

SUMMONS

FILED IN THE CLERK OF
THE JUDICIAL SUPERVISORS
DEPUTY

(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ELECTRONICALLY FILED

1/2/2025

Kern County Superior Court

By Alejandra Velazquez, Deputy

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

DOE 1, a public entity; and DOES 2 through 100, inclusive.

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

JOHN DOE M.S., an individual.

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.**

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Superior Court of California, County of Kern, 1215 Truxtun Ave. Bakersfield, CA 93301

CASE NUMBER:
(Número del Caso):

BCV-24-104466

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

DOWNTOWN LA LAW GROUP

612 S Broadway, Los Angeles, CA 90014

(213) 389-3765

DATE: 1/2/2025
(Fecha)

TARA LEAL

Clerk, by
(Secretario)

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☒ as the person sued under the fictitious name of (specify): Doe 1, a public entity
- ☒ on behalf of (specify): County of Kern, a public entity
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☒ other (specify): CCP416.50 (public entity)
- ☐ by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):

Andrew M. Morrow, Esq. SBN: 128300
DOWNTOWN LA LAW GROUP
540 S. Santa Fe Ave., Los Angeles, CA 90013

TELEPHONE NO.: 213-389-3765

FAX NO. (Optional): 877-389-2775

E-MAIL ADDRESS (Optional): andy.morrow@downtownlalaw.com

ATTORNEY FOR (Name): JOHN DOE M.S.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

JOHN DOE M.S., an individual

Plaintiff(s)

vs.

DOE 1, a public entity; and DOES 2 through
100, inclusive.

Defendant(s)

Case Number
BCV24104466

AMENDMENT TO AMENDED COMPLAINT
Sec. 474 CCP

Upon filing the amended complaint herein, plaintiff being ignorant of the true name of a defendant, and having designated said defendant in the complaint by a fictitious name, to wit:

DOE 1, a public entity

and having discovered the true name of said defendant to be

COUNTY OF KERN, a public entity

hereby amends his amended complaint by inserting such true name in the place and stead of such fictitious name wherever it appears in said amended complaint

Dated: 6/23/2026



ATTORNEY FOR PLAINTIFF

The above amendment may be filed.

Dated:

JUDGE OF THE SUPERIOR COURT

BY ORDER OF THE BD/SUPV

Referred To County Counsel

39 pages

hand delivered process server
Copies Furnished Risk Management

Date 9.22.26

Clerk of the Board of Supervisors

By medellia fager, Deputy

1 **Andrew M. Morrow, III, Esq. - State Bar No. 128300**

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3 540 S. Santa Fe Ave.

4 Los Angeles, CA 90013

5 Tel: (213) 389-3765

6 Fax: (877) 389-2775

7 Email: Andy.morrow@downtownlalaw.com

8 Attorneys for Plaintiff

9 JOHN DOE M.S.

10 **SUPERIOR COURT OF CALIFORNIA**

11 **COUNTY OF KERN**

12 JOHN DOE M.S., an individual;

Case No.: BCV-24-104466

13 **FIRST AMENDED COMPLAINT**

14 Plaintiff,

15 v.

(1) NEGLIGENCE

(2) BREACH OF MANDATORY
STATUTORY DUTIES

(3) INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS

(4) VIOLATION OF THE BANE ACT

16 DOE 1, a public entity; and DOES 2 through
100, inclusive.

17 Defendants.

18 COMES NOW, Plaintiff JOHN DOE M.S., an individual; ("Plaintiff") hereby

19 complains and alleges against Defendants DOE 1, a public entity; and DOES 2 through 100,
20 inclusive ("Defendants"), as follows:

21 **GENERAL ALLEGATIONS**

22
23 1. The claims set forth herein arise from adults who suffered acts of childhood sexual
24 assault at a Kern County probation facility, located at 1831 Ridge Rd., Bakersfield, CA
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1 93305, a juvenile hall and/or youth detention center, owned, operated, controlled, managed,
2 maintained, inspected, patrolled, and oversaw by Defendants DOE 1, a public entity; and
3 DOES 2 through 100, inclusive. Plaintiff was a minor dependent and/or detainee of the
4 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, and placed at a
5 juvenile hall and/or youth detention center, for children during their pending court
6 proceedings. While in the care and custody of Defendants DOE 1, a public entity; and DOES
7 2 through 100, inclusive, at the Kern County probation facility, Plaintiff was subjected to
8 various acts of childhood sexual assault, sexual abuse, sexual harassment and/or molestation.
9 These acts of childhood sexual assault, sexual abuse, sexual harassment and/or molestation
10 were committed by other minor dependents and/or detainees and witnessed and/or
11 encouraged by currently unidentified staff members, including but not limited to, supervisors,
12 teachers, counselor, nurses, physicians, detention officers, custodians, other staff members.

13 2. Plaintiff identified in this lawsuit were victims of childhood sexual assault, sexual
14 abuse, sexual harassment, molestation, and other misconduct, by Defendant DOES 51
15 through 100, and Plaintiff was a minor dependent and/or detainee under the age of eighteen,
16 under the care, custody and control of Defendants DOE 1, a public entity; and DOES 2
17 through 100, inclusive.

18 3. Plaintiff is informed and believes, and thereon allege, that Defendants DOE 1, a
19 public entity; and DOES 2 through 100, inclusive, failed to properly screen, hire, train and
20 supervise the employees, agents and/or individuals under Defendants DOE 1, a public entity;
21 and DOES 2 through 100, inclusive, control, that worked with, volunteered, and or were
22 around the minor children at juvenile halls and/or youth detention centers, including but not
23 limited to, failing to perform and conduct criminal background checks on staff, detention
24 officers, custodians, other staff members and/or other residents and/or dependents and/or
25 detainees.

26 4. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
27 public entity; and DOES 2 through 100, inclusive, each owed a duty of care to supervise the
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1 minor children at juvenile halls and/or youth detention centers, as well as supervise the
2 employees, agents, and staff members who worked with, and around children at juvenile
3 halls and/or youth detention centers, including but not limited to, supervisors, teachers,
4 counselors, nurses, physicians, detention officers, custodians, other staff members.

5 5. Plaintiff is informed and believes, and thereon alleges, that due to the complete lack
6 of supervision by Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive,
7 were allowed to perpetrate acts of sexual assault, sexual abuse and/or molestation on
8 Plaintiff.

9 6. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
10 public entity; and DOES 2 through 100, inclusive, knew or should have known about the acts
11 of sexual assault, sexual abuse and/or molestation committed by defendant DOES 51 through
12 100, upon Plaintiff, by way of multiple reports of sexual abuse of Plaintiff and other children
13 under their care at juvenile halls and/or youth detention centers, and other evidence of sexual
14 assault and sexual abuse of Plaintiff and other children under their care at juvenile halls
15 and/or youth detention centers.

16 7. Plaintiff is informed and believes, and thereon alleges, that the supervisory employees
17 of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should
18 have known that there was a failure of supervision, hiring and training of employees, agents,
19 and staff working at juvenile halls and/or youth detention centers.

20 8. Plaintiff is informed and believes, and thereon alleges, that at all times herein,
21 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have
22 known that it employed dangerous sexual predators at juvenile halls and/or youth detention
23 centers who were unfit, posed a risk of harm to minor children, and/or posed a risk of
24 childhood sexual assault to minor children in Defendants DOE 1, a public entity; and DOES
25 2 through 100, inclusive's care, custody and control. Specifically, Defendants DOE 1, a
26 public entity; and DOES 2 through 100, inclusive, knew or should have known, or were
27 otherwise on notice, that it employed employees, agents and/or staff members at juvenile
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1 halls and/or youth detention centers that had engaged and/or was engaging in misconduct that
2 created the risk of childhood sexual assault and failed to take reasonable steps or to
3 implement reasonable safeguards to avoid acts of childhood sexual assault by these staff
4 members on minors, including Plaintiff.

5 9. Plaintiff is informed and believes, and thereon alleges, that as employees,
6 representatives, servants, agents, and/or volunteers of Defendants DOE 1, a public entity; and
7 DOES 2 through 100, inclusive, the employees, agents and/or staff members of juvenile halls
8 and/or youth detention centers, including Defendant DOES 51 through 100, were placed into
9 positions of guardianship and legal authority over Plaintiff. As a result, there was a special,
10 trusting, and fiduciary relationship between Plaintiff and juvenile halls and/or youth
11 detention centers employees, agents and/or staff, as well as between Defendants DOE 1, a
12 public entity; and DOES 2 through 100, inclusive, and Plaintiff. Through this relationship
13 with Plaintiff, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, stood
14 in loco parentis with Plaintiff. Specifically, Defendants DOE 1, a public entity; and DOES 2
15 through 100, inclusive, took Plaintiff into the custody, care, and control as wards of the state,
16 which conferred upon Plaintiff the reasonable belief that Plaintiff, a minor child, would be
17 protected and cared for, as if Defendants DOE 1, a public entity; and DOES 2 through 100,
18 inclusive, were Plaintiff's own parents.

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20 10. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
21 public entity; and DOES 2 through 100, inclusive, knew or should have known of the staff
22 members at juvenile halls and/or youth detention centers' wrongful conduct at or about the
23 time it was occurring, and thereafter, but took no action to obstruct, inhibit or stop such
24 continuing conduct, or to help Plaintiff endure the trauma from such conduct. Despite the
25 authority and ability to do so, Defendants DOE 1, a public entity; and DOES 2 through 100,
26 inclusive, negligently and/or willfully refused to, and/or did not act effectively to stop the
27 sexual assaults on Plaintiff, to inhibit or obstruct such assaults, or to protect Plaintiff from the
28 results of that trauma.

11. Plaintiff is informed and believes, and thereon alleges, that during the period of sexual assaults perpetrated upon Plaintiff, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, had the authority and the ability to obstruct or stop the employees, agents and/or staff members of juvenile halls and/or youth detention centers' sexual abuse of Plaintiff, including the acts of Defendant DOES 51 through 100, but intentionally, negligently and/or willfully failed to do so, thereby allowing the assaults to occur and to continue unabated.

12. Plaintiff is informed and believes, and thereon alleges, that at all times herein, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have known that Defendant DOES 51 through 100 were unfit, posed a risk of harm to minor children, and/or posed a risk of childhood sexual assault to minor children in Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive's, care, custody and control. Specifically, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have known, or were otherwise on notice, that Defendant DOES 51 through 100, had engaged and/or were engaging in misconduct that created the risk of childhood sexual assault and failed to take reasonable steps or to implement reasonable safeguards to avoid acts of childhood sexual assault by Defendant DOES 51 through 100, on minors, including Plaintiff.

13. Plaintiff is informed and believes, and thereon alleges, that at all relevant times, Plaintiff and other children housed at juvenile halls and/or youth detention centers were dependent on Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, for all their basic needs, including but limited to, food, shelter, clothing, toileting, medical treatment and care. At all relevant times, Plaintiff and the other children housed at juvenile halls and/or youth detention centers were not allowed to leave juvenile halls and/or youth detention centers and were confined to juvenile halls and/or youth detention centers by Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive.

PARTIES

1 14. At all times relevant herein, plaintiff JOHN DOE M.S. was a resident of Kern County
2 and a dependent child of Defendants DOE 1, a public entity; and DOES 2 through 100,
3 inclusive. This action is governed by Code of Civil Procedure § 340.1 because JOHN DOE is
4 an adult who was a victim of childhood sexual assault. JOHN DOE M.S. is over the age of
5 forty (40) years, as such pursuant to Code of Civil Procedure §340.1(g)(2), a certificate of
6 merit will be filed.

