

SUMMONS (CITACION JUDICIAL)

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

ELECTRONICALLY FILED

Superior Court of California,
County of Kern

By: Javen Silva
Deputy Clerk

09/17/2026

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

County of Kern, Julia Castaneda, Jacob Martinez, Charles Shinn, and
Does 1 to 100, inclusive

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

Emily Martin

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 ó 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):

Kern County Superior Court - Metropolitan Division Justice Building
1215 Truxtun Avenue
Bakersfield, California 93301

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):

Melineh Jingoian, Esq. | SBN 329033

(310) 860-0770

SHEGERIAN & ASSOCIATES, INC.

320 N Larchmont Boulevard, Los Angeles, California 90004

DATE:

(Fecha) 09/17/2026

Tara Leal

Clerk, by

(Secretario)

Javen Silva

, 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

1. ☐ as an individual defendant.

2. ☐ as the person sued under the fictitious name of (specify):

3. ☒ on behalf of (specify): COUNTY OF KERN

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☒ other (specify): 416.50 (public entity)

4. ☐ by personal delivery on (date):

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

ELECTRONICALLY FILED

Superior Court of California,
County of Kern

By: Javen Silva

Deputy Clerk

09/15/26 5:07 PM

Melineh Jingoian, Esq., State Bar No. 329033
MeJingoian@Shegerianlaw.com
Diana M. Perez, Esq., State Bar No. 356875
DPerez@Shegerianlaw.com
SHEGERIAN & ASSOCIATES
320 North Larchmont Boulevard
Los Angeles, California 90004
Telephone Number: (310) 860 0770
Facsimile Number: (310) 860 0771

Attorneys for Plaintiff,
EMILY MARTIN

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

EMILY MARTIN,

Plaintiff,

vs.

COUNTY OF KERN, JULIA
CASTANEDA, JACOB MARTINEZ,
CHARLES SHINN, and DOES 1 to
100, inclusive,

Defendants.

Case No.: 26CUB03644

**PLAINTIFF EMILY MARTIN'S
COMPLAINT FOR DAMAGES FOR:**

- (1) HOSTILE WORK ENVIRONMENT
HARASSMENT IN VIOLATION OF
THE FEHA;**
- (2) DISCRIMINATION IN VIOLATION
OF THE FEHA;**
- (3) RETALIATION IN VIOLATION OF
THE FEHA;**
- (4) FAILURE TO PREVENT
DISCRIMINATION,
HARASSMENT, OR
RETALIATION IN VIOLATION OF
FEHA;**
- (5) FAILURE TO PROVIDE
REASONABLE
ACCOMMODATION IN
VIOLATION OF THE FEHA;**
- (6) FAILURE TO ENGAGE IN THE
INTERACTIVE PROCESS IN
VIOLATION OF FEHA;**
- (7) BATTERY;**
- (8) ASSAULT;**
- (9) WHISTLEBLOWER
RETALIATION (LABOR CODE**

BY ORDER OF THE BD/SUPV

Referred To County Counsel

37 pages

delivered process

Copies Furnished Kissman agent

HR

HR

Date 10-13-26

Clerk of the Board of Supervisors

By Michelle Ray, Deputy

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§ 1102.5); and
(10) INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS.
DEMAND FOR JURY TRIAL

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1 Plaintiff, Emily Martin, alleges, on the basis of personal knowledge and/or
2 information and belief:

4 SUMMARY

5 This is an action by plaintiff, Emily Martin (“plaintiff” or “Martin”), whose
6 employment with defendant County of Kern (hereinafter, “Entity Defendant”) was
7 wrongfully terminated. Plaintiff brings this action against defendants for economic, non-
8 economic, compensatory, and punitive damages, pursuant to Civil Code section 3294, pre-
9 judgment interest pursuant to Code of Civil Procedure section 3291, and costs and
10 reasonable attorneys’ fees pursuant to Government Code section 12965(b), Labor Code
11 section 1102.5(j), and Code of Civil Procedure section 1021.5.

13 PARTIES

14 1. *Plaintiff*: Emily Martin is, and at all times mentioned in this Complaint was, a
15 resident of the County of Kern, California.

16 2. *Entity Defendant*:

17 a. Defendant Kern is, and at all times mentioned in this Complaint was,
18 authorized to operate by the State of California and the United States government and
19 authorized and qualified to do business in the County of Kern. Defendant’s place of
20 business was and is in the County of Kern, at 962 Norris Road, Bakersfield, California and
21 1350 Norris Road, Bakersfield, California 93301.

