously been passed over for Operations Lieutenant, including within the past few  
5 months Individuals selected for Operations Lieutenant over Voyer are less well qualified than  
6 her. The Operations Lieutenant acts as the Captain when the Captain is gone, and is a stepping  
7 stone to Captain. Voyer has been at IRC for several years and often was the most senior  
8 Lieutenant which traditionally is the Operations Lieutenant, but Voyer is continually passed over  
9 as part of a continuing pattern of discrimination, harassment and retaliation Rampone also is  
10 continually passed over from various assignments, including without limitation, the Chief's Aide  
11 position which was open, as part of a continuing pattern of discrimination, harassment and  
12 retaliation. Rampone was told the department does not use a Lieutenant in Technical Services  
13 Division for the Chief's Aide position. However, within a few weeks of said discussion, a junior,  
14 less qualified Lieutenant (Christopher S. Cahhal) took that position.

15 56. Rampone was sent to an interview at Medical Services Bureau, as an Operations Lieutenant at  
16 Medical Services Bureau, but then Rampone was not allowed to work in said position as part of  
17 the continuing pattern of discrimination, harassment and retaliation of him.

18 57. Rampone and Voyer have been passed over for promotion at least 30 times.

19 58. Sheriff Baca has said that Voyer is no longer a "rising star" within the Department.

20 59. Assistant Sheriffs Cavanaugh and Rhambo have told Rampone that he has done everything asked  
21 by the Department and his credentials are stellar. Yet, neither Assistant Sheriff would explain why  
22 Rampone has not been promoted to captain.

23 60. At the LASD, promotions and assignments at the captain-level are greatly influenced by various  
24 decisionmakers, including the Undersheriff and Assistant Sheriffs. Hence, the ultimate  
25 decisionmaker (the Sheriff) is often not the *actual* decisionmaker, but rather simply ratifies the  
26 choices made at lower levels. For example, if the Undersheriff or Assistant Sheriffs do not want a  
27 particular promotion or assignment, then they can ensure the promotion or assignment is sabotaged  
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1 at their level and thus, will be ultimately unsuccessful. For instance, Undersheriffs Waldie and  
2 Tanaka have wielded determinative power over promotions, assignments, and all other decisions.  
3 In fact, the Undersheriff is a "but-for factor" as to who is promoted or given what assignment.

4 61. On numerous occasions, the career advancements of Voyer and Rampone have been thwarted (but  
5 for cause) at the Undersheriff and Assistant Sheriff levels.

6 62. Each of the plaintiffs suffered harm and injury that was legally (proximately) caused by the  
7 conduct of the defendants and each of them. Said harm and injury includes but is not limited to  
8 special (economic) damages, General (non-economic) damages, attorneys fees, litigation costs,  
9 future damages, and past damages. Also increased tax liability by having recovery paid all at one  
10 time, rather than over a period of time, lost interest and investment opportunities on money that is  
11 past due, and such further relief as shown at time of trial and in excess of the minimum jurisdiction  
12 of this court.

13 **FIRST CAUSE OF ACTION - DISCRIMINATION BY ALL PLAINTIFFS AGAINST ALL**  
14 **DEFENDANTS**

15 63. Each and every allegation set forth in the preceding paragraphs is incorporated herein by this  
16 reference with the same effect as if realleged herein.

17 64. *Cal. Gov. Code* §12940(a) makes it unlawful for an employer to discriminate against an employee  
18 in "terms, conditions or privileges of employment" because of the (perceived) race/national  
19 origin/gender/disability of the employee. Similarly, discrimination against someone who is  
20 associated with a person with a protected characteristic is illegal.

21 65. Voyer is a Caucasian female who is commonly associated with Hispanics (or perceived to be by  
22 LASD). Additionally, Voyer has suffered numerous on-duty injuries and thus, suffers from various  
23 physical disabilities. Rampone is a male of Italian ancestry, but is classified as Hispanic by LASD.  
24 Both Voyer and Rampone are over the age of 40 years.

25 66. In *Jaimes v. County of Los Angeles, et al.*, a Hispanic deputy sued the LASD for various FEHA  
26 violations, including race/national origin discrimination. Voyer and Rampone were both associated  
27 with Deputy Jaimes. Voyer and Rampone provided testimony favorable to Deputy Jaimes at trial.  
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- 1 67. In *Voyer v. County of Los Angeles, et al.*, Voyer asserted numerous FEHA claims against the  
2 LASD, including discrimination based upon association with Hispanics. Rampone was a favorable  
3 witness for Voyer in the case.
- 4 68. In *Herran, et al. v. County of Los Angeles*, three Hispanic LASD captains, Joaquin Herran,  
5 Raymond Leyva, and Ralph Webb, sued the LASD for FEHA retaliation and race/national origin  
6 discrimination. Leyva, Herran, and Webb were the second-, third-, and fourth-longest tenured  
7 captains in the LASD. Like Plaintiffs, Leyva, Herran, and Webb were passed over for promotion  
8 dozens of time by less senior, less qualified, less educated, and less experienced candidates. Like  
9 Plaintiffs, Leyva, Herran, and Webb were denied specialized assignments or transfers, which  
10 would further improve their chances at promotion.
- 11 69. Since 1999, the Hispanic American Police Command Officers Association (“HAPCOA”)  
12 complained, formally and informally, about discrimination, harassment, and retaliation of Hispanic  
13 LASD personnel (*see, e.g.*, different terms and conditions of employment as well denial of  
14 promotions to Sergeant or higher; being referred to in an ethnically derogatory manner (*e.g.*, being  
15 referred to as “wetbacks” by top level LASD management).
- 16 70. Beginning in 1999, Leyva and Herran complained informally to Sheriff Baca about disparate  
17 treatment of Hispanic personnel. After years of meetings with Sheriff Baca, Leyva and Herran  
18 expressed frustration with Sheriff Baca’s inaction and advised the Sheriff that it was perhaps time  
19 to seek more formal recourse. Sheriff Baca threatened Leyva and Herran that there would be  
20 consequences if they took their concerns about discrimination, harassment, and retaliation outside  
21 of the department.
- 22 71. In fact, high-ranking LASD officials have manipulated test scores and the promotion process in  
23 order to deprive Hispanics, or those associated with Hispanics, promotional opportunities. The  
24 manipulation of the testing process was ordered by Paul Tanaka.
- 25 72. As a result of their (perceived) association with Hispanics or (perceived) race/national origin,  
26 Plaintiffs have suffered a variety of adverse actions, including but not limited to, being passed over  
27 for promotion, denial of transfers, dead-end assignments, freeway therapy, retaliatory internal  
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1 investigations, etc.