7 15. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
8 100, inclusive, were governmental entities duly organized and existing under and by the
9 virtue of the laws of the State of California and authorized to do, and is doing, business in the
10 State of California with its principal place of business in the Kern County, State of
11 California.

12 16. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
13 100, inclusive, were and are public entities of which the Kern County Probation Department
14 ("Probation Department") is a subdivision.

15 17. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
16 100, inclusive, owned, operated, controlled, managed, maintained, inspected, patrolled, and
17 oversaw juvenile halls and/or youth detention centers.

18 18. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
19 100, inclusive, were responsible for the hiring, retention and supervision of all employees,
20 agents, staff, and volunteers at juvenile halls and/or youth detention centers, including but not
21 limited to, teachers, counselors, supervisory staff, volunteers, detention officers, custodians,
22 other staff members and all medical staff. Defendants DOE 1, a public entity; and DOES 2
23 through 100, inclusive, were also responsible for supervising and caring for the needs of all
24 the minor children residing at juvenile halls and/or youth detention centers.

25 19. Defendants DOES 1 through 100, inclusive, were agents and/or employees of
26 Defendants Kern County, a public entity, inclusive, and were at all times relevant hereon,
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1 acting in the course and scope of their employment and/or agency with Defendants DOE 1, a
2 public entity; and DOES 2 through 100, inclusive.

3 20. Defendant DOES 51 through 100, inclusive, were perpetrators of physical and sexual
4 childhood assault against Plaintiff, as alleged herein.

5 21. Plaintiff is ignorant of the true names and capacities of those defendants sued herein
6 as DOES 1 through 100 and for that reason has sued such Defendants under fictitious names.
7 Plaintiff will seek leave of the Court to amend this Complaint to identify the DOE
8 Defendants when their identities have been ascertained. Each of the fictitiously named DOE
9 Defendants was in some manner liable and legally responsible for the harm sustained by
10 Plaintiff in that their conduct caused the damages and injuries set forth herein.

11 22. Whenever this Complaint makes reference to any act of Defendants, such allegations
12 shall be deemed to mean all named Defendants, or their officers, managers, representatives,
13 employees, agents, heirs, and/or assignees, who did or authorized such acts while actively
14 engaging in the operation, management, direction, or control of the affairs of Defendants
15 while acting within the course and scope of their duties, except as specifically alleged to the
16 contrary.

17 23. Each of the Defendants designated herein as DOE is responsible, in some manner, for
18 the events and happenings herein referred to, thereby legally causing the injuries and
19 damages to Plaintiff, as herein alleged.

20 24. At all times relevant to this Complaint, Defendants were the knowing agents, joint
21 venturers and/or alter egos of one another, and of their co-defendants and were acting within
22 the course and scope of their employment, agency, joint venturer, and/or alter ego
23 relationship, and Defendants directed, ratified, and/or approved each other's conduct and that
24 of each other's agents or employees. Defendants agreed upon, approved, or ratified each
25 other's conduct, or otherwise conspired together to commit all of the acts and/or omissions
26 alleged herein.

27
28 **JURISDICTION & VENUE**

1 25. This Court has jurisdiction over all causes of actions asserted in this complaint
2 pursuant to the California Constitutional Article VI, section 10, California Code of Civil
3 Procedure section 410.10, because no cause of action contained herein is given by statute to
4 other trial courts and the amount in controversy exceeds \$25,000.00.

5 26. Venue in this Court is proper pursuant to California Code of Civil Procedure sections
6 393, 394, and 395, because Defendants in this action are public agencies situated in Kern
7 County and, on information and belief, all of the acts or omissions complained of in this
8 Complaint took place in Kern County.

9 **CHILDHOOD SEXUAL ASSAULT, ABUSE AND/OR MOLESTATION SUFFERED**
10 **BY PLAINTIFF**

11 27. At all times relevant herein, Plaintiff was subjected to acts of childhood sexual
12 assault, harassment, abuse, and/or molestation by Defendant DOES 51 through 100, and
13 constitute childhood sexual assault within the definition of Code of Civil Procedure
14 §340.1(d). These acts of childhood sexual assault, harassment, abuse and/or molestation
15 resulted in the personal physical injury, as well as emotional, psychological, and psychiatric
16 injury and damage to Plaintiff.

17 28. Plaintiff JOHN DOE M.S. was placed at a Kern County probation facility under the
18 supervision of the Probation Department. Plaintiff was physically assaulted, sexually
19 harassed and abused by staff members.

20 **STATUTE OF LIMITATIONS**

21 29. Pursuant to Code of Civil Procedure §340.1(a) as amended and made effective
22 January 1, 2020, the statute of limitations has increased to 22 years after Plaintiff reaches the
23 age of 18 (40 years of age) during which time the Plaintiff must assert his/her claim or 5
24 years after Plaintiff discovers or reasonably should have discovered the resulting
25 psychological injury or illness (delayed discovery) whichever is later. Furthermore, §340.1
26 reopens claims for a period of three years to December 31, 2022 in which even time barred
27 claims may be brought; that period is extended a further 2 years for anyone incarcerated on
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1 that date under CCP §352.1. Lastly, COVID-19 emergency rule 9 adds an additional 6
2 months to the limitations period. As of the filing of this complaint, Plaintiff herein Plaintiff
3 herein is over 40 years old and experienced delayed discovery within 5 years prior to the
4 filing of this action.

5 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

6 30. Government Code §905(m) specifically exempts Plaintiff claims of childhood sexual
7 abuse from the requirement of filing a government tort claim.

8 **FIRST CAUSE OF ACTION**

9 **NEGLIGENCE – Pursuant to Government Code Sections 815.2 and 820, et seq.**
10 **(By Plaintiff Against Defendants DOE 1, a public entity; and DOES 2 through 100,**
11 **inclusive)**

12 31. Plaintiff incorporates by reference as fully set forth herein each and every fact, claim,
13 and allegation contained in the prior paragraphs.

14 32. Pursuant to Government Code section 815.2 Defendants DOE 1, a public entity; and
15 DOES 2 through 100, inclusive, are liable for acts and omissions committed by their
16 employees in the scope of their employment. Additionally, pursuant to Government Code
17 section 820(a), public employees, including DOES 51 through 100, are liable for injuries
18 caused by their acts or omissions to the same extent as a private person.

19 33. At all relevant times, Plaintiff was a dependent minor under the care and custody of
20 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive. At this time,
21 Plaintiff was under the custody, care, supervision, and control of Defendants DOE 1, a public
22 entity; and DOES 2 through 100, inclusive, for the purpose of providing care, supervision,
23 and control of the minor's health, welfare, safety, and care. At such time, the rights, duties,
24 and responsibilities of Plaintiff's parents and/or guardians were suspended, and such duties
25 and obligations were assumed by the Kern County Department of Children and Family
26 Services and/or Probation Department, and such individuals or entities to which it delegated
27 such duties including but not limited to Defendants DOES 51 through 100.
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1 34. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
2 100, inclusive, acting through their agents and/or their supervisory employees, had the duty
3 to properly hire, train, supervise, and investigate their employees, staff members, teachers,
4 counselors, medical staff, detention officers, custodians, other staff members and/or other
5 residents and/or dependents and/or detainees at juvenile halls and/or youth detention centers,
6 including DOES 51 through 100, and to protect their dependent children residents from harm
7 caused by unfit and dangerous employees, staff members, teachers, counselors, detention
8 officers, custodians, other staff members and/or other residents and/or dependents and/or
9 detainees at juvenile halls and/or youth detention centers, including Defendant DOES 51
10 through 100.

11 35. Plaintiff is informed and believes, and thereon alleges, that at all times herein,
12 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have
13 known that it employed and/or housed dangerous sexual predators at juvenile halls and/or
14 youth detention centers who were unfit, posed a risk of harm to minor children, and/or posed
15 a risk of childhood sexual assault to minor children in Defendants DOE 1, a public entity;
16 and DOES 2 through 100, inclusive, care, custody, and control, including Defendant DOES
17 51 through 100. Specifically, Defendants DOE 1, a public entity; and DOES 2 through 100,
18 inclusive, knew or should have known, or were otherwise on notice, that it employed staff
19 members, including Defendant DOES 51 through 100, at juvenile halls and/or youth
20 detention centers that had engaged and/or was engaging in misconduct that created the risk of
21 childhood sexual assault and failed to take reasonable steps or to implement reasonable
22 safeguards to avoid acts of childhood sexual assault by these staff members and other
23 residents and/or dependents and/or detainees on minors, including Plaintiff.

24 36. Plaintiff is informed and believes, and thereon alleges, that all relevant times herein,
25 as employees, representatives, servants, agents, and/or volunteers of Defendants DOE 1, a
26 public entity; and DOES 2 through 100, inclusive, the staff members of juvenile halls and/or
27 youth detention centers were placed into positions of guardianship and legal authority over
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1 Plaintiff. As a result, there was a special, trusting, and fiduciary relationship between
2 Plaintiff and juvenile halls and/or youth detention centers staff, as well as between
3 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, and Plaintiff.
4 Through this relationship with Plaintiff, Defendants DOE 1, a public entity; and DOES 2
5 through 100, inclusive, stood in loco parentis with Plaintiff. Specifically, Defendants DOE 1,
6 a public entity; and DOES 2 through 100, inclusive, took Plaintiff into its custody, care, and
7 control as wards of the state, which conferred upon Plaintiff the reasonable belief that
8 Plaintiff, a minor, would be protected and cared for, as if Defendants DOE 1, a public entity;
9 and DOES 2 through 100, inclusive, were Plaintiff's own parents.

10 37. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
11 public entity; and DOES 2 through 100, inclusive, knew or should have known of the staff
12 members at juvenile halls and/or youth detention centers' wrongful conduct at or about the
13 time it was occurring, and thereafter, but took no action to obstruct, inhibit or stop such
14 continuing conduct, or to help Plaintiff endure the trauma from such conduct. Despite the
15 authority and ability to do so, Defendants DOE 1, a public entity; and DOES 2 through 100,
16 inclusive, negligently and/or willfully refused to, and/or did not act effectively to stop the
17 sexual assaults on Plaintiff, to inhibit or obstruct such assault, or to protect Plaintiff from the
18 results of that trauma.

19 38. Plaintiff is informed and believes, and thereon alleges, that at all times herein,
20 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have
21 known that it employed dangerous sexual predators at juvenile halls and/or youth detention
22 centers who were unfit, posed a risk of harm to minor children, and/or posed a risk of
23 childhood sexual assault to minor children in Defendants DOE 1, a public entity; and DOES
24 2 through 100, inclusive's care, custody, and control, including Defendant DOES 51 through
25 100. Specifically, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive,
26 knew or should have known, or were otherwise on notice, that it employed staff members,
27 including Defendant DOES 51 through 100, at juvenile halls and/or youth detention centers
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1 that had engaged and/or was engaging in misconduct that created the risk of childhood sexual
2 assault and failed to take reasonable steps or to implement reasonable safeguards to avoid
3 acts of childhood sexual assault by these staff members on minors, including Plaintiff.

4 39. Plaintiff is informed and believes, and thereon alleges, that all relevant times herein,
5 as employees, representatives, servants, agents, and/or volunteers of Defendants DOE 1, a
6 public entity; and DOES 2 through 100, inclusive, the staff members of juvenile halls and/or
7 youth detention centers were placed into positions of guardianship and legal authority over
8 Plaintiff. As a result, there was a special, trusting, and fiduciary relationship between
9 Plaintiff and juvenile halls and/or youth detention centers staff, as well as between
10 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, and Plaintiff.
11 Through this relationship with Plaintiff, Defendants DOE 1, a public entity; and DOES 2
12 through 100, inclusive, stood in loco parentis with Plaintiff. Specifically, Defendants DOE 1,
13 a public entity; and DOES 2 through 100, inclusive, took Plaintiff into its custody, care, and
14 control as wards of the state, which conferred upon Plaintiff the reasonable belief that
15 Plaintiff, a minor, would be protected and cared for, as if Defendants DOE 1, a public entity;
16 and DOES 2 through 100, inclusive, were Plaintiff's own parents.

