

September 25, 2026

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Clerk of the Board
County of Kern
1115 Truxtun Avenue
5th Floor
Bakersfield, California 93301

County of Kern
Attn: Risk Management
1115 Truxtun Avenue
4th Floor
Bakersfield, California 93301

BY ORDER OF THE BD/SUPV
Referred To County Counsel
7 pages

Copies Furnished Risk Management

Mailed
Date 10-1-26
Clerk of the Board of Supervisors
By Michelle J. [Signature], Deputy

Re: Tort Claim Form of Ms. Tia Russo

To Whom It May Concern:

Please be advised that we represent Ms. Tia Russo ("Russo"). By this letter, we present the following claim for damages on her behalf, in what is commonly referred to as a tort claim form.

INDIVIDUALS AND ENTITIES AGAINST WHOM CLAIMS ARE BROUGHT

The names of the public entities and public employees who caused Ms. Russo's injuries include but are not limited to: County of Kern (the "County"), and individuals Dr. Nineveth Fauni, Dr. "Jane" Beckham, and Dr. "John" Orantes. These entities and individuals shall be referred to collectively in this claim as "Defendants."

FACTS SUPPORTING CLAIM

The County terminated Russo after she reported dangerous medication errors, complained to Human Resources ("HR") about the treatment she experienced after making those reports, and requested an accommodation for her disability, attention

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Los Angeles, California
90004

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San Francisco, California
94111

11520 San Vicente Boulevard
Los Angeles, California
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90 Broad Street, Suite 804
New York, New York
10004

6205 Lusk Boulevard
San Diego, California
92121

3764 Elizabeth Street
Riverside, California
92506

deficit hyperactivity disorder ("ADHD"). Before engaging in these protected activities, Russo's work met the County's expectations. Within months, however, the County abruptly reversed its assessment of her performance, deemed her incompetent, and terminated her employment.

The County's Department of Behavioral Health & Recovery Services hired Russo, a 44-year-old woman, on or around August 4, 2025, as a Mental Health Clinician and Psychology Intern. In this role, Russo evaluated incarcerated clients for competency and diversion services. From the outset of her employment, Russo disclosed that she had ADHD, was a lesbian, and was a veteran.

Training Director Dr. Nineveth Fauni ("Fauni") soon began targeting aspects of Russo's identity during supervision. In or around November 2025, Fauni instructed Russo to suppress behaviors associated with her ADHD and aspects of her identity as a veteran, characterizing them as unprofessional. Fauni also repeatedly accused Russo of projecting her sexual orientation onto clients when Russo appropriately explored a client's struggles concerning sexuality and religion.

Despite Fauni's conduct, Russo continued to meet the County's performance expectations. Her November 2025 performance review rated her at 3 overall, confirming that her performance was satisfactory. Just weeks later, on or around December 4, 2025, Russo learned of two serious medication errors involving clients participating in a conditional release program. First, staff had administered nighttime medication to the wrong client and were subsequently unable to wake her. Russo's own client then reported that he had received medication intended for another individual. Because Russo's client had diabetes, receiving the wrong medication presented a potentially serious risk to his health. Consistent with her responsibility to protect client safety, Russo promptly reported both incidents to Dr. "Jane" Munoz ("Munoz").

The County's response began that same afternoon. During a meeting arranged by Dr. "John" Orantes ("Orantes") and Munoz, Dr. "Jane" Beckham ("Beckham") confronted Russo, yelled at her, and repeatedly struck her fist into her open hand. When Russo attempted to leave because she feared for her physical safety, Orantes ordered her to sit down. After the others departed, Orantes cornered Russo, warned her against advocating, and pressured her to comply. Russo stated that she was uncomfortable and, once Orantes stepped back, left the room.

The following day, on or around December 5, 2025, Russo complained to Fauni about the meeting with Orantes, Munoz, and Beckham. On or around December 7,

2025, Russo asked Orantes whether he had spoken with Fauni about the incident. Orantes confirmed that he had and told Russo that the matter was now in Fauni's hands. Fauni then spent the day meeting separately with Beckham and Munoz. After Russo was unable to reach Fauni, she escalated her concerns to HR. On or around December 8, 2025, Russo submitted a written complaint documenting the incident.

During a Zoom conference the following day, on or around December 9, 2025, HR did not provide Russo a meaningful opportunity to discuss the concerns raised in her complaint. Instead, HR accepted the accounts provided by Beckham, Orantes, and Munoz and issued Russo a write-up for alleged unprofessionalism, placing her on a 30-day probationary period. Russo successfully completed that period. Fauni subsequently praised Russo's professionalism in writing, stating, "This is a very professional email, I'm looking forward to carrying out the next year with you."