22 2. Individual Defendants

23 a. Defendant Julia Castaneda, (“defendant” or “Castaneda”) is, and at all times
24 mentioned in this Complaint was employed with defendants. Defendant Castaneda is, and
25 at all times mentioned in this Complaint was, a resident of Kern County, California.

26 b. Defendant Jacob Martinez, (“defendant” or “Martinez”) is, and at all times
27 mentioned in this Complaint was employed with defendants. Defendant Martinez is, and
28 at all times mentioned in this Complaint was, a resident of Kern County, California.

1 c. Defendant Charles Shinn (“defendant” or “Shinn”) is, and at all times
2 mentioned in this Complaint was employed with defendants. Defendant Shinn is, and at
3 all times mentioned in this Complaint was, a resident of Kern County, California.

4 3. *Doe defendants*: Defendants Does 1 to 100, inclusive, are sued under fictitious
5 names pursuant to Code of Civil Procedure section 474. Plaintiff is informed and believes,
6 and on that basis alleges, that each of the defendants sued under fictitious names is in some
7 manner responsible for the wrongs and damages alleged below, in so acting was functioning
8 as the agent, servant, partner, and employee of the co-defendants, and in taking the actions
9 mentioned below was acting within the course and scope of his or her authority as such
10 agent, servant, partner, and employee, with the permission and consent of the co-defendants.
11 The named defendants and Doe defendants are sometimes hereafter referred to, collectively
12 and/or individually, as “defendants.”

13 4. *Relationship of defendants*: All defendants compelled, coerced, aided, and/or
14 abetted the discrimination, retaliation, and harassment alleged in this Complaint, which
15 conduct is prohibited under California Government Code section 12940(i). All defendants
16 were responsible for the events and damages alleged herein, including on the following
17 bases: (a) defendants committed the acts alleged; (b) at all relevant times, one or more of
18 the defendants was the agent or employee, and/or acted under the control or supervision,
19 of one or more of the remaining defendants and, in committing the acts alleged, acted
20 within the course and scope of such agency and employment and/or is or are otherwise
21 liable for plaintiff’s damages; (c) at all relevant times, there existed a unity of ownership
22 and interest between or among two or more of the defendants such that any individuality
23 and separateness between or among those defendants has ceased, and defendants are the
24 alter egos of one another. Defendants exercised domination and control over one another
25 to such an extent that any individuality or separateness of defendants does not, and at all
26 times herein mentioned did not, exist. Adherence to the fiction of the separate existence
27 of defendants would permit abuse of the corporate privilege and would sanction fraud and
28 promote injustice. All actions of all defendants were taken by employees, supervisors,

1 executives, officers, and directors during employment with all defendants, were taken on
2 behalf of all defendants, and were engaged in, authorized, ratified, and approved of by all
3 other defendants.

4 5. Entity Defendant both directly and indirectly employed plaintiff Martin, as
5 defined in the Fair Employment and Housing Act ("FEHA") at Government Code section
6 12926(d).

7 6. In addition, Entity Defendant compelled, coerced, aided, and abetted the
8 discrimination, which is prohibited under California Government Code section 12940(i).

9 7. Finally, at all relevant times mentioned herein, all defendants acted as agents of
10 all other defendants in committing the acts alleged herein.

11 12 VENUE

13 8. The actions at issue in this case occurred in the State of California, in the County
14 of Kern. Under the California Fair Employment and Housing Act, this case can
15 alternatively, at Plaintiff's choice, be filed:

16 [I]n any county in the state in which the unlawful practice is alleged
17 to have been committed, in the county in which the records relevant
18 to the practice are maintained and administered, or in the county in
19 which the aggrieved person would have worked or would have had
20 access to the public accommodation but for the alleged unlawful
practice, but if the defendant is not found within any of these counties,
an action may be brought in the county of the defendant's residence
or principal office.

21 (California Government Code § 12965(c)(3).)

22 9. Here, Martin worked primarily in California in the County of Kern. The location
23 where plaintiff worked was located in Bakersfield, California. The majority of the
24 unlawful actions on the part of the defendants occurred at said Bakersfield location.