17 40. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
18 public entity; and DOES 2 through 100, inclusive, knew or should have known of the staff
19 members at juvenile halls and/or youth detention centers' wrongful conduct at or about the
20 time it was occurring, and thereafter, but took no action to obstruct, inhibit or stop such
21 continuing conduct, or to help Plaintiff endure the trauma from such conduct. Despite the
22 authority and ability to do so, Defendants DOE 1, a public entity; and DOES 2 through 100,
23 inclusive, negligently and/or willfully refused to, and/or did not act effectively to stop the
24 sexual assaults on Plaintiff, to inhibit or obstruct such assault, or to protect Plaintiff from the
25 results of that trauma.

26
27 41. Plaintiff is informed and believes, and thereon alleges that Defendants DOE 1, a
28 public entity; and DOES 2 through 100, inclusive, including their detention officers,

1 custodians, other staff members and/or other residents and/or dependents and/or detainees,
2 knew of the serious complaints of sexual misconduct perpetrated by their employees, agents,
3 detention officers, custodians, other staff members and/or other residents and/or dependents
4 and/or detainees, including DOES 51 through 100, who were employed and/or volunteer at
5 juvenile halls and/or youth detention centers and responsible for the care of the minor
6 children living at juvenile halls and/or youth detention centers, including Plaintiff.

7 42. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
8 public entity; and DOES 2 through 100, inclusive, failed to properly and adequately
9 investigate the serious complaints of sexual misconduct and failed to take appropriate
10 disciplinary action against the accused perpetrators, including Defendant DOES 51 through
11 100.

12 43. Plaintiff is informed and believes, and thereon alleges, that complaints of sexual
13 misconduct were made against juvenile halls and/or youth detention centers employees and
14 agents, including Defendant DOES 51 through 100, inclusive, prior to the abuse of Plaintiff.

15 44. Plaintiff is informed and believes, and thereon alleges, that during the period of
16 sexual assaults perpetrated upon Plaintiff, Defendants DOE 1, a public entity; and DOES 2
17 through 100, inclusive, had the authority and the ability to obstruct or stop the employees,
18 staff members, teachers, counselors, medical staff, detention officers, custodians, other staff
19 members and/or other residents and/or dependents and/or detainees of juvenile halls and/or
20 youth detention centers' sexual abuse of Plaintiff, but intentionally, negligently and/or
21 willfully failed to do so, thereby allowing the assault to occur and to continue unabated.

22 45. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
23 public entity; and DOES 2 through 100, inclusive, acts, omissions, and/or failure to set up
24 adequate safeguards, allowed the sexual abuse of Plaintiff to occur and/or continue. Plaintiff
25 is further informed and believes, and thereon alleges, that Plaintiff would not have faced any
26 sexual abuse if Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive,
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1 inclusive, had fulfilled their duties and responsibilities, and/or provided adequate protection
2 and safety.

3 46. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
4 public entity; and DOES 2 through 100, inclusive, breached their mandatory duty to Plaintiff
5 by failing to properly and adequately hire, train, supervise and investigate Defendant DOES
6 51 through 100, and other juvenile halls and/or youth detention centers employees and/or
7 agents responsible for, and charged with, the care of dependent children at juvenile halls
8 and/or youth detention centers, including Plaintiff.

9 47. Plaintiff is informed and believes, and thereon alleges, that had Defendants DOE 1, a
10 public entity; and DOES 2 through 100, inclusive, acting through their agents and
11 supervisory employees, properly and adequately supervised, trained, monitored, and
12 investigated the conduct and actions of Defendant DOES 51 through 100, Defendants DOE
13 1, a public entity; and DOES 2 through 100, inclusive, would have known and/or discovered
14 that Defendant DOES 51 through 100 were unfit to be employed and/or volunteer at juvenile
15 halls and/or youth detention centers and have access to minor children.

16 48. Plaintiff is informed and believes, and thereon alleges, that as a result of Defendants
17 DOE 1, a public entity; and DOES 2 through 100, inclusive's, failure to adequately supervise,
18 train, monitor, and investigate the conduct and actions of Defendant DOES 51 through 100,
19 Defendant DOES 51 through 100, were enabled to commit abuses against the children at
20 juvenile halls and/or youth detention centers unhindered, including sexual abuses against
21 Plaintiff.

22 49. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
23 public entity; and DOES 2 through 100, inclusive, inclusive, through their agents and
24 administrators, negligently hired, supervised, retained, monitored, observed, and investigated
25 Defendant DOES 51 through 100, and negligently failed to ensure the safety of the minor
26 children entrusted to their custody, care, and control at juvenile halls and/or youth detention
27 centers, including Plaintiff.
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1 50. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
2 public entity; and DOES 2 through 100, inclusive, negligently failed to implement or enforce
3 any procedures, policies, rules, regulations and/or safeguards that were for the purpose of
4 preventing, deterring, and/or detecting sexual abuse, sexual assault and/or molestation of
5 minor children at juvenile halls and/or youth detention centers by juvenile halls and/or youth
6 detention centers employees and/or volunteers, including Defendant DOES 51 through 100.

7 51. Plaintiff is informed and believes, and thereon alleges, that had Defendants DOE 1, a
8 public entity; and DOES 2 through 100, inclusive, adequately and properly hired, trained,
9 oversaw, supervised and investigated Defendant DOES 51 through 100, and had Defendants
10 DOE 1, a public entity; and DOES 2 through 100, inclusive, adequately and properly
11 implemented and/or enforced policies, procedures, rules and regulations for the purpose of
12 preventing, detecting and/or deterring sexual abuse, sexual assault and/or sexual molestation,
13 and had Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, fulfilled
14 their duties and responsibilities, and/or provided adequate protection and safety, Plaintiff
15 would not have been subject to the sexual abuse, sexual assault and/or sexual molestation
16 inflicted upon him by Defendant DOES 51 through 100.

17 52. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive's negligence
18 was a substantial factor in causing Plaintiff's harm.

19 53. As a direct and legal result of the acts and omissions of Defendants DOE 1, a public
20 entity; and DOES 2 through 100, inclusive, Plaintiff suffered psychological, mental, and/or
21 emotional injuries, including economic and non-economic damages in an amount to be
22 determined at the time of trial, subject to proof at the time of trial, and that exceed the
23 jurisdictional limits of this Court.

24 54. As a direct and proximate result of the childhood sexual assault, harassment and
25 abuse committed against Plaintiff by Defendant DOES 51 through 100 and other staff
26 members and/or detention officers, custodians, other staff members and/or other residents
27 and/or dependents and/or detainees of juvenile halls and/or youth detention centers, which
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1 was enabled and facilitated by Defendants DOE 1, a public entity; and DOES 2 through 100,
2 inclusive, Plaintiff has suffered personal physical injury of sexual assault, and have and will
3 continue to suffer, psychological, mental and emotional distress, including economic and
4 non-economic damages in an amounts to be determined at the time of trial, subject to proof at
5 the time of trial, and that exceed the jurisdictional limits of this Court.

6 **SECOND CAUSE OF ACTION**

7 **BREACH OF MANDATORY DUTIES**

8 **(By Plaintiff Against Defendants DOE 1, a public entity; and DOES 2 through 100,**
9 **inclusive)**

10 55. Plaintiff repeats, re-alleges, and incorporates herein by reference all prior paragraphs,
11 as though fully set forth herein.

12 56. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, were
13 obligated by constitutional provisions, statutes, and/or regulations to document, report, and
14 subsequently inform others, about Plaintiff's childhood sexual abuse.

15 57. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
16 public entity; and DOES 2 through 100, inclusive, knew and/or had sufficient reason to
17 believe that Plaintiff was being sexually abused at the juvenile hall and/or youth detention
18 center.

19 58. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
20 entity; and DOES 2 through 100, inclusive, refused and/or failed to take appropriate action to
21 investigate and stop the sexual abuse. Defendants DOE 1, a public entity; and DOES 2
22 through 100, inclusive, did not report the information and they did not inform others about
23 the known dangers and/or sexual abuse that Plaintiff was suffering.

24 59. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
25 entity; and DOES 2 through 100, inclusive, violated and/or breached mandatory and
26 nondelegable duties. This includes, mandatory and nondelegable duties aimed at the
27 protection and safety of children under the care, custody and control of Defendants DOE 1, a
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1 public entity; and DOES 2 through 100, inclusive, which include, but is not limited to, those
2 set forth regulations in the California Department of Social Services (CDSS) Manual of
3 Policies and Procedures (MPP) established pursuant to Welfare & Institutions Code Section
4 165101, and set forth in the California Penal Code, including but not limited to, Section
5 1311164, et seq.

6 60. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
7 entity; and DOES 2 through 100, inclusive, failed to adhere to and/or fulfill these mandatory
8 duties put in place for the protection and safety of children under the care, custody and
9 control of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive.

10 61. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
11 entity; and DOES 2 through 100, inclusive, did not comply with these duties. They failed to
12 report Plaintiff's sexual abuse, failed to report Plaintiff's sexual abuse to law enforcement,
13 and failed to set up safeguards and/or act to remove Plaintiff from the juvenile hall and/or
14 youth detention center and/or his environment of abuse once Defendants DOE 1, a public
15 entity; and DOES 2 through 100, inclusive, had notice of the sexual abuse.

16 62. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
17 entity; and DOES 2 through 100, inclusive, failed to diligently discharge their duties and
18 obligations to protect and keep children safe that are under their care, custody and control,
19 and that failure was a substantial factor and/or direct proximate cause of severe injuries
20 caused to Plaintiff. Had Defendants DOE 1, a public entity; and DOES 2 through 100,
21 inclusive complied with and/or fulfilled their mandatory obligations, Plaintiff's sexual abuse
22 would not have occurred and/or would have ended earlier. The case reviews, reporting, and
23 disclosures were protections and safeguards meant to protect against the exact type of harm
24 Plaintiff suffered.

25 63. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
26 entity; and DOES 2 through 100, inclusive, acts and/or omissions were the proximate, legal
27 causes of the damages sustained by Plaintiff, and Plaintiff has suffered psychological,
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1 mental, and/or emotional injuries, including economic and non-economic damages in an
2 amount to be determined at the time of trial, subject to proof at the time of trial, and that
3 exceed the jurisdictional limits of this Court.

4 **THIRD CAUSE OF ACTION**

5 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

6 **(By Plaintiff Against Defendants DOE 1, a public entity; and DOES 2 through 100,**
7 **inclusive)**

8 64. Plaintiff repeats, re-alleges, and incorporates herein by reference all prior paragraphs,
9 as though fully set forth herein.

10 65. At the time of the incidents described above, Defendants DOE 1, a public entity; and
11 DOES 2 through 100, inclusive, the employees, agents and/or staff members' conduct as
12 alleged herein was beyond the bounds of decency accepted within society and was
13 intentional, outrageous, malicious, and committed for the purpose of causing Plaintiff to
14 suffer humiliation, embarrassment, mental anguish, and/or severe physical and/or emotional
15 distress, or done in reckless disregard of the probability of causing Plaintiff to suffer
16 humiliation, embarrassment, mental anguish, and/or severe physical and/or emotional
17 distress.

18 66. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
19 employees, agents and/or staff members, were in a position of authority, trust, influence, and
20 persuasion over Plaintiff and responsible for maintaining a special relationship.