On or around January 26, 2026, Russo submitted a formal request to HR for a reasonable accommodation for her ADHD, supported by documentation from her mental health provider. At Fauni's direction, Russo also provided the accommodation request and supporting documentation directly to Fauni, thereby making Fauni aware of Russo's ADHD diagnosis and need for accommodation. Russo complained to HR that Fauni had required her to provide the documentation directly to her, but HR took no action to address Russo's concerns. Russo requested additional time to complete assignment deadlines, an accommodation HR acknowledged was workable. Immediately thereafter, Fauni's treatment of Russo deteriorated. Fauni began criticizing Russo during group meetings, challenging her methods in front of coworkers, and singling her out for criticism even when she followed established protocols.

In or around early February 2026, shortly after Russo requested an accommodation, Fauni abruptly lowered Russo's performance ratings from 3s to 1s and 2s, despite no corresponding decline in Russo's performance. Then, on or around February 20, 2026, Fauni accused Russo of lacking competency and placed her on a remediation plan without providing specific performance expectations or objective standards for successful completion. The plan was expected to continue through approximately March 30, 2026, with additional time allotted to account for Russo's jury duty.

The County, however, did not allow Russo to complete the remediation period. On March 27, 2026, before the plan was scheduled to conclude, Fauni, Dr. "John" Norman ("Norman"), and HR met with Russo and terminated her employment effective immediately. The County's written notice stated, "This letter is to inform you that you

are being dismissed from your position as a Psych Intern-Contract, effective immediately.” During the meeting, Fauni claimed that Russo remained deficient in areas of her performance and was performing below the expected doctoral level. Russo rejected the inaccurate characterizing of her performance and declined to endorse Fauni’s account. Fauni then documented that Russo had “postured” toward her. Russo disputes that characterization. She remained seated throughout the interaction, did not raise her voice, and did not move toward Fauni.

The County’s actions did not end with Russo’s termination. It subsequently provided adverse information concerning Russo to her doctoral program, and Russo has been informed that those reports may jeopardize her ability to graduate.

Throughout her employment, Russo was not authorized and permitted to take rest breaks and was, at times, not provided an uninterrupted meal period because she had to continue working.

The chronology is compelling. Russo was meeting expectations when she reported serious medication errors in December 2025. She was then confronted by Beckham and Orantes and disciplined after complaining about their conduct, yet she successfully completed the resulting probationary period and received written praise from Fauni for her professionalism. Shortly after Russo requested a reasonable accommodation for her ADHD, however, Fauni sharply downgraded her performance ratings, accused her of lacking competency, and placed her on a remediation plan without defined performance standards. The County then terminated Russo before she was permitted to complete that plan. This rapid escalation following Russo’s safety reports, HR complaint, and accommodation request strongly supports the conclusion that the County’s asserted performance concerns were pretextual.

POTENTIAL LEGAL THEORIES/CLAIMS

Russo anticipates bringing causes of action based on legal violations and theories including, but not limited to: (1) violations of various Labor Code sections, (e.g., sections 98.6, 98.7, 232.5, 1102.5, 6305, 6310, 6311); (2) negligent hiring, supervision, and retention; (3) intentional infliction of emotional distress; (4) negligent infliction of emotional distress; (5) defamation (Civil Code §§ 45, 46); (6) coerced self-defamation; (7) discrimination and harassment on the bases of disability, sexual orientation, and veteran status; (8) failure to engage in the interactive process; (9) failure to provide a reasonable accommodation; (10) retaliation in violation of the FEHA; (11) failure to

prevent discrimination, harassment, or retaliation; (12) failure to authorize and permit rest breaks and failure to provide meal breaks; (13) failure to timely pay all wages due, including overtime, during and upon separation of employment; (14) wrongful termination in violation of public policy; (15) discrimination and retaliation in violation of Health & Safety Code § 1278.5; and (16) other common law and statutory claims as may be identified.

Additional causes of action and/or theories of relief may be raised on the basis of the facts generally set forth above, as is permitted by *Blair v. Superior Court* (1990) 218 Cal.App.3d 221.

DAMAGES SOUGHT

Russo seeks economic and noneconomic damages, as well as any other types of damages available, according to proof, which will exceed \$10,000 and will not be brought as a limited jurisdiction matter. Russo also seeks interest, attorneys' fees, and costs, although the amounts of such interest, fees, and costs are not known at this time.

NOTICE

Russo requests that all notices concerning this claim be sent to us, her counsel of record, Shegerian & Associates, 320 N. Larchmont Boulevard, Los Angeles, California 90004, telephone: (310) 860-0770, facsimile: (310) 860-0771. Our e-mail address is CShegerian@Shegerianlaw.com.

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ACTING ON BEHALF

Pursuant to Government Code section 910, our firm is "acting on behalf" of Ms. Russo in submitting this demand. It is likewise hereby signed by Elvira G. Ybarra-Sanchez on behalf of her, pursuant to Government Code section 910.2.



Elvira G. Ybarra-Sanchez, Esq.

Thank you for your review and consideration of the above.

Very truly yours,

SHEGERIAN & ASSOCIATES



Elvira G. Ybarra-Sanchez

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CLERK OF
THE BOARD
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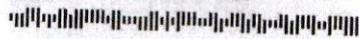
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