2 73. Moreover, Voyer and Rampone have been passed over for promotion because of their age.  
3 Routinely, LASD has promoted less experienced, less qualified, younger lieutenants to captain. At  
4 LASD, the department routinely discriminates against older employees.

5 74. Additionally, Voyer has been discriminated against because of her physical disabilities. Voyer's  
6 medical care is routinely delayed by Defendants and thus, she is not allowed to physically heal.  
7 Further, the extended time off is used as a pretext to deny better assignments and promotion. Yet,  
8 Voyer has at all times been able to perform the essential functions of her position.

9 75. Such disparate treatment caused the plaintiffs injury and harm, including general and special  
10 damages, attorneys fees, and other damages as set out above.

11 **SECOND CAUSE OF ACTION - FEHA RETALIATION BY ALL PLAINTIFFS AGAINST ALL**

12 **DEFENDANTS**

13 76. Each and every allegation set forth in the preceding paragraphs is incorporated herein by this  
14 reference with the same effect as if realleged herein.

15 77. *Cal. Gov. Code* § 12940(h) prohibits employers from discriminating against employees who have  
16 complained about discriminatory treatment.

17 78. Plaintiffs have continually complained about discriminatory treatment of LASD personnel.

18 79. Voyer filed a successful FEHA-based civil lawsuit.

19 80. Rampone was a witness in two different, successful FEHA-based civil lawsuits.

20 81. Defendant has a unofficial policy of retaliating against any employee who engages in a protected  
21 activity against the Department.

22 82. After their protected activities, Plaintiffs have suffered a variety of adverse actions, including but  
23 not limited to, being passed over for promotion, denial of transfers, dead-end assignments, freeway  
24 therapy, retaliatory internal investigations, etc.

25 83. Plaintiffs have been harmed and Defendants' retaliatory conduct was a substantial factor in  
26 causing Plaintiffs' harm as set forth above.  
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1 THIRD CAUSE OF ACTION - WHISTLEBLOWER RETALIATION AGAINST ALL  
2 DEFENDANTS

3 84. Each and every allegation set forth in the preceding paragraphs is incorporated herein by this  
4 reference with the same effect as if realleged herein.

5 85. Pursuant to various statutes including but not limited to *Labor Code § 1102.5*, if an employee  
6 complains of violations of law, they are protected and cannot be retaliated against.

7 86. Voyer has reported numerous violations of state and federal law by LASD to various entities,  
8 including the U.S. Department of Justice. Voyer was under no legal obligation to report said  
9 violations. In fact, LASD has an unofficial policy of dissuading personnel from reporting unlawful  
10 conduct by the Department.

11 87. After Voyer complained of such violations, she was retaliated against. Defendants targeted Voyer  
12 with adverse employment actions, including but not limited to, being passed over for promotion,  
13 denial of transfers, dead-end assignments, etc.

14 88. Rampone has suffered retaliation because of his stead-fast refusal to engage in unlawful activity. In  
15 LASD, high-ranking officials engage in a financial “quid pro quo.” In exchange for “campaign  
16 contributions,” high-ranking officials would either promote or transfer personnel as requested.  
17 This “pay for play” system had become the primary, yet unofficial, method of promotion within  
18 the department. high-ranking officials’ actions constituted a violation of numerous state and  
19 federal laws, including Penal Code § 68.

20 89. Rampone’s refusal to participate in the “pay for play” system has impeded his selection to better  
21 assignments and promotion to captain.

22 90. Voyer suffered damages, harm and injury as a direct and legal result thereof in a sum in excess of  
23 the minimum jurisdiction of this court as further set out above, including without limitation  
24 attorneys fees, litigation costs and civil penalties. The actions of defendants caused plaintiff harm  
25 and damages as set out further hereinabove.

**FOURTH CAUSE OF ACTION FOR ALL PLAINTIFFS**  
**FOR FAILURE TO TAKE CORRECTIVE ACTION**  
**AGAINST DEFENDANT COUNTY ONLY**

91. Each and every allegation set forth in the preceding paragraphs is incorporated herein by this reference with the same effect as if realleged herein.

92. Defendant had an obligation to take corrective action to prevent further harassment of Plaintiffs, but failed to do so in violation of Cal. Gov. Code Sections 12940(k) and 12940(j)(1). Defendants failed to conduct proper investigations, implement proper policies to prevent discrimination, harassment or retaliation, and failed to properly punish those who engaged in misconduct to deter further such actions in the future.

93. After Plaintiffs complained about and opposed the harassing, discriminatory, and retaliatory conduct set forth above, Defendant COUNTY failed to conduct proper investigations, implement proper policies to prevent discrimination, harassment or retaliation, and failed to take corrective action or to properly punish those who engaged in misconduct, to deter further such actions.

94. As a direct and legal result of the conduct by Defendants towards Plaintiffs, Plaintiffs have suffered economic and non-economic damages in a sum according to proof at time of trial, and in excess of the minimum jurisdiction of this Court.