21 67. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
22 employees, agents and/or staff members' abuse of Plaintiff was an abuse of their authority as
23 an employee, agent, staff, and detention officers, custodians, other staff members at juvenile
24 halls and/or youth detention centers, including but not limited to, teachers, counselors,
25 supervisory staff, volunteers, detention officers, custodians, other staff members and all
26 medical staff of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive and
27 performed while in the course and scope of their employment.
28

1 68. Plaintiff's trust in Defendants DOE 1, a public entity; and DOES 2 through 100,
2 inclusive, the employees, agents and/or staff members for Plaintiff's safety and wellbeing,
3 turned to fear and intimidation by virtue of Defendants DOE 1, a public entity; and DOES 2
4 through 100, inclusive, the employees, agents and/or staff members' conduct.

5 69. Plaintiff contends that said misconduct was authorized, ratified, adopted and/or
6 approved of by Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive.

7 70. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
8 employees, agents and/or staff members' conduct as alleged herein was beyond the bounds of
9 decency accepted within society and was intentional, outrageous, malicious, and committed
10 for the purpose of causing Plaintiff to suffer humiliation, embarrassment, mental anguish,
11 and/or severe physical and/or emotional distress, or done in reckless disregard of the
12 probability of causing Plaintiff to suffer humiliation, embarrassment, mental anguish, and/or
13 severe physical and/or emotional distress.

14 71. As a direct and proximate result of the conduct as herein alleged, Plaintiff has
15 suffered great mental pain, embarrassment, humiliation, distress, anguish, and suffering, all
16 to his damages in an amount according to proof at trial.

17 72. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
18 employees, agents and/or staff members' conduct described herein was intentional and
19 malicious and done for the purpose of causing, or with the substantial certainty that such
20 conduct would cause Plaintiff to suffer humiliation, mental anguish, and emotional and
21 physical distress.

22 73. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, acted
23 willfully and maliciously with the intent to harm Plaintiff, and in conscious disregard of
24 Plaintiff's rights, so as to constitute malice and/or oppression under California Civil Code §
25 3294 thereby entitling them to punitive damages according to proof.

26
27 **FOURTH CAUSE OF ACTION**

28 **VIOLATION OF THE BANE ACT (CIVIL CODE § 52.1820)**

1 **(Against Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive)**

2 74. The Plaintiff re-alleges and incorporates by reference herein each and every
3 allegation contained above as though fully set forth and brought in this cause of action.

4 75. Defendants' actions and/or attempted actions, as alleged herein, interfered with the
5 Plaintiff's right to free speech, freedom from discrimination on the basis of race and sex, and
6 freedom from cruel and unusual punishment as afforded by the United States Constitution
7 Amendments I, IV, V, VIII, XIV, and California Constitution Article I Sections 2, 7, 13, 17,
8 through violence, threats of violence, intimidation, and/or coercion.
9

10 76. Defendants' actions and/or attempted actions, as alleged herein, have interfered and
11 will continue to interfere with the Plaintiff's right to have DOE 1, a public entity, respond
12 immediately and investigate their sexual assaults, molestation and harassment by DOES 2
13 through 100.
14

15 77. During Plaintiff's commitment at DOE 1 juvenile probation camps and detention
16 facilities, Defendant DOE 1, a public entity, engaged in oppressive and unlawful tactics in
17 ignoring, concealing, and ultimately suppressing the Plaintiff's complaints of being sexually
18 abused and harassed by DOES 2 through 100. Plaintiff was threatened, intimidated, retaliated
19 against, and coerced into not reporting Defendants' sexually abusive and harassing acts by
20 Defendants' own intimidating, threatening, coercive, and humiliating conduct, as well as the
21 conspiratorial silence and inaction of Defendant DOE 1, a public entity. These intentional
22 acts of concealment of Defendants' abusive and harassing behavior violated the Plaintiff's
23 right to free speech, and to be free from gender discrimination and harassment, as afforded
24 by the United States Constitution Amendments V, XIV, and California Constitution Article I
25 Section 7.
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1 78. During Plaintiff's commitment at DOE 1 juvenile probation camps and detention
2 facilities, Defendant DOE 1, a public entity, violated Plaintiff's rights pursuant to the United
3 States Constitution Amendment IV, and California Constitution Article I Section 13, by
4 engaging in unconstitutional seizures, including but not limited to, childhood sexual abuse,
5 molestation, rape, forced oral copulation, sodomy, and other sexual touching as alleged
6 herein.
7

8 79. Furthermore, Plaintiff was deprived of Due Process of law, when complaints to
9 Defendant DOE 1, a public entity, and employees Defendants DOES 2 through 100 failed to
10 trigger any report, investigation, or other action by Defendant DOE 1 who was required to do
11 so, both under its own policies and procedures, as well as under federal mandate by the
12 Fourteenth Amendment, and California law. In addition, these actions were contrary to the
13 Plaintiff's civil rights guaranteed under the United States and California Constitutions.
14

15 80. Additionally, Plaintiff was subjected to cruel and unusual punishment while confined
16 at DOE 1, a public entity's juvenile probation camps and detention facilities. Defendants
17 DOES 2 through 100's sexual abuse, molestation, and harassment of the Plaintiff, a child
18 under the control and direction of Defendants DOE 1, a public entity, and DOES 2 through
19 100, is deeply offensive to human dignity as "being violently assaulted in prison is simply
20 not part of the penalty that criminal offenders pay for their offenses against society." *Farmer*
21 *v. Brennan*, (1994) 511 U.S. 825, 834.
22

23 81. Defendants' wrongful conduct was intended to, and did successfully, interfere with
24 the Plaintiff's Constitutional Rights to (a) be free from gender discrimination and
25 harassment, (b) free speech, (c) be free from cruel and unusual punishment, and (d) Due
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1 Process under the United States' Constitution, specifically the Fifth and Fourteenth
2 Amendments.

3 82. Defendants unlawfully and wrongfully used, or employed others to wrongfully use,
4 threats, intimidation, harassment, violence, retaliation, and coercion over the Plaintiff's
5 person, to which the Plaintiff had no relief except to submit to the Defendants' wrongful
6 threats, intimidation, harassment, violence, and coercion, which rendered the Plaintiff's
7 submission and silence involuntary.

8
9 83. A reasonable person, standing in the shoes of the Plaintiff, would have been
10 intimidated, threatened, or coerced by the actions and/or attempted actions of Defendants.

11
12 84. Defendants' above-noted actions were the legal and proximate causes of physical,
13 psychological, emotional, and economic damages to the Plaintiff, who suffered and continues
14 to suffer to this day.

15 85. As a result of the above-described conduct, Plaintiff suffered and continues to suffer
16 great pain of mind and body, shock, emotional distress, physical manifestations of emotional
17 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of
18 life; suffered and continues to suffer and was prevented and will continue to be prevented
19 from performing daily activities and obtaining the full enjoyment of life; have and will
20 continue to sustain loss of earning capacity; and have incurred and will continue to incur
21 expenses for medical and psychological treatment, therapy, and counseling. The Plaintiff has
22 suffered economic, vocational, and employment losses as well.

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25 86. In subjecting the Plaintiff to the wrongful treatment described herein, Defendants
26 acted willfully and maliciously with the intent to harm the Plaintiff, and in conscious
27 disregard of Plaintiff's rights, entitling Plaintiff to compensatory damages in a sum to be
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1 shown according to proof, emotional distress damages in a sum to be shown according to
2 proof, punitive and/or exemplary damages, attorney's fees, and other damages pursuant to
3 Civil Code section 52(b)(1).

4 87. Furthermore, pursuant to Civil Code Section 52.1(n), "The state immunity provisions
5 provided in Sections 821.6, 844.6, and 845.6 of the Government Code shall not apply to any
6 cause of action brought against any peace officer or custodial officer, as those terms are
7 defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code,
8 or directly against a public entity that employs a peace officer or custodial officer, under this
9 section." *Id.*

10
11 **PRAYER FOR RELIEF**

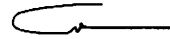
12 Wherefore, Plaintiff JOHN DOE M.S., prays for Judgment against Defendants DOE
13 1, a public entity; and DOES 2 through 100, inclusive, as follows:

- 14 1. For past, present, and future general damages in an amount to be determined at trial;
- 15 2. For past, present, and future special damages, including but not limited to past,
16 present and future lost earnings, economic damages, and others, in an amount to be
17 determined at trial;
- 18 3. Any appropriate statutory damages, including treble damages and attorneys' fees;
- 19 4. Punitive damages
- 20 5. For costs of suit;
- 21 6. For pre- and post-judgment interest as allowed by law;
- 22 7. For attorney's fees pursuant to the aforementioned statutes and otherwise allowable
23 by law:
 - 24 a. California Code of Civil Procedure § 1021.5;
 - 25 b. California Code of Civil Procedure § 1021.4;
 - 26 c. California Civil Code §52;
- 27 8. For such other and further relief as the court may deem proper.
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DATED: 10/21/2025

DOWNTOWN L.A. LAW GROUP



Andrew M. Morrow, III, Esq.
Attorney for Plaintiff,
JOHN DOE M.S.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury of all issues so triable.

DATED: 10/21/2025

DOWNTOWN L.A. LAW GROUP



Andrew M. Morrow, III, Esq.
Attorney for Plaintiff,
JOHN DOE M.S.

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12/30/2024 1:55 PM
Kern County Superior Court
By Alexandra Valles, Deputy

8 Attorneys for Plaintiff
9 JOHN DOE M.S.

10 **SUPERIOR COURT OF CALIFORNIA**
11 **COUNTY OF KERN**

12 JOHN DOE M.S., an individual.

Case No.: BCV-24-104466

13 Plaintiff,

COMPLAINT FOR DAMAGES

14 v.

(1) NEGLIGENCE
(2) BREACH OF MANDATORY
STATUTORY DUTIES
(3) INTENTIONAL INFLECTION OF
EMOTIONAL DISTRESS

15 DOE 1, a public entity; and DOES 2 through
16 100, inclusive.

17 Defendants.

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23 COMES NOW, Plaintiff JOHN DOE M.S., ("Plaintiff") and hereby complains and
24 allege against Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive
25 ("Defendants"), as follows:

26 ///

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28 ///

GENERAL ALLEGATIONS

1. The claims set forth herein arise from adults who suffered acts of childhood sexual assault at Kern County Juvenile Hall, located at 1831 Ridge Rd., Bakersfield CA 93305, a juvenile hall and/or youth detention center, owned, operated, controlled, managed, maintained, inspected, patrolled, and oversaw by Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive. Plaintiff was a minor dependent and/or detainee of the Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, and placed at Kern County Juvenile Hall, a juvenile hall and/or youth detention center, for children during their pending court proceedings. While in the care and custody of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, at Kern County Juvenile Hall, Plaintiff was subjected to various acts of childhood sexual assault, sexual abuse, sexual harassment and/or molestation. These acts of childhood sexual assault, sexual abuse, sexual harassment and/or molestation were committed by other minor dependents and/or detainees and witnessed and/or encouraged by currently unidentified staff members, including but not limited to, supervisors, teachers, counselor, nurses, physicians, detention officers, custodians, other staff members.

2. Plaintiff identified in this lawsuit was a victim of childhood sexual assault, sexual abuse, sexual harassment, molestation, and other misconduct, by Defendant DOES 51 through 100, and Plaintiff was a minor dependent and/or detainee under the age of eighteen, under the care, custody and control of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive.

3. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, failed to properly screen, hire, train and supervise the employees, agents and/or individuals under Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, control, that worked with, volunteered, and or were around the minor children at juvenile halls and/or youth detention centers, including but not limited to, failing to perform and conduct criminal background checks on staff, detention

1 officers, custodians, other staff members and/or other residents and/or dependents and/or
2 detainees.