25 10. "[I]n the absence of an affirmative showing to the contrary, the presumption is
26 that the county in which the title of the actions shows that the case is brought is, prima
27 facie, the proper county for the commencement and trial of the action." (*Mission Imports,*
28 *Inc. v. Superior Court* (1982) 31 Cal.3d 921, 928.) The FEHA venue statute – section

1 12965(b) – thus affords a wide choice of venue to persons who bring actions under FEHA.
2 (*Brown v. Superior Court* (1984) 37 Cal.3d 477, 486.) “[T]he special provisions of the
3 FEHA venue statute control in cases involving FEHA claims joined with non-FEHA
4 claims arising from the same facts.” (*Id.* at 487.)

5 11. “[T]he Legislature intended to authorize venue in FEHA cases where the
6 allegedly unlawful practice had its harmful impact. Allowing venue in the county in which
7 an aggrieved employee has been working remotely (and in which he or she would have
8 continued to work but for the allegedly unlawful action) is fully consistent with that
9 legislative policy.” (*Malloy v. Superior Court* (2022) 83 Cal.App.5th 543, 557.)

10 11 **FACTS COMMON TO ALL CAUSES OF ACTION**

12 12. *Plaintiff's hiring*: Plaintiff Martin began her employment with the Kern County
13 Sheriff's Office, a Kern County agency, on or about March 12, 2024, as a Deputy Sheriff
14 Trainee. Martin became a Deputy Sheriff on September 22, 2024.

15 13. *Plaintiff's job performance*: Martin pursued a career as a peace officer in law
16 enforcement because of her firm belief that peace officers make a positive impact in the
17 community they serve. While employed with Entity Defendant, Martin consistently
18 performed her duties well, adhered to policies, and maintained professionalism.

19 14. *Plaintiff's protected status and activity*:

- 20 a. Plaintiff is a female;
- 21 b. Plaintiff is Hispanic;
- 22 c. Plaintiff is associated with a person with a disability, her eight-year-old son,
23 who has autism and ADHD;
- 24 d. Plaintiff is a survivor of domestic violence;
- 25 e. Plaintiff had a physical disability, specifically a sprain of left shoulder,
26 cervical sprain, coccyx contusion, and contusion of left knee and hand;
- 27 f. During her employment with Defendants, Plaintiff repeatedly made protected
28 complaints about discrimination, harassment and retaliation and opposed or otherwise

1 complained of mistreatment for engaging in a protected behavior.

2 15. *Defendants' adverse employment actions and behavior:*

3 a. Beginning in March 2024, Martin was subjected to a hostile, discriminatory,
4 and physically abusive work environment during her employment as a Deputy Sheriff
5 Trainee and Deputy Sheriff with the Kern County Sheriff's Office because of her race,
6 sex/gender, color, national origin, and associational disability.

7 b. At the beginning of the academy, Recruit Training Officer ("RTO") Deputy
8 Julia Castaneda ("Castaneda") told Martin and the other female recruits that if they needed
9 to step out of training due to a menstrual-related incident, they could do so at any time and
10 did not need to ask for permission, so long as upon returning they notified a training officer
11 that they had a "lady's incident."

12 c. In approximately April 2024, after Martin returned late from a brief restroom
13 break, RTO Sergeant Jacob Martinez ("Martinez") required her to disclose her menstrual
14 circumstances aloud before approximately 30 recruits. Despite Martin's repeated
15 statements that she had a "lady's incident," Martinez continued to yell at her and demand
16 that she disclose exactly what had happened. Feeling intimidated and pressured, Martin
17 was forced to state aloud, in front of her entire class, that she had bled through her clothes
18 and needed to change her tampon. Deputy Castaneda was present and failed to intervene
19 despite her prior instructions to female recruits. At the end of the day, Martin complained
20 to Sergeant Sawaski about Martinez's conduct, but nothing was done.

21 d. From approximately April through August 2024, Castaneda and Martinez
22 singled Martin out for harassment and collective punishment because of her race,
23 sex/gender, color, and national origin. They repeatedly shouted at her at close range,
24 encouraged her to quit, mocked her accent, and made comments such as "It's always
25 Martin," "Of course she can't," "Just look at her," and "You're fucking disgusting."
26 Castaneda accused Martin of being a bad mother for having her son stay in Mexico while
27 Martin finished the academy, and told her it was all for nothing because she was going to
28 fail anyway.

1 e. On or about May 29, 2024, Martin stepped on a rock during physical training
2 and injured her right knee. When Martin reported her injury to Sergeant Theodore
3 Costello, Martin heard Castaneda tell Shinn that Martin was “faking” her injury, and
4 Castaneda and Shinn laughed. As a result of her injury, Martin was