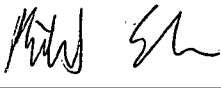
WHEREFORE, Plaintiffs pray for the following:

1. Loss of earnings and back pay including any increased tax liability thereon;
2. Loss of future earnings, promotions, opportunities to promote, front pay and all other employment benefits, such as pension rights;
3. All other lost pension, insurance and other employment benefits;
4. Medical, hospital and psychological bills, including past, present and future bills, and all other special damages;
5. General damages (pain, suffering, emotional distress and all other non economic damages);
6. Litigation costs;
7. Attorneys fees;

- 1 8. Civil Penalties as authorized by statutes set out herein above;
- 2 9. Interest;
- 3 10. Damages for increased income tax payments; and
- 4 11. Any other relief or damages allowed by law, or statutes not set out above and such further relief as
- 5 the Court deems just and proper at conclusion of trial.

7 Dated: May 7, 2013

Respectfully Submitted,  
Law Offices of Goldberg & Gage  
A Partnership of Professional Law Corporations

9  
10 By   
11 \_\_\_\_\_  
Bradley C. Gage  
Milad Sadr  
Attorneys for Plaintiffs

13 O:\R\RAMPONE & VOYER v. COUNTY OF LOS ANGELES\PLEADINGS\COMPLAINT\05-07-13 Complaint, final.wpd



05/10/2013

BURDGECOOPER [www.burdgecooper.com](http://www.burdgecooper.com)  
Los Angeles 800-421-8703 • Atlanta 800-325-7580



Mixed Sources

[www.fsc.org](http://www.fsc.org) Cert no. SW-COC-002980



\*\*\* EMPLOYMENT \*\*\*

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

DFEH # \_\_\_\_\_

DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (indicate Mr. or Ms.) NICK RAMPONE TELEPHONE NUMBER (INCLUDE AREA CODE) \_\_\_\_\_

ADDRESS CONFIDENTIAL

CITY/STATE/ZIP CODE \_\_\_\_\_ COUNTY \_\_\_\_\_ COUNTY \_\_\_\_\_

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

NAME LOS ANGELES COUNTY SHERIFFS DEPT. TELEPHONE NUMBER (include Area Code) \_\_\_\_\_

ADDRESS \_\_\_\_\_ DFEH USE ONLY \_\_\_\_\_

CITY/STATE/ZIP \_\_\_\_\_ COUNTY \_\_\_\_\_ COUNTY CODE \_\_\_\_\_

NO. OF EMPLOYEES/MEMBERS (if known) \_\_\_\_\_ DATE MOST RECENT OR CONTINUING DISCRIMINATION \_\_\_\_\_

RESPONDENT CODE OVER 10,000 TOOK PLACE (month, day, and year) 11-15-12

THE PARTICULARS ARE:

On VARIOUS DATES I was \_\_\_\_\_ fired \_\_\_\_\_ denied employment OPPORTUNITY \_\_\_\_\_ denied family or medical leave \_\_\_\_\_ laid off \_\_\_\_\_ denied promotion \_\_\_\_\_ denied pregnancy leave \_\_\_\_\_ demoted \_\_\_\_\_ denied transfer \_\_\_\_\_ denied equal pay \_\_\_\_\_ harassed \_\_\_\_\_ denied accommodation \_\_\_\_\_ denied right to wear pants \_\_\_\_\_ genetic characteristics \_\_\_\_\_ impermissible non-job-related \_\_\_\_\_ denied pregnancy testing \_\_\_\_\_ inquiry \_\_\_\_\_ accommodation \_\_\_\_\_ forced to quit \_\_\_\_\_ other (specify) FAILURE TO TAKE CURATIVE ACTION

by SHERIFF BACA \_\_\_\_\_ Name of Person \_\_\_\_\_ Job Title (supervisor/manager/personnel director/etc.) \_\_\_\_\_

because of my: sex \_\_\_\_\_ national X origin/ancestry \_\_\_\_\_ physical disability \_\_\_\_\_ cancer \_\_\_\_\_ X age \_\_\_\_\_ marital status \_\_\_\_\_ mental disability \_\_\_\_\_ genetic characteristic \_\_\_\_\_ religion \_\_\_\_\_ sexual orientation \_\_\_\_\_ other (specify) \_\_\_\_\_ X race/color \_\_\_\_\_ association \_\_\_\_\_

(Circle one) X filing; protesting; participating in investigation (retaliation for)

the reason given by TANAK LINDER SHERIFF \_\_\_\_\_ Name of Person and Job Title \_\_\_\_\_

Was because of [please state what you believe to be reason(s)] DISCRIMINATION, HARASSMENT & RETALIATION FOR BEING A WITNESS IN OTHER LAWSUITS AGAINST THE COUNTY & PASSED OVER FOR PROMOTION

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "No of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

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

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

Dated 11/15/12 \_\_\_\_\_ COMPLAINTANT'S SIGNATURE \_\_\_\_\_

(R)

05 / 10 / 2013



\*\*\* EMPLOYMENT \*\*\*

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

DFEH # \_\_\_\_\_

DFEH USE ONLY

**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING**

YOUR NAME (indicate Mr. or Ms.)