3 4. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
4 public entity; and DOES 2 through 100, inclusive, each owed a duty of care to supervise the
5 minor children at juvenile halls and/or youth detention centers, as well as supervise the
6 employees, agents, and staff members who worked with, and around children at juvenile
7 halls and/or youth detention centers, including but not limited to, supervisors, teachers,
8 counselors, nurses, physicians, detention officers, custodians, other staff members.

9 5. Plaintiff is informed and believes, and thereon alleges, that due to the complete lack
10 of supervision by Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive,
11 were allowed to perpetrate acts of sexual assault, sexual abuse and/or molestation on
12 Plaintiff.

13 6. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
14 public entity; and DOES 2 through 100, inclusive, knew or should have known about the acts
15 of sexual assault, sexual abuse and/or molestation committed by defendant DOES 51 through
16 100, upon Plaintiff, by way of multiple reports of sexual abuse of Plaintiff and other children
17 under their care at juvenile halls and/or youth detention centers, and other evidence of sexual
18 assault and sexual abuse of Plaintiff and other children under their care at juvenile halls
19 and/or youth detention centers.

20 7. Plaintiff is informed and believes, and thereon alleges, that the supervisory employees
21 of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should
22 have known that there was a failure of supervision, hiring and training of employees, agents,
23 and staff working at juvenile halls and/or youth detention centers.

24 8. Plaintiff is informed and believes, and thereon alleges, that at all times herein,
25 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have
26 known that it employed dangerous sexual predators at juvenile halls and/or youth detention
27 centers who were unfit, posed a risk of harm to minor children, and/or posed a risk of
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1 childhood sexual assault to minor children in Defendants DOE 1, a public entity; and DOES
2 2 through 100, inclusive's care, custody and control. Specifically, Defendants DOE 1, a
3 public entity; and DOES 2 through 100, inclusive, knew or should have known, or were
4 otherwise on notice, that it employed employees, agents and/or staff members at juvenile
5 halls and/or youth detention centers that had engaged and/or was engaging in misconduct that
6 created the risk of childhood sexual assault and failed to take reasonable steps or to
7 implement reasonable safeguards to avoid acts of childhood sexual assault by these staff
8 members on minors, including Plaintiff.

9 9. Plaintiff is informed and believes, and thereon alleges, that as employees,
10 representatives, servants, agents, and/or volunteers of Defendants DOE 1, a public entity; and
11 DOES 2 through 100, inclusive, the employees, agents and/or staff members of juvenile halls
12 and/or youth detention centers, including Defendant DOES 51 through 100, were placed into
13 positions of guardianship and legal authority over Plaintiff. As a result, there was a special,
14 trusting, and fiduciary relationship between Plaintiff and juvenile halls and/or youth
15 detention centers employees, agents and/or staff, as well as between Defendants DOE 1, a
16 public entity; and DOES 2 through 100, inclusive, and Plaintiff. Through this relationship
17 with Plaintiff, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, stood
18 in loco parentis with Plaintiff. Specifically, Defendants DOE 1, a public entity; and DOES 2
19 through 100, inclusive, took Plaintiff into the custody, care, and control as wards of the state,
20 which conferred upon Plaintiff the reasonable belief that Plaintiff, a minor child, would be
21 protected and cared for, as if Defendants DOE 1, a public entity; and DOES 2 through 100,
22 inclusive, were Plaintiff's own parents.

23
24 10. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
25 public entity; and DOES 2 through 100, inclusive, knew or should have known of the staff
26 members at juvenile halls and/or youth detention centers' wrongful conduct at or about the
27 time it was occurring, and thereafter, but took no action to obstruct, inhibit or stop such
28 continuing conduct, or to help Plaintiff endure the trauma from such conduct. Despite the

1 authority and ability to do so, Defendants DOE 1, a public entity; and DOES 2 through 100,
2 inclusive, negligently and/or willfully refused to, and/or did not act effectively to stop the
3 sexual assaults on Plaintiff, to inhibit or obstruct such assaults, or to protect Plaintiff from the
4 results of that trauma.

5 11. Plaintiff is informed and believes, and thereon alleges, that during the period of
6 sexual assaults perpetrated upon Plaintiff, Defendants DOE 1, a public entity; and DOES 2
7 through 100, inclusive, had the authority and the ability to obstruct or stop the employees,
8 agents and/or staff members of juvenile halls and/or youth detention centers' sexual abuse of
9 Plaintiff, including the acts of Defendant DOES 51 through 100, but intentionally,
10 negligently and/or willfully failed to do so, thereby allowing the assaults to occur and to
11 continue unabated.

12 12. Plaintiff is informed and believes, and thereon alleges, that at all times herein,
13 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have
14 known that Defendant DOES 51 through 100 were unfit, posed a risk of harm to minor
15 children, and/or posed a risk of childhood sexual assault to minor children in Defendants
16 DOE 1, a public entity; and DOES 2 through 100, inclusive's, care, custody and control.
17 Specifically, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew
18 or should have known, or were otherwise on notice, that Defendant DOES 51 through 100,
19 had engaged and/or were engaging in misconduct that created the risk of childhood sexual
20 assault and failed to take reasonable steps or to implement reasonable safeguards to avoid
21 acts of childhood sexual assault by Defendant DOES 51 through 100, on minors, including
22 Plaintiff.

23
24 13. Plaintiff is informed and believes, and thereon alleges, that at all relevant times,
25 Plaintiff and other children housed at juvenile halls and/or youth detention centers were
26 dependent on Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, for all
27 their basic needs, including but limited to, food, shelter, clothing, toileting, medical treatment
28 and care. At all relevant times, Plaintiff and the other children housed at juvenile halls and/or

1 youth detention centers were not allowed to leave juvenile halls and/or youth detention
2 centers and were confined to juvenile halls and/or youth detention centers by Defendants
3 DOE 1, a public entity; and DOES 2 through 100, inclusive.

4 **PARTIES**

5 14. At all times relevant herein, plaintiff JOHN DOE M.S. was a resident of Los Angeles
6 County and a dependent child of Defendants DOE 1, a public entity; and DOES 2 through
7 100, inclusive. This action is governed by Code of Civil Procedure § 340.1 because JOHN
8 DOE M.S. is an adult who was a victim of childhood sexual assault. JOHN DOE M.S. is
9 under the age of forty (40) years at the time of this filing, as such a certificate of merit is not
10 required Pursuant to Code of Civil Procedure §340.1(g)(2).

11 15. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
12 100, inclusive, were governmental entities duly organized and existing under and by the
13 virtue of the laws of the State of California and authorized to do, and is doing, business in the
14 State of California with its principal place of business in the Los Angeles County, State of
15 California.

16 16. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
17 100, inclusive, were and are public entities.

18 17. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
19 100, inclusive, owned, operated, controlled, managed, maintained, inspected, patrolled, and
20 oversaw juvenile halls and/or youth detention centers.

21 18. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
22 100, inclusive, were responsible for the hiring, retention and supervision of all employees,
23 agents, staff, and volunteers at juvenile halls and/or youth detention centers, including but not
24 limited to, teachers, counselors, supervisory staff, volunteers, detention officers, custodians,
25 other staff members and all medical staff. Defendants DOE 1, a public entity; and DOES 2
26 through 100, inclusive, were also responsible for supervising and caring for the needs of all
27 the minor children residing at juvenile halls and/or youth detention centers.
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1 19. Defendants DOES 1 through 100, inclusive, were agents and/or employees of
2 Defendants Los Angeles County, a public entity, inclusive, and were at all times relevant
3 hereon, acting in the course and scope of their employment and/or agency with Defendants
4 DOE 1, a public entity; and DOES 2 through 100, inclusive.

5 20. Defendant DOES 51 through 100, inclusive, were perpetrators of physical and sexual
6 childhood assault against Plaintiff, as alleged herein.

7 21. Plaintiff is ignorant of the true names and capacities of those defendants sued herein
8 as DOES 1 through 100 and for that reason has sued such Defendants under fictitious names.
9 Plaintiff will seek leave of the Court to amend this Complaint to identify the DOE
10 Defendants when their identities have been ascertained. Each of the fictitiously named DOE
11 Defendants was in some manner liable and legally responsible for the harm sustained by
12 Plaintiff in that their conduct caused the damages and injuries set forth herein.

13 22. Whenever this Complaint makes reference to any act of Defendants, such allegations
14 shall be deemed to mean all named Defendants, or their officers, managers, representatives,
15 employees, agents, heirs, and/or assignees, who did or authorized such acts while actively
16 engaging in the operation, management, direction, or control of the affairs of Defendants
17 while acting within the course and scope of their duties, except as specifically alleged to the
18 contrary.

19 23. Each of the Defendants designated herein as DOE is responsible, in some manner, for
20 the events and happenings herein referred to, thereby legally causing the injuries and
21 damages to Plaintiff, as herein alleged.

22 24. At all times relevant to this Complaint, Defendants were the knowing agents, joint
23 venturers and/or alter egos of one another, and of their co-defendants and were acting within
24 the course and scope of their employment, agency, joint venturer, and/or alter ego
25 relationship, and Defendants directed, ratified, and/or approved each other's conduct and that
26 of each other's agents or employees. Defendants agreed upon, approved, or ratified each
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1 other's conduct, or otherwise conspired together to commit all of the acts and/or omissions
2 alleged herein.

3 **JURISDICTION & VENUE**

4 25. This Court has jurisdiction over all causes of actions asserted in this complaint
5 pursuant to the California Constitutional Article VI, section 10, California Code of Civil
6 Procedure section 410.10, because no cause of action contained herein is given by statute to
7 other trial courts and the amount in controversy exceeds \$25,000.00

8 26. Venue in this Court is proper pursuant to California Code of Civil Procedure sections
9 393, 394, and 395, because Defendants in this action are public agencies situated in Los
10 Angeles County and, on information and belief, all of the acts or omissions complained of in
11 this Complaint took place in Los Angeles County.

12 **CHILDHOOD SEXUAL ASSAULT, ABUSE AND/OR MOLESTATION SUFFERED**

13 **BY PLAINTIFF**

14 27. At all times relevant herein, Plaintiff was subjected to acts of childhood sexual
15 assault, harassment, abuse, and/or molestation by Defendant DOES 51 through 100, and
16 constitute childhood sexual assault within the definition of Code of Civil Procedure
17 §340.1(d). These acts of childhood sexual assault, harassment, abuse and/or molestation
18 resulted in the personal physical injury, as well as emotional, psychological, and psychiatric
19 injury and damage to Plaintiff.

20 28. Plaintiff JOHN DOE M.S. was placed at Kern County Juvenile Hall and was
21 physically assaulted, sexually harassed, and abused by staff members.

22 **STATUTE OF LIMITATIONS**

23 29. Pursuant to Code of Civil Procedure §340.1(a) as amended and made effective
24 January 1, 2023, the statute of limitations has increased to 22 years after Plaintiff reaches the
25 age of 18 (40 years of age) during which time the Plaintiff must assert his/her claim or 5
26 years after Plaintiff discovers or reasonably should have discovered the resulting
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1 psychological injury or illness (delayed discovery) whichever is later. Plaintiff herein was
2 under the age of 40 years old when this action was filed.

3 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

4 30. Government Code §905(m) specifically exempts Plaintiff claims of childhood sexual
5 abuse from the requirement of filing a government tort claim.

6 **FIRST CAUSE OF ACTION**

7 **NEGLIGENCE – Pursuant to Government Code Sections 815.2 and 820, et seq.**

8 **(By all Plaintiff Against Defendants DOE 1, a public entity; and DOES 2 through 100,**
9 **inclusive)**

10 31. Plaintiff incorporates by reference as fully set forth herein each and every fact, claim,
11 and allegation contained in the prior paragraphs.

12 32. Pursuant to Government Code section 815.2 Defendants DOE 1, a public entity; and
13 DOES 2 through 100, inclusive, are liable for acts and omissions committed by their
14 employees in the scope of their employment. Additionally, pursuant to Government Code
15 section 820(a), public employees, including DOES 51 through 100, are liable for injuries
16 caused by their acts or omissions to the same extent as a private person.

17 33. At all relevant times, Plaintiff was a dependent minor under the care and custody of
18 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive. At this time,
19 Plaintiff was under the custody, care, supervision, and control of Defendants DOE 1, a public
20 entity; and DOES 2 through 100, inclusive, for the purpose of providing care, supervision,
21 and control of the minor's health, welfare, safety, and care. At such time, the rights, duties,
22 and responsibilities of Plaintiff's parents and/or guardians were suspended, and such duties
23 and obligations were assumed by the Los Angeles County Children Services and/or Los
24 Angeles County Probation Department, and such individuals or entities to which it delegated
25 such duties including but not limited to Defendants DOES 51 through 100.

26 34. At all times relevant herein, Defendants DOE 1, a public entity; and DOES 2 through
27 100, inclusive, acting through their agents and/or their supervisory employees, had the duty
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1 to properly hire, train, supervise, and investigate their employees, staff members, teachers,
2 counselors, medical staff, detention officers, custodians, other staff members and/or other
3 residents and/or dependents and/or detainees at juvenile halls and/or youth detention centers,
4 including DOES 51 through 100, and to protect their dependent children residents from harm
5 caused by unfit and dangerous employees, staff members, teachers, counselors, detention
6 officers, custodians, other staff members and/or other residents and/or dependents and/or
7 detainees at juvenile halls and/or youth detention centers, including Defendant DOES 51
8 through 100.

9 35. Plaintiff is informed and believes, and thereon alleges, that at all times herein,
10 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have
11 known that it employed and/or housed dangerous sexual predators at juvenile halls and/or
12 youth detention centers who were unfit, posed a risk of harm to minor children, and/or posed
13 a risk of childhood sexual assault to minor children in Defendants DOE 1, a public entity;
14 and DOES 2 through 100, inclusive, care, custody, and control, including Defendant DOES
15 51 through 100. Specifically, Defendants DOE 1, a public entity; and DOES 2 through 100,
16 inclusive, knew or should have known, or were otherwise on notice, that it employed staff
17 members, including Defendant DOES 51 through 100, at juvenile halls and/or youth
18 detention centers that had engaged and/or was engaging in misconduct that created the risk of
19 childhood sexual assault and failed to take reasonable steps or to implement reasonable
20 safeguards to avoid acts of childhood sexual assault by these staff members and other
21 residents and/or dependents and/or detainees on minors, including Plaintiff.

22 36. Plaintiff is informed and believes, and thereon alleges, that all relevant times herein,
23 as employees, representatives, servants, agents, and/or volunteers of Defendants DOE 1, a
24 public entity; and DOES 2 through 100, inclusive, the staff members of juvenile halls and/or
25 youth detention centers were placed into positions of guardianship and legal authority over
26 Plaintiff. As a result, there was a special, trusting, and fiduciary relationship between
27 Plaintiff and juvenile halls and/or youth detention centers staff, as well as between
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1 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, and Plaintiff.

2 Through this relationship with Plaintiff, Defendants DOE 1, a public entity; and DOES 2
3 through 100, inclusive, stood in loco parentis with Plaintiff. Specifically, Defendants DOE 1,
4 a public entity; and DOES 2 through 100, inclusive, took Plaintiff into its custody, care, and
5 control as wards of the state, which conferred upon Plaintiff the reasonable belief that
6 Plaintiff, a minor, would be protected and cared for, as if Defendants DOE 1, a public entity;
7 and DOES 2 through 100, inclusive, were Plaintiff's own parents.

8 37. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
9 public entity; and DOES 2 through 100, inclusive, knew or should have known of the staff
10 members at juvenile halls and/or youth detention centers' wrongful conduct at or about the
11 time it was occurring, and thereafter, but took no action to obstruct, inhibit or stop such
12 continuing conduct, or to help Plaintiff endure the trauma from such conduct. Despite the
13 authority and ability to do so, Defendants DOE 1, a public entity; and DOES 2 through 100,
14 inclusive, negligently and/or willfully refused to, and/or did not act effectively to stop the
15 sexual assaults on Plaintiff, to inhibit or obstruct such assault, or to protect Plaintiff from the
16 results of that trauma.

17 38. Plaintiff is informed and believes, and thereon alleges, that at all times herein,
18 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, knew or should have
19 known that it employed dangerous sexual predators at juvenile halls and/or youth detention
20 centers who were unfit, posed a risk of harm to minor children, and/or posed a risk of
21 childhood sexual assault to minor children in Defendants DOE 1, a public entity; and DOES
22 2 through 100, inclusive's care, custody, and control, including Defendant DOES 51 through
23 100. Specifically, Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive,
24 knew or should have known, or were otherwise on notice, that it employed staff members,
25 including Defendant DOES 51 through 100, at juvenile halls and/or youth detention centers
26 that had engaged and/or was engaging in misconduct that created the risk of childhood sexual
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1 assault and failed to take reasonable steps or to implement reasonable safeguards to avoid
2 acts of childhood sexual assault by these staff members on minors, including Plaintiff.

3 39. Plaintiff is informed and believes, and thereon alleges, that all relevant times herein,
4 as employees, representatives, servants, agents, and/or volunteers of Defendants DOE 1, a
5 public entity; and DOES 2 through 100, inclusive, the staff members of juvenile halls and/or
6 youth detention centers were placed into positions of guardianship and legal authority over
7 Plaintiff. As a result, there was a special, trusting, and fiduciary relationship between
8 Plaintiff and juvenile halls and/or youth detention centers staff, as well as between
9 Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, and Plaintiff.
10 Through this relationship with Plaintiff, Defendants DOE 1, a public entity; and DOES 2
11 through 100, inclusive, stood in loco parentis with Plaintiff. Specifically, Defendants DOE 1,
12 a public entity; and DOES 2 through 100, inclusive, took Plaintiff into its custody, care, and
13 control as wards of the state, which conferred upon Plaintiff the reasonable belief that
14 Plaintiff, a minor, would be protected and cared for, as if Defendants DOE 1, a public entity;
15 and DOES 2 through 100, inclusive, were Plaintiff's own parents.

16 40. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
17 public entity; and DOES 2 through 100, inclusive, knew or should have known of the staff
18 members at juvenile halls and/or youth detention centers' wrongful conduct at or about the
19 time it was occurring, and thereafter, but took no action to obstruct, inhibit or stop such
20 continuing conduct, or to help Plaintiff endure the trauma from such conduct. Despite the
21 authority and ability to do so, Defendants DOE 1, a public entity; and DOES 2 through 100,
22 inclusive, negligently and/or willfully refused to, and/or did not act effectively to stop the
23 sexual assaults on Plaintiff, to inhibit or obstruct such assault, or to protect Plaintiff from the
24 results of that trauma.

25 41. Plaintiff is informed and believes, and thereon alleges that Defendants DOE 1, a
26 public entity; and DOES 2 through 100, inclusive, including their detention officers,
27 custodians, other staff members and/or other residents and/or dependents and/or detainees,
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1 knew of the serious complaints of sexual misconduct perpetrated by their employees, agents,
2 detention officers, custodians, other staff members and/or other residents and/or dependents
3 and/or detainees, including DOES 51 through 100, who were employed and/or volunteer at
4 juvenile halls and/or youth detention centers and responsible for the care of the minor
5 children living at juvenile halls and/or youth detention centers, including Plaintiff.

6 42. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
7 public entity; and DOES 2 through 100, inclusive, failed to properly and adequately
8 investigate the serious complaints of sexual misconduct and failed to take appropriate
9 disciplinary action against the accused perpetrators, including Defendant DOES 51 through
10 100.

11 43. Plaintiff is informed and believes, and thereon alleges, that complaints of sexual
12 misconduct were made against juvenile halls and/or youth detention centers employees and
13 agents, including Defendant DOES 51 through 100, inclusive, prior to the abuse of Plaintiff.

14 44. Plaintiff is informed and believes, and thereon alleges, that during the period of
15 sexual assaults perpetrated upon Plaintiff, Defendants DOE 1, a public entity; and DOES 2
16 through 100, inclusive, had the authority and the ability to obstruct or stop the employees,
17 staff members, teachers, counselors, medical staff, detention officers, custodians, other staff
18 members and/or other residents and/or dependents and/or detainees of juvenile halls and/or
19 youth detention centers' sexual abuse of Plaintiff, but intentionally, negligently and/or
20 willfully failed to do so, thereby allowing the assault to occur and to continue unabated.

21 45. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
22 public entity; and DOES 2 through 100, inclusive, acts, omissions, and/or failure to set up
23 adequate safeguards, allowed the sexual abuse of Plaintiff to occur and/or continue. Plaintiff
24 is further informed and believes, and thereon alleges, that Plaintiff would not have faced any
25 sexual abuse if Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive,
26 inclusive, had fulfilled their duties and responsibilities, and/or provided adequate protection
27 and safety.
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1 46. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
2 public entity; and DOES 2 through 100, inclusive, breached their mandatory duty to Plaintiff
3 by failing to properly and adequately hire, train, supervise and investigate Defendant DOES
4 51 through 100, and other juvenile halls and/or youth detention centers employees and/or
5 agents responsible for, and charged with, the care of dependent children at juvenile halls
6 and/or youth detention centers, including Plaintiff.

7 47. Plaintiff is informed and believes, and thereon alleges, that had Defendants DOE 1, a
8 public entity; and DOES 2 through 100, inclusive, acting through their agents and
9 supervisory employees, properly and adequately supervised, trained, monitored, and
10 investigated the conduct and actions of Defendant DOES 51 through 100, Defendants DOE
11 1, a public entity; and DOES 2 through 100, inclusive, would have known and/or discovered
12 that Defendant DOES 51 through 100 were unfit to be employed and/or volunteer at juvenile
13 halls and/or youth detention centers and have access to minor children.

14 48. Plaintiff is informed and believes, and thereon alleges, that as a result of Defendants
15 DOE 1, a public entity; and DOES 2 through 100, inclusive's, failure to adequately supervise,
16 train, monitor, and investigate the conduct and actions of Defendant DOES 51 through 100,
17 Defendant DOES 51 through 100, were enabled to commit abuses against the children at
18 juvenile halls and/or youth detention centers unhindered, including sexual abuses against
19 Plaintiff.

20 49. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
21 public entity; and DOES 2 through 100, inclusive, inclusive, through their agents and
22 administrators, negligently hired, supervised, retained, monitored, observed, and investigated
23 Defendant DOES 51 through 100, and negligently failed to ensure the safety of the minor
24 children entrusted to their custody, care, and control at juvenile halls and/or youth detention
25 centers, including Plaintiff.

26 50. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
27 public entity; and DOES 2 through 100, inclusive, negligently failed to implement or enforce
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1 any procedures, policies, rules, regulations and/or safeguards that were for the purpose of
2 preventing, deterring, and/or detecting sexual abuse, sexual assault and/or molestation of
3 minor children at juvenile halls and/or youth detention centers by juvenile halls and/or youth
4 detention centers employees and/or volunteers, including Defendant DOES 51 through 100.