MS CATHERINE VOYER

TELEPHONE NUMBER (INCLUDE AREA CODE)

ADDRESS

CONFIDENTIAL - c/o BOBBIE & LAGE 23002 VICTORY BL

CITY/STATE/ZIP CODE

WOODLAND HILLS CA 91367

COUNTY

LOS ANGELES

COUNTY

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

NAME

L.A. COUNTY SHERIFF'S DEPARTMENT

TELEPHONE NUMBER (include Area Code)

ADDRESS

4700 RAMONA BL

DFEH USE ONLY

CITY/STATE/ZIP

MONTEREY PARK CA

COUNTY

COUNTY CODE

NO. OF EMPLOYEES/MEMBERS (if known)  
RESPONDENT CODE

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year)

OCT. 14, 2012

THE PARTICULARS ARE:

On MULTIPLE DATES I was

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

by

UNDER SHERIFF TANAKA

Name of Person

Job Title (supervisor/manager/personnel director/etc.)

because of my:

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

the reason given by

SHERIFF BACA

Name of Person and Job Title

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

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "No of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

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

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

Dated

11-15-12

Catherine Voyer

COMPLAINANT'S SIGNATURE

R 2

05/10/2013







DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

December 12, 2012

Bradley C. Gage, Esq.  
23002 Victory Boulevard  
Woodland Hills, CA 91367

RE: 65652-31053 - Voyer Katherine

NOTICE TO COMPLAINANT'S ATTORNEY

Attached is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900, et seq. Also attached is a copy of your client's Notice of Case Closure, which constitutes your client's right-to-sue notice. Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer.

Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California.

Sincerely,

Department of Fair Employment and Housing

05 / 10 / 2013

R 3



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

December 12, 2012

RE: 65652-31053 - Voyer Katherine

Notice of Filing of Discrimination Complaint

Enclosed is a copy of a complaint that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. Complainant has requested an authorization to file a lawsuit. This complaint is not being investigated and is being closed immediately. A copy of the closing letter and right to sue is enclosed for your records.

NO RESPONSE TO DFEH IS REQUESTED OR REQUIRED.

Please see the next page for the Respondent(s) name and address

05 / 10 / 2013



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

December 12, 2012

RE: 65652-31053 - Voyer Katherine

Notice of Filing of Discrimination Complaint

Lisa Garrett, Director Human Resourc Agent for  
Service for Los Angeles County Sheriff's Department  
500 West Temple Street, Room 579  
Los Angeles CA 90012

05 / 10 / 2013



05/10/2013



CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING  
EMPLOYMENT

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

---

I ALLEGE THAT I EXPERIENCED:  
Discrimination, Harassment, Retaliation

ON OR BEFORE: Oct 14, 2012

BECAUSE OF MY Association with a member of a protected class, Color, Race, Sex- Gender  
ACTUAL OR  
PERCEIVED:

---

AS A RESULT, I WAS: Denied a work environment free of discrimination and/or retaliation, Denied employment, Denied or forced to transfer

---

STATE WHAT YOU BELIEVE TO BE THE REASON(S) FOR DISCRIMINATION:

05/10/2013



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

Nov 26, 2012

Katherine Voyer

C/O Law Offices of Goldberg Gage 23002 Victory Boulevard

Woodland Hills, CA 91367

RE: 65652-31053 - Voyer Katherine

Notice of Case Closure and Right to Sue

Dear Katherine Voyer:

This letter informs you that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective Nov 26, 2012 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 visit 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.

DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Department of Fair Employment and Housing

cc: Lisa Garrett, Director Human Resourc, Agent for Service for Los Angeles County Sheriff's Department

05 / 10 / 2013

05 / 10 / 2013



05 / 10 / 2013





DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

March 29, 2013

Bradley Gage  
23002 Victory Blvd.  
Woodland Hills, California 91367

RE: 103518-46149 - rampone nick - Right To Sue

NOTICE TO COMPLAINANT'S ATTORNEY

Attached is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900, et seq. Also attached is a copy of your client's Notice of Case Closure, which constitutes your client's right-to-sue notice. Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer.

Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California.

Sincerely,

Department of Fair Employment and Housing

05/10/2013

Ray



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

March 29, 2013

RE: 103518-46149 - rampone nick - Right To Sue

Notice of Filing of Discrimination Complaint

Enclosed is a copy of a complaint that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. Complainant has requested an authorization to file a lawsuit. This complaint is not being investigated and is being closed immediately. A copy of the closing letter and right to sue is enclosed for your records.

NO RESPONSE TO DFEH IS REQUESTED OR REQUIRED.

Please see the next page for the Respondent(s) name and address

05 / 10 / 2013



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

March 29, 2013

RE: 103518-46149 - rampone nick - Right To Sue

Notice of Filing of Discrimination Complaint

Agent for Service for Los Angeles County  
Sheriff's Department  
4700 Ramona Blvd.  
Monterey Park California 90032

05 / 10 / 2013



CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING  
EMPLOYMENT

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

DFEH INQUIRY NUMBER:  
103518-46149

COMPLAINANT NAME:  
nick rampone

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

RESPONDENT NAME:	RESPONDENT ADDRESS:	TELEPHONE NUMBER:
Los Angeles County Sheriff's Department, Leroy Baca	4700 Ramona Blvd. Monterey Park, California, 90032	(800) 698-8255

AGENT FOR SERVICE:	AGENT FOR SERVICE ADDRESS:	CITY/STATE/ZIP:
--------------------	----------------------------	-----------------

NO. OF EMPLOYEES/MEMBERS: 10000	DATE MOST RECENT DISCRIMINATION TOOK PLACE: Nov 15, 2012	TYPE OF EMPLOYER: State/Local Govt
------------------------------------	-------------------------------------------------------------	---------------------------------------

CO-RESPONDENT(S):

NAME	ADDRESS
------	---------

05/10/2013

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

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

By submitting this complaint, I am declaring under penalty of perjury under the laws of the State of California that, to the best of my knowledge, all information contained in this complaint is true and correct, except matters stated on my information and belief, and I declare that those matters I believe to be true.

DATED March 29, 2013 At Woodland Hills VERIFIED BY:Bradley Gage, Attorney

DFEH-300-030 (07/12)  
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED: Mar 29, 2013  
MODIFIED: Mar 29, 2013

STATE OF CALIFORNIA

05/10/2013



CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING  
EMPLOYMENT

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

---

I ALLEGE THAT I EXPERIENCED:  
Discrimination, Harassment, Retaliation

ON OR BEFORE: Nov 15, 2012

BECAUSE OF MY Age - 40 and over, National Origin - including language use restrictions, Race  
ACTUAL OR  
PERCEIVED:

---

AS A RESULT, I WAS: Denied a work environment free of discrimination and/or retaliation, Denied employment, Denied or forced to transfer, Denied promotion, Other failure to take corrective action

---

STATE WHAT YOU BELIEVE TO BE THE REASON(S) FOR DISCRIMINATION:

Rampone experienced discrimination, harassment, and retaliation for being a witness in other lawsuits against the County and passed over for promotion.

05/19/2013





DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR PHYLLIS W. CHENG

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 | Videophone (916) 226-5285 | TDD (800) 700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

Mar 29, 2013

nick rampone

c/o: Law Offices of Goldberg Gage 23002 Victory Blvd.

Woodland Hills, CA 91367

RE: 103518-46149 - rampone nick - Right To Sue

Notice of Case Closure and Right to Sue

Dear nick rampone:

This letter informs you that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective Mar 29, 2013 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 visit 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.

DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Department of Fair Employment and Housing

cc: Leroy Baca, Agent for Service for Los Angeles County Sheriff's Department

05/19/2013

05 / 10 / 2013

05/10/2013





**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 | Videophone 916-226-5285 | TDD 800-700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

Apr 25, 2013

Katherine Voyer  
c/o: Law Offices of Goldberg Gage 23002 Victory Blvd.  
Woodland Hills, CA 91367

**RE: Notice of Case Closure and Right to Sue**  
DFEH Matter Number: 112167-49640  
Right to Sue: Voyer / Los Angeles County Sheriff's Department

Dear Katherine Voyer:

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective Apr 25, 2013 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 visit 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

Enclosures

cc: Agent for Service for Los Angeles County Sheriff's Department  
Leroy Baca  
Paul Tanaka

05 / 10 / 2013



**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 | Videophone 916-226-5285 | TDD 800-700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

April 25, 2013

**RE: Notice of Filing of Discrimination Complaint**

DFEH Matter Number: 112167-49640

Right to Sue: Voyer / Los Angeles County Sheriff's Department

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government code section 12960. This constitutes service of the complaint pursuant to Government Code Section 12962. The complainant has requested an authorization to file a lawsuit. This completed is not being investigated by the DFEH and is being closed immediately. A copy of the closing letter and Right to Sue notice is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

**No response to DFEH is requested or required.**

Sincerely,

Department of Fair Employment and Housing

05 / 19 / 2013

**COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE  
CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**DFEH MATTER NUMBER  
112167-49640COMPLAINANT  
Katherine Voyer

NAMED IS THE EMPLOYER, PERSON, AGENCY, ORGANIZATION OR GOVERNMENT ENTITY WHO DISCRIMINATED AGAINST ME

RESPONDENT	ADDRESS	PHONE
Los Angeles County Sheriff's Department	4700 Ramona Blvd. Los Angeles CA 91754	(323) 526-5000

AGENT FOR SERVICE	ADDRESS	PHONE
-------------------	---------	-------

NO. OF EMPLOYEES	MOST RECENT DISCRIMINATION TOOK PLACE	TYPE OF EMPLOYER
500	Apr 25, 2013	State/Local Govt

CO-RESPONDENT(S)	ADDRESS
------------------	---------

Leroy Baca Los Angeles County Sheriff's Department	4700 Ramona Blvd. Los Angeles CA 91754
-------------------------------------------------------	----------------------------------------

Paul Tanaka Los Angeles County Sheriff's Department	4700 Ramona Blvd. Los Angeles CA 91754
--------------------------------------------------------	----------------------------------------

05/10/2013

DATE FILED Apr 25, 2013  
MODIFIED Apr 25, 2013REVISED APRIL 2013  
PAGE 1/3



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

DFEH MATTER NUMBER  
112167-49640

---

I ALLEGE THAT I EXPERIENCED	Discrimination, Harassment, Retaliation
ON OR BEFORE	Apr 25, 2013
BECAUSE OF MY	Ancestry, Association with a member of a protected class, Color, Disability, Engagement in Protected Activity, Medical Condition - including Cancer, Race, Sex- Gender
AS A RESULT, I WAS	Denied a work environment free of discrimination and/or retaliation, Denied employment, Denied or forced to transfer, Denied promotion, Denied reasonable accommodation

---

STATEMENT OF FACTS

05 / 19 / 2013



**COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE  
CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**DFEH MATTER NUMBER  
112167-49640

SIGNED UNDER PENALTY OF PERJURY

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

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

By submitting this complaint, I am declaring under penalty of perjury under the laws of the State of California that, to the best of my knowledge, all information contained in this complaint is true and correct, except matters stated on my information and belief, and I declare that those matters I believe to be true.

Verified by Bradley Gage, Attorney for Complainant and dated on April 25, 2013 at Woodland Hills, CA.

05/10/2013

DATE FILED Apr 25, 2013  
MODIFIED Apr 25, 2013REVISED APRIL 2013  
PAGE 3/3

05/10/2013

**BURDGECOOPER** [www.burdgecooper.com](http://www.burdgecooper.com)  
Los Angeles 800-421-8703 • Atlanta 800-325-7580



**Mixed Sources**

[www.fsc.org](http://www.fsc.org) Cert no. SW-COC-002980





**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 | Videophone 916-226-5285 | TDD 800-700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

May 02, 2013

Bradley Gage  
23002 Victory Blvd.  
Woodland Hills, CA 91367

RE: **Notice to Complainant's Attorney**  
DFEH Matter Number: 114517-50472  
Right to Sue: Rampone / Los Angeles County Sheriff's Department

Dear Attorney:

Attached is a copy of your client's complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your client's Notice of Case Closure and Right to Sue. Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer.

Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California.