5 51. Plaintiff is informed and believes, and thereon alleges, that had Defendants DOE 1, a
6 public entity; and DOES 2 through 100, inclusive, adequately and properly hired, trained,
7 oversaw, supervised and investigated Defendant DOES 51 through 100, and had Defendants
8 DOE 1, a public entity; and DOES 2 through 100, inclusive, adequately and properly
9 implemented and/or enforced policies, procedures, rules and regulations for the purpose of
10 preventing, detecting and/or deterring sexual abuse, sexual assault and/or sexual molestation,
11 and had Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, fulfilled
12 their duties and responsibilities, and/or provided adequate protection and safety, Plaintiff
13 would not have been subject to the sexual abuse, sexual assault and/or sexual molestation
14 inflicted upon him by Defendant DOES 51 through 100.

15 52. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive's negligence
16 was a substantial factor in causing Plaintiff's harm.

17 53. As a direct and legal result of the acts and omissions of Defendants DOE 1, a public
18 entity; and DOES 2 through 100, inclusive, Plaintiff suffered psychological, mental, and/or
19 emotional injuries, including economic and non-economic damages in an amount to be
20 determined at the time of trial, subject to proof at the time of trial, and that exceed the
21 jurisdictional limits of this Court.

22 54. As a direct and proximate result of the childhood sexual assault, harassment and
23 abuse committed against Plaintiff by Defendant DOES 51 through 100 and other staff
24 members and/or detention officers, custodians, other staff members and/or other residents
25 and/or dependents and/or detainees of juvenile halls and/or youth detention centers, which
26 was enabled and facilitated by Defendants DOE 1, a public entity; and DOES 2 through 100,
27 inclusive, Plaintiff has suffered personal physical injury of sexual assault, and have and will
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1 continue to suffer, psychological, mental and emotional distress, including economic and
2 non-economic damages in an amounts to be determined at the time of trial, subject to proof at
3 the time of trial, and that exceed the jurisdictional limits of this Court.

4 **SECOND CAUSE OF ACTION**

5 **BREACH OF MANDATORY DUTIES**

6 **(By Plaintiff Against Defendants DOE 1, a public entity; and DOES 2 through 100,**
7 **inclusive)**

8 55. Plaintiff repeats, re-alleges, and incorporates herein by reference all prior paragraphs,
9 as though fully set forth herein.

10 56. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, were
11 obligated by constitutional provisions, statutes, and/or regulations to document, report, and
12 subsequently inform others, about Plaintiff's childhood sexual abuse.

13 57. Plaintiff is informed and believes, and thereon alleges, that Defendants DOE 1, a
14 public entity; and DOES 2 through 100, inclusive, knew and/or had sufficient reason to
15 believe that Plaintiff was being sexually abused at the juvenile hall and/or youth detention
16 center.

17 58. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
18 entity; and DOES 2 through 100, inclusive, refused and/or failed to take appropriate action to
19 investigate and stop the sexual abuse. Defendants DOE 1, a public entity; and DOES 2
20 through 100, inclusive, did not report the information and they did not inform others about
21 the known dangers and/or sexual abuse that Plaintiff was suffering.

22 59. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
23 entity; and DOES 2 through 100, inclusive, violated and/or breached mandatory and
24 nondelegable duties. This includes, mandatory and nondelegable duties aimed at the
25 protection and safety of children under the care, custody and control of Defendants DOE 1, a
26 public entity; and DOES 2 through 100, inclusive, which include, but is not limited to, those
27 set forth regulations in the California Department of Social Services (CDSS) Manual of
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1 Policies and Procedures (MPP) established pursuant to Welfare & Institutions Code Section
2 165101, and set forth in the California Penal Code, including but not limited to, Section
3 1311164, et seq.

4 60. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
5 entity; and DOES 2 through 100, inclusive, failed to adhere to and/or fulfill these mandatory
6 duties put in place for the protection and safety of children under the care, custody and
7 control of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive.

8 61. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
9 entity; and DOES 2 through 100, inclusive, did not comply with these duties. They failed to
10 report Plaintiff's sexual abuse, failed to report Plaintiff's sexual abuse to law enforcement,
11 and failed to set up safeguards and/or act to remove Plaintiff from the juvenile hall and/or
12 youth detention center and/or his environment of abuse once Defendants DOE 1, a public
13 entity; and DOES 2 through 100, inclusive, had notice of the sexual abuse.

14 62. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
15 entity; and DOES 2 through 100, inclusive, failed to diligently discharge their duties and
16 obligations to protect and keep children safe that are under their care, custody and control,
17 and that failure was a substantial factor and/or direct proximate cause of severe injuries
18 caused to Plaintiff. Had Defendants DOE 1, a public entity; and DOES 2 through 100,
19 inclusive complied with and/or fulfilled their mandatory obligations, Plaintiff's sexual abuse
20 would not have occurred and/or would have ended earlier. The case reviews, reporting, and
21 disclosures were protections and safeguards meant to protect against the exact type of harm
22 Plaintiff suffered.

23 63. Plaintiff is informed and believes, and thereon alleges, Defendants DOE 1, a public
24 entity; and DOES 2 through 100, inclusive, acts and/or omissions were the proximate, legal
25 causes of the damages sustained by Plaintiff, and Plaintiff has suffered psychological,
26 mental, and/or emotional injuries, including economic and non-economic damages in an
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1 amount to be determined at the time of trial, subject to proof at the time of trial, and that
2 exceed the jurisdictional limits of this Court.

3 **THIRD CAUSE OF ACTION**

4 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

5 **(By Plaintiff Against Defendants DOE 1, a public entity; and DOES 2 through 100,**
6 **inclusive)**

7 64. Plaintiff repeats, re-alleges, and incorporates herein by reference all prior paragraphs,
8 as though fully set forth herein.

9 65. At the time of the incidents described above, Defendants DOE 1, a public entity; and
10 DOES 2 through 100, inclusive, the employees, agents and/or staff members' conduct as
11 alleged herein was beyond the bounds of decency accepted within society and was
12 intentional, outrageous, malicious, and committed for the purpose of causing Plaintiff to
13 suffer humiliation, embarrassment, mental anguish, and/or severe physical and/or emotional
14 distress, or done in reckless disregard of the probability of causing Plaintiff to suffer
15 humiliation, embarrassment, mental anguish, and/or severe physical and/or emotional
16 distress.

17 66. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
18 employees, agents and/or staff members, were in a position of authority, trust, influence, and
19 persuasion over Plaintiff and responsible for maintaining a special relationship.

20 67. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
21 employees, agents and/or staff members' abuse of Plaintiff was an abuse of their authority as
22 an employee, agent, staff, and detention officers, custodians, other staff members at juvenile
23 halls and/or youth detention centers, including but not limited to, teachers, counselors,
24 supervisory staff, volunteers, detention officers, custodians, other staff members and all
25 medical staff of Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive and
26 performed while in the course and scope of their employment.
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1 68. Plaintiff's trust in Defendants DOE 1, a public entity; and DOES 2 through 100,
2 inclusive, the employees, agents and/or staff members for Plaintiff's safety and wellbeing,
3 turned to fear and intimidation by virtue of Defendants DOE 1, a public entity; and DOES 2
4 through 100, inclusive, the employees, agents and/or staff members' conduct.

5 69. Plaintiff contends that said misconduct was authorized, ratified, adopted and/or
6 approved of by Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive.

7 70. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
8 employees, agents and/or staff members' conduct as alleged herein was beyond the bounds of
9 decency accepted within society and was intentional, outrageous, malicious, and committed
10 for the purpose of causing Plaintiff to suffer humiliation, embarrassment, mental anguish,
11 and/or severe physical and/or emotional distress, or done in reckless disregard of the
12 probability of causing Plaintiff to suffer humiliation, embarrassment, mental anguish, and/or
13 severe physical and/or emotional distress.

14 71. As a direct and proximate result of the conduct as herein alleged, Plaintiff has
15 suffered great mental pain, embarrassment, humiliation, distress, anguish, and suffering, all
16 to his damages in an amount according to proof at trial.

17 72. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, the
18 employees, agents and/or staff members' conduct described herein was intentional and
19 malicious and done for the purpose of causing, or with the substantial certainty that such
20 conduct would cause Plaintiff to suffer humiliation, mental anguish, and emotional and
21 physical distress.

22 73. Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, acted
23 willfully and maliciously with the intent to harm Plaintiff, and in conscious disregard of
24 Plaintiff's rights, so as to constitute malice and/or oppression under California Civil Code §
25 3294 thereby entitling them to punitive damages according to proof.
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PRAYER FOR RELIEF

Wherefore, Plaintiff JOHN DOE M.S., prays for Judgment against Defendants DOE 1, a public entity; and DOES 2 through 100, inclusive, as follows:

1. For past, present, and future general damages in an amount to be determined at trial;
2. For past, present, and future special damages, including but not limited to past, present and future lost earnings, economic damages, and others, in an amount to be determined at trial;
3. Any appropriate statutory damages, including treble damages and attorneys' fees;
4. Punitive damages
5. For costs of suit;
6. For pre- and post-judgment interest as allowed by law;
7. For attorney's fees pursuant to the aforementioned statutes and otherwise allowable by law:
 - a. California Code of Civil Procedure § 1021.5;
 - b. California Code of Civil Procedure § 1021.4;
 - c. California Civil Code §52;
8. For such other and further relief as the court may deem proper.

DATED: December 30, 2024

DOWNTOWN L.A. LAW GROUP

Andrew M. Morrow, III, Esq.
Attorney for Plaintiff,
JOHN DOE M.S.

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Los Angeles, CA 90015

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DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury of all issues so triable.

DATED: December 30, 2024

DOWNTOWN L.A. LAW GROUP

Andrew M. Morrow, III, Esq.
Attorney for Plaintiff,
JOHN DOE M.S.

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

Andrew M. Morrow, Esq. SBN: 128300
DOWNTOWN LA LAW GROUP, 612 S Broadway, Los Angeles CA 90014

TELEPHONE NO.: (213) 389-3765

FAX NO.: (877) 389-2775

EMAIL ADDRESS: Andy.morrow@downtownlalaw.com

ATTORNEY FOR (Name): JOHN DOE M.S.

FOR COURT USE ONLY

ELECTRONICALLY FILED

12/31/2024 1:22 PM

Kern County Superior Court

By Alejandra Velazquez, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

STREET ADDRESS: 1215 Truxtun Ave.

MAILING ADDRESS: 1215 Truxtun Ave.

CITY AND ZIP CODE: Bakersfield, CA 93301

BRANCH NAME: Metro Division Justice Building

CASE NAME:

JOHN DOE M.S. vs Doe 1, et. al.

CIVIL CASE COVER SHEET

☒

Unlimited

(Amount

demanded

exceeds \$35,000)

☐

Limited

(Amount

demanded is

\$35,000 or less)

Complex Case Designation

☐

Counter

☐

Joinder

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

CASE NUMBER:

BCV-24-104466

JUDGE:

DEPT.:

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

1. Check one box below for the case type that best describes this case:

Auto Tort

☐ 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 partiesb. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolvec. ☐ Substantial amount of documentary evidenced. ☐ Large number of witnessese. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal courtf. ☐ Substantial postjudgment judicial supervision3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive

4. Number of causes of action (specify): 3

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: 12/30/2024

Andrew M. Morrow, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

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

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

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

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Lance C. Behringer, Esq. FIRM NAME: Carpenter & Zuckerman STREET ADDRESS: 8827 W. Olympic Boulevard CITY: Beverly Hills TELEPHONE NO.: (310) 273-1230 EMAIL ADDRESS: eservice@cz.law ATTORNEY FOR (name): Plaintiff, JOHN DOE M.S.	STATE BAR NUMBER: 315980 STATE: CA ZIP CODE: 90211 FAX NO.: (310) 858-1063	FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Kern By: Vanesa Mata Deputy Clerk 09/18/26 5:18 PM
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Avenue MAILING ADDRESS: 1215 Truxtun Avenue CITY AND ZIP CODE: Bakersfield, 93301 BRANCH NAME: Metro Justice Building		
PLAINTIFF/PETITIONER: JOHN DOE M.S., an individual DEFENDANT/RESPONDENT: DOE 1, et al.		
CASE MANAGEMENT STATEMENT (Check one): ☒ UNLIMITED CASE (Amount demanded exceeds \$35,000) ☐ LIMITED CASE (Amount demanded is \$35,000 or less)		CASE NUMBER: BCV24104466
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: October 5, 2026 Time: 8:30 A.M. Dept.: Div.: J Room: Address of court (if different from the address above): ☒ Notice of Intent to Appear by Telephone, by (name): Ezequiel Z. Gurule, Esq.		

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties (answer one):**
 - a. ☒ This statement is submitted by party (name): JOHN DOE M.S., an individual
 - b. ☐ This statement is submitted jointly by parties (names):
2. **Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
 - a. The complaint was filed on (date): December 30, 2024
 - b. ☐ The cross-complaint, if any, was filed on (date):
3. **Service (to be answered by plaintiffs and cross-complainants only)**
 - a. ☐ All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 - b. ☒ The following parties named in the complaint or cross-complaint
 - (1) ☒ have not been served (specify names and explain why not): Service is currently being effectuated and will be complete before the Case Management Conference.
 - (2) ☐ have been served but have not appeared and have not been dismissed (specify names):
 - (3) ☐ have had a default entered against them (specify names):
 - c. ☐ The following additional parties may be added (specify names, nature of involvement in case, and date by which they may be served):
4. **Description of case**
 - a. Type of case in ☒ complaint ☐ cross-complaint (Describe, including causes of action): 1. Negligence 2. Breach of Mandatory Statutory Duties 3. Intentional Infliction of Emotional Distress 4. Violation of the Bane Act

PLAINTIFF/PETITIONER: JOHN DOE M.S., an individual DEFENDANT/RESPONDENT: DOE 1, et al.	CASE NUMBER: BCV24104466
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4. b. Provide a brief statement of the case, including any damages (if personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings; if equitable relief is sought, describe the nature of the relief):

Plaintiff was a minor in the custody of the County of Kern where they were subjected to various acts of childhood sexual assault.

☐ (If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request ☒ a jury trial ☐ a nonjury trial. (If more than one party, provide the name of each party requesting a jury trial):

6. **Trial date**

a. ☐ The trial has been set for (date):

b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (if not, explain):

c. Dates on which parties or attorneys will not be available for trial (specify dates and explain reasons for unavailability):

7. **Estimated length of trial**

The party or parties estimate that the trial will take (check one)

a. ☒ days (specify number): 5-7

b. ☐ hours (short causes) (specify):

8. **Trial representation (to be answered for each party)**

The party or parties will be represented at trial ☒ by the attorney or party listed in the caption ☐ by the following:

a. Attorney:

b. Firm:

c. Address:

d. Telephone number:

f. Fax number:

e. Email address:

g. Party represented:

☐ Additional representation is described in Attachment 8.

9. **Preference**

☐ This case is entitled to preference (specify code section):

10. **Alternative dispute resolution (ADR)**

a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 of the California Rules of Court for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel ☒ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.

b. **Referral to judicial arbitration or civil action mediation (if available).**

(1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) ☐ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. (specify exemption):

PLAINTIFF/PETITIONER: JOHN DOE M.S., an individual
 DEFENDANT/RESPONDENT: DOE 1, et al.

CASE NUMBER:
 BCV24104466

10. c. In the table below, indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	☒	☒ Mediation session not yet scheduled ☐ Mediation session scheduled for (date): ☐ Agreed to complete mediation by (date): ☐ Mediation completed on (date):
(2) Settlement conference	☒	☒ Settlement conference not yet scheduled ☐ Settlement conference scheduled for (date): ☐ Agreed to complete settlement conference by (date): ☐ Settlement conference completed on (date):
(3) Neutral evaluation	☐	☐ Neutral evaluation not yet scheduled ☐ Neutral evaluation scheduled for (date): ☐ Agreed to complete neutral evaluation by (date): ☐ Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	☐	☐ Judicial arbitration not yet scheduled ☐ Judicial arbitration scheduled for (date): ☐ Agreed to complete judicial arbitration by (date): ☐ Judicial arbitration completed on (date):
(5) Binding private arbitration	☐	☐ Private arbitration not yet scheduled ☐ Private arbitration scheduled for (date): ☐ Agreed to complete private arbitration by (date): ☐ Private arbitration completed on (date):
(6) Other (<i>specify</i>):	☐	☐ ADR session not yet scheduled ☐ ADR session scheduled for (date): ☐ Agreed to complete ADR session by (date): ☐ ADR completed on (date):

PLAINTIFF/PETITIONER: JOHN DOE M.S., an individual
 DEFENDANT/RESPONDENT: DOE 1, et al.

CASE NUMBER:
 BCV24104466

11. Insurance

- a. ☐ Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: ☐ Yes ☐ No
- c. ☐ Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

☐ Bankruptcy ☐ Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. ☐ There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- ☐ Additional cases are described in Attachment 13a.
- b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by (*name party*):

14. Bifurcation

- ☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

- ☐ The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):

16. Discovery

- a. ☐ The party or parties have completed all discovery.
- b. ☒ The following discovery will be completed by the date specified (*describe all anticipated discovery*):

<u>Party</u>	<u>Description</u>	<u>Date</u>
Plaintiff	Written Discovery	Per Code
Plaintiff	Depositions	Per Code
Plaintiff	Expert Discovery	Per Code

- c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

PLAINTIFF/PETITIONER: JOHN DOE M.S., an individual
 DEFENDANT/RESPONDENT: DOE 1, et al.

CASE NUMBER:
 BCV24104466

17. Economic litigation

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$35,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (*if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case*):

18. Other issues

- ☐ The party or parties request that the following additional matters be considered or determined at the case management conference (*specify*):

19. Meet and confer

- a. ☒ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (*if not, explain*): Parties have not yet met and conferred as Defendant County of Kern has not yet been served. Service is currently being effectuated.
- b. ☐ After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (*specify*):

20. Total number of pages attached (*if any*): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: September 18, 2026

Lance C. Behringer, Esq.

(TYPE OR PRINT NAME)

▶ Lance C Behringer
 (SIGNATURE OF PARTY OR ATTORNEY)

▶

(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

1 Robert J. Ounjian, SBN 210213
2 robert@cz.law
3 Lance C. Behringer, SBN 315980
4 lbehringer@cz.law
5 **CARPENTER & ZUCKERMAN**
6 8827 West Olympic Boulevard
7 Beverly Hills, California 90211
8 Telephone: (310) 273-1230
9 Facsimile: (310) 858-1063
10 Andrew M. Morrow, III, SBN 128300
11 andy.morrow@downtownlalaw.com
12 DOWNTOWN L.A. LAW GROUP
13 540 S. Santa Fe Ave.
14 Los Angeles, California 90013
15 Tel: (213) 389-3765
16 Fax: (877) 389-2775

17 Attorneys for Plaintiff

18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
19 **FOR THE COUNTY OF KERN**

20 JOHN DOE M.S., an individual,
21
22 Plaintiff,

23 vs.

24 DOE 1, a public entity; and DOES 2
25 through 100, inclusive.

26 Defendants.

CASE NO.: BCV24104466
[Assigned for all purposes to Div. J
Hon. Gregory Pulskamp]

NOTICE OF ASSOCIATION OF COUNSEL

Complaint Filed: December 30th, 2024
Trial Date: Not yet set

27 Please take notice that, DOWNTOWN L.A. LAW GROUP, attorneys of record for Plaintiff
28 hereby associates Carpenter & Zuckerman as co-counsel for Plaintiff in this matter.

The names, office address, telephone number, and fax number of the associated counsel are
as follows:

///

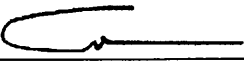
///

1 Robert J. Ounjian, SBN 210213
2 Lance C. Behringer, SBN 315980
3 CARPENTER & ZUCKERMAN
4 8827 West Olympic Boulevard
5 Beverly Hills, California 90211
6 Telephone: 310.273.1230
7 Facsimile: 310.858.1063
8 robert@cz.law
9 lbehringer@cz.law
10 eservice@cz.law
11 egurule@cz.law

12 From this date forward, please serve all documents on Carpenter& Zuckerman at the above
13 location in addition to Downtown L.A. Law Group.

14 Dated: May 1, 2026

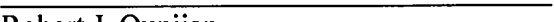
DOWNTOWN L.A. LAW GROUP

15 
16 Andrew M. Morrow, III
17 Attorney for Plaintiffs

18 Dated: May 1, 2026

CARPENTER & ZUCKERMAN

19 *Robert J. Ounjian*

20 
21 Robert J. Ounjian
22 Lance C. Behringer
23 Attorney for Plaintiffs

Jordan A. Duncan-Smith, Esq. (SBN 354658)
DOWNTOWN LA LAW GROUP
540 S Santa Fe Ave.
Los Angeles, CA 90013
Telephone: (213) 389-3765
Facsimile (877) 389-2775
Email: Jordan@downtownlalaw.com

ELECTRONICALLY FILED
Superior Court of California,
County of Kern

By: Vanesa Mata, Deputy Clerk

10/27/25 12:31 PM

Attorneys for Plaintiff

JOHN DOE M.S., AN INDIVIDUAL

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KERN**

JOHN DOE M.S., AN INDIVIDUAL

Case No: BCV24104466

Plaintiffs,

**NOTICE OF CHANGE OF
ADDRESS**

v.

DOE 1, a public entity; and DOES 2 through
100, inclusive.

Defendants.

TO THE COURT, ALL PARTIES AND THEIR ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that the offices of DOWNTOWN LA LAW GROUP, has
relocated effective immediately. Please forward all further pleadings, correspondence, and other
documents relating to this case to the following address:

DOWNTOWN LA LAW GROUP

540 S. Santa Fe Ave., Los Angeles, CA 90013.

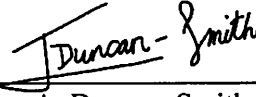
Telephone and facsimile numbers will remain the same.

///

///

1 DATED: October 27, 2025

DOWNTOWN LA LAW GROUP

2
3 

4 Jordan A. Duncan-Smith, Esq.
5 Attorneys for Plaintiff
6 JOHN DOE M.S.
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1 Lance C. Behringer, Esq. (SBN: 315980)
2 Carpenter & Zuckerman
3 8827 West Olympic Boulevard
4 Beverly Hills, CA 90211-3613
5 Telephone: (310) 273-1230
6 Email: eservice@cz.law

7 Attorneys for Plaintiff
8 JOHN DOE M.S.

ELECTRONICALLY FILED
Superior Court of California,
County of Kern
By: Vanesa Mata
Deputy Clerk
09/18/26 5:18 PM

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KERN

JOHN DOE M.S., an individual

Plaintiffs,

vs.

DOE 1, a public entity; and DOES 2 through
100, inclusive.

Defendants.

CASE NO.: BCV24104466

Judge: Hon. Gregory A. Pulskamp
Div: J.

**NOTICE OF PLAINTIFF'S DEPOSIT OF
JURY FEES PURSUANT TO CCP
SECTION 631(b)**

TO THE COURT, DEFENDANTS AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that pursuant to CCP § 631(b), Plaintiff, JOHN DOE M.S.,
hereby submits a jury fee deposit in the amount of \$150.00.

DATED: September 18, 2026

CARPENTER & ZUCKERMAN

By: Lance C. Behringer
LANCE C. BEHRINGER, Esq.
Attorneys for Plaintiff, JOHN DOE M.S.