Sincerely,

Department of Fair Employment and Housing

05/10/2013

162 6



**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 | Videophone 916-226-5285 | TDD 800-700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

May 02, 2013

**RE: Notice of Filing of Discrimination Complaint**

DFEH Matter Number: 114517-50472

Right to Sue: Rampone / Los Angeles County Sheriff's Department

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. This case is not being investigated by the DFEH and is being closed immediately. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

**No response to DFEH is requested or required.**

Sincerely,

Department of Fair Employment and Housing

05/10/2013



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

DFEH MATTER NUMBER  
114517-50472

COMPLAINANT  
Nick Rampone

NAMED IS THE EMPLOYER, PERSON, AGENCY, ORGANIZATION OR GOVERNMENT ENTITY WHO DISCRIMINATED AGAINST ME

RESPONDENT	ADDRESS	PHONE
Los Angeles County Sheriff's Department,	4700 Ramona Blvd. Monterey Park CA 91754	(800) 698-8255

AGENT FOR SERVICE	ADDRESS	PHONE

NO. OF EMPLOYEES	MOST RECENT DISCRIMINATION TOOK PLACE	TYPE OF EMPLOYER
500	May 02, 2013	State/Local Govt

CO-RESPONDENT(S)	ADDRESS
Leroy Baca Los Angeles County Sheriff's Department	4700 Ramona Blvd. Monterey Park CA 91754
Paul Tanaka Los Angeles County Sheriff's Department	4700 Ramona Blvd. Monterey Park CA 91754

05 / 10 / 2013



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

DFEH MATTER NUMBER  
114517-50472

---

I ALLEGE THAT I EXPERIENCED	Discrimination, Harassment, Retaliation .
ON OR BEFORE	May 02, 2013
BECAUSE OF MY	Age - 40 and over, Ancestry, Association with a member of a protected class, Color, Engagement in Protected Activity, National Origin - including language use restrictions, Race
AS A RESULT, I WAS	Denied a work environment free of discrimination and/or retaliation, Denied employment, Denied or forced to transfer, Denied promotion

---

STATEMENT OF FACTS

05 / 10 / 2013

**COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE  
CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**DFEH MATTER NUMBER  
114517-50472

SIGNED UNDER PENALTY OF PERJURY

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

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

By submitting this complaint, I am declaring under penalty of perjury under the laws of the State of California that, to the best of my knowledge, all information contained in this complaint is true and correct, except matters stated on my information and belief, and I declare that those matters I believe to be true.

Verified by Bradley Gage, Attorney for Complainant, and dated on May 02, 2013 at Woodland Hills, CA.

05/10/2013

DATE FILED May 02, 2013  
MODIFIED May 02, 2013REVISED APRIL 2013  
PAGE 3/3





**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 | Videophone 916-226-5285 | TDD 800-700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

May 02, 2013

Nick Rampone  
c/o: Law Offices of Goldberg Gage 23002 Victory Blvd.  
Woodland Hills, CA 91367

**RE: Notice of Case Closure and Right to Sue**  
DFEH Matter Number: 114517-50472  
Right to Sue: Rampone / Los Angeles County Sheriff's Department,

Dear Nick Rampone:

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 02, 2013 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 visit 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

Enclosures

cc: Agent for Service for Los Angeles County Sheriff's Department  
Leroy Baca  
Paul Tanaka

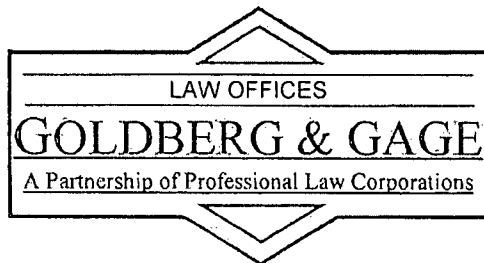
05 / 10 / 2013

05 / 10 / 2013



Terry M. Goldberg\*

Bradley C. Gage\*



Milad Sadr

\*A PROFESSIONAL LAW CORPORATION

\*A PROFESSIONAL LAW CORPORATION

23002 VICTORY BOULEVARD ~ WOODLAND HILLS, CA 91367 ~ (818) 340-9252 ~ FAX (818) 340-9088  
 Email: [tgoldberg@goldbergandgage.com](mailto:tgoldberg@goldbergandgage.com) Email: [bgage@goldbergandgage.com](mailto:bgage@goldbergandgage.com)

March 27, 2013

**Via Certified Mail, Return Receipt Requested**  
**7012 0470 0001 4963 0853**

County of Los Angeles  
 Executive Officer, Board of Supervisors  
 500 West Temple St.  
 Attn: Claims, Room 383  
 Kenneth Hahn Hall of Administration  
 Los Angeles, California 90012

**Re: Government Claim Katherine Voyer & Nicholas Rampone**

Dear Sir or Madam:

Please consider this a notice of governmental claim, and to the extent any such claims are more than six months old, as an application for a late claim pursuant to California Government Code, Section 911.4. To the extent applicable, please also consider this a supplemental governmental claim.

**A. NAME OF THE CLAIMANTS:**

Katherine Voyer & Nicholas Rampone

**B. ADDRESS TO SEND ALL NOTICES:**

Law Offices of Goldberg & Gage, 23002 Victory Blvd., Woodland Hills, CA 91367.

**C. THE DATE, PLACE AND OTHER CIRCUMSTANCES OF THE OCCURRENCE OR TRANSACTIONS WHICH GIVE RISE TO THE CLAIMS ASSERTED:**

Retaliation, discrimination, harassment under the Fair Employment and Housing Act  
 Whistle Blower Retaliation  
 Violation of Police Officer's Bill of Rights.  
 Failure to take corrective action.

**D. GENERAL DESCRIPTION OF THE INJURY, DAMAGE OR LOSS INCURRED.**

General, special (economic and non economic) damages and punitive including without

05/10/2013

Pa 7

Governmental Claim

March 27, 2013

Page 2

limitations: damages for potential medical treatment; psychological treatment; psychiatric treatment; loss of earnings opportunities and future earning opportunities; loss of reputation; embarrassment and humiliation. Attorneys fees, and future attorneys fees, litigation costs and experts charges all in a sum to be proven at time of trial and such other damages as presented at trial. Plaintiff also suffered job loss, lost opportunities, retaliation preventing him from other job opportunities. Lost reputation, damages to reputation, and lost interest and such other damages as determined at time of trial.

**E. NAME OF PUBLIC EMPLOYEES CAUSING THE INJURY, DAMAGE OR LOSS TO COMPLAINANTS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:**

Sheriff Baca; Undersheriff Tanaka.

**F. THE AMOUNT OF CLAIMED DAMAGES EXCEEDS \$10,000 AND JURISDICTION WILL BE PROPER IN LOS ANGELES SUPERIOR COURT.**

If you contend this is not the proper location for a Governmental Claim, please advise of the proper address. Further, if County contends there are any administrative claims or remedies ~~not pursued by complainant, please advise so that we can fulfill any administrative remedy~~ requirements now. Thank you.

Very truly yours,  
Law Offices of Goldberg & Gage  
A Partnership of Professional Law Corporations



By Milad Sadr

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**3-27-13**

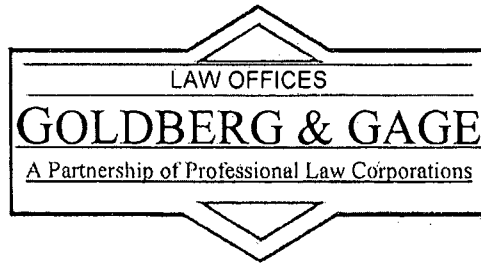
Sent To  
**COUNTY OF LOS ANGELES**  
 Street, Apt. No.  
 or PO Box No. **500 W. Temple St. Rm 383**  
 City, State, ZIP+4  
**LOS ANGELES CA 90012**

PS Form 3800, August 2006 See Reverse for Instructions

05/10/2013

Terry M. Goldberg\*

Bradley C. Gage\*



Milad Sadr

\*A PROFESSIONAL LAW CORPORATION

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23002 VICTORY BOULEVARD ~ WOODLAND HILLS, CA 91367 ~ (818) 340-9252 ~ FAX (818) 340-9088  
E-Mail: [tgoldberg@goldbergandgage.com](mailto:tgoldberg@goldbergandgage.com) E-Mail: [bgage@goldbergandgage.com](mailto:bgage@goldbergandgage.com)

March 27, 2013

**VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED**  
**7012 0470 0001 4963 0860**

Division of Labor Standards Enforcement  
Retaliation Complaint Investigation Unit  
2031 Howe Ave., Ste. 100  
Sacramento, CA 95825

Re: Claim of Katherine Voyer & Nicholas Rampone

Dear Madam or Sir:

Please consider this a notice of claim for exhaustion of any potential jurisdictional requirements.

**A. NAME OF THE CLAIMANT:** Katherine Voyer & Nicholas Rampone, c/o Law Offices of Goldberg and Gage, 23002 Victory Blvd., Woodland Hills, CA 91367

**B. ADDRESS TO SEND ALL CLAIMS:**

Law Offices of Goldberg & Gage, 23002 Victory Blvd., Woodland Hills, CA 91367.

**C. THE DATE, PLACE AND OTHER CIRCUMSTANCES OF THE OCCURRENCE OR TRANSACTIONS WHICH GIVE RISE TO THE CLAIMS ASSERTED:**

Voyer and Rampone are veteran lieutenants with the Los Angeles County Sheriff's Department. Both have imposed illegal conduct on the part of high-ranking LASD officials for years, including within the last six months. Such whistle blowing activities, include but are not limited to, reporting violations of state and/or federal laws to law enforcement agencies, including the U.S. Department of Justice.

In retaliation, LASD has taken various adverse employment actions, including but not limited to, denial of promotions, dead-end assignments, and "freeway therapy." Many of these actions were taken at the direction of Undersheriff Paul Tanaka and his various agents.

05/10/2013

**D. GENERAL DESCRIPTION OF THE INJURY, DAMAGE OR LOSS INCURRED.**

General and special damages, the full specifics of which are not yet fully known, but may include without limitation: medical treatment; loss of earnings and future earnings; loss of promotions; and other disabilities, and losses; attorneys fees, and future attorneys fees, litigation costs and experts' charges all in a sum to be proven at time of trial and other damages. Plaintiff suffered job loss, and lost opportunities.

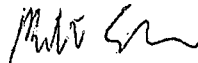
**E. NAME OF PUBLIC EMPLOYEES CAUSING THE INJURY, DAMAGE OR LOSS TO PLAINTIFFS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:**

Sheriff Baca; Undersheriff Tanaka; multiple others

**F. THE AMOUNT OF CLAIMED DAMAGES EXCEED \$10,000, AND JURISDICTION WILL BE PROPER IN LOS ANGELES SUPERIOR COURT.**

If you contend this is not the proper location for a Governmental Claim, please advise of the proper address. Further, if defendants contend there are any required administrative remedies not pursued by plaintiff, please advise so that we can fulfill any internal administrative remedy requirements now. Thank you.

Very truly yours,  
Law Offices of Goldberg & Gage  
A Partnership of Professional Law Corporations



Milad Sadr



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3-27-13

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Div. of Labor Standards Enforcement  
Street, Apt. No.,  
or PO Box No. 2031 HOWE AVE, STE 100  
City, State, ZIP+4  
SACRAMENTO CA 95825

PS Form 3800, August 2006 See Reverse for Instructions

05 / 19 / 2013

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Bradley C. Gage, Esq., S.B. No. 117808  
Milad Sadr, Esq., S.B. No. 245080  
LAW OFFICES OF GOLDBERG & GAGE  
A Partnership of Professional Law Corporations  
23002 Victory Blvd., Woodland Hills, CA 91367

TELEPHONE NO.: (818) 340-9252 FAX NO.: (818) 340-9088

ATTORNEY FOR (Name): Plaintiffs, NICHOLAS RAMPONE & KATHERINE VOYE

FOR COURT USE ONLY

**FILED**  
Los Angeles Superior Court

MAY 10 2013

JUDITH A. CLARKE, CLERK

BY DAWN ALEXANDER, DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 N. Hill Street

MAILING ADDRESS:

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: CENTRAL DISTRICT

CASE NAME: RAMPONE, et al. v. COUNTY OF LOS ANGELES

CASE NUMBER:

**BC508680**

JUDGE:

DEPT:

**CIVIL CASE COVER SHEET**

**Unlimited** (Amount demanded exceeds \$25,000)  **Limited** (Amount demanded is \$25,000 or less)

**Complex Case Designation**

**Counter**  **Joinder**  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

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**

Auto (22)  
 Uninsured motorist (46)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

Asbestos (04)  
 Product liability (24)  
 Medical malpractice (45)  
 Other PI/PD/WD (23)

**Non-PI/PD/WD (Other) Tort**

Business tort/unfair business practice (07)  
 Civil rights (08)  
 Defamation (13)  
 Fraud (16)  
 Intellectual property (19)  
 Professional negligence (25)  
 Other non-PI/PD/WD tort (35)

**Employment**

Wrongful termination (36)  
 Other employment (15)

**Contract**

Breach of contract/warranty (06)  
 Rule 3.740 collections (09)  
 Other collections (09)  
 Insurance coverage (18)  
 Other contract (37)

**Real Property**

Eminent domain/Inverse condemnation (14)  
 Wrongful eviction (33)  
 Other real property (26)

**Unlawful Detainer**

Commercial (31)  
 Residential (32)  
 Drugs (38)

**Judicial Review**

Asset forfeiture (05)  
 Petition re: arbitration award (11)  
 Writ of mandate (02)  
 Other judicial review (39)

**Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)**

Antitrust/Trade regulation (03)  
 Construction defect (10)  
 Mass tort (40)  
 Securities litigation (28)  
 Environmental/Toxic tort (30)  
 Insurance coverage claims arising from the above listed provisionally complex case types (41)

**Enforcement of Judgment**

Enforcement of judgment (20)

**Miscellaneous Civil Complaint**

RICO (27)  
 Other complaint (not specified above) (42)

**Miscellaneous Civil Petition**

Partnership and corporate governance (21)  
 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.  Large number of separately represented parties
- b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c.  Substantial amount of documentary evidence
- d.  Large number of witnesses
- e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f.  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): Four (4)

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: May 9, 2013

Bradley C. Gage/Milad Sadr

(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.

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

## Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

## Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
  - Medical Malpractice—Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

## Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
  - Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
  - Defamation (e.g., slander, libel) (13)
  - Fraud (16)
  - Intellectual Property (19)
  - Professional Negligence (25)
    - Legal Malpractice
    - Other Professional Malpractice (*not medical or legal*)
  - Other Non-PI/PD/WD Tort (35)
- Employment**
- Wrongful Termination (36)
  - Other Employment (15)

## Contract

- Breach of Contract/Warranty (06)
  - Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
  - Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case—Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

## Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

## Unlawful Detainer

- Commercial (31)
- Residential (32)
  - Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

## Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ—Administrative Mandamus
  - Writ—Mandamus on Limited Court Case Matter
  - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal—Labor
  - Commissioner Appeals

## Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

## Enforcement of Judgment

- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment (*non-domestic relations*)
  - Sister State Judgment
  - Administrative Agency Award (*not unpaid taxes*)
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case

## Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
  - Declaratory Relief Only
  - Injunctive Relief Only (*non-harassment*)
  - Mechanics Lien
  - Other Commercial Complaint Case (*non-tort/non-complex*)
  - Other Civil Complaint (*non-tort/non-complex*)

## Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief from Late Claim
  - Other Civil Petition

SHORT TITLE: RAMPONE, et al. v. County of Los Angeles

CASE NUMBER

BC508686

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

**This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.**

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL?  YES CLASS ACTION?  YES LIMITED CASE?  YES TIME ESTIMATED FOR TRIAL 12  HOURS/ DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |                                                                                  |                                                            |
|----------------------------------------------------------------------------------|------------------------------------------------------------|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in central (other county, or no bodily injury/property damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.                                         | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 10. Location of Labor Commissioner Office                  |

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
<b>Auto Tort</b>	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
<b>Other Personal Injury/ Property Damage/ Wrongful Death Tort</b>	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
<input type="checkbox"/> A7240 Other Professional Health Care Malpractice		1., 4.	
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.	
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.	
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.	
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.	

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
		<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.	
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
		<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2., 5.
		<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
		<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
		<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
		<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.	
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.	
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.	
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.	
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation    Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
		<input type="checkbox"/> A6032 Quiet Title	2., 6.
		<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.	
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.	
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.	

SHORT TITLE: RAMPONE, et al. v. County of Los Angeles

CASE NUMBER

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Miscellaneous Civil Complaints Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Miscellaneous Civil Petitions Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

<p><b>REASON:</b> Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.</p> <p><input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.</p>	<p>ADDRESS: 500 West Temple St. Kenneth Hahn Hall of Administration</p>	
<p>CITY: Los Angeles</p>	<p>STATE: CA</p>	<p>ZIP CODE: 90012</p>

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Superior courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subs. (b), (c) and (d)].

Dated: May 9, 2013

  
 \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY/FILING PARTY)  
 Bradley C. Gage/Milad Sadr

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

05/10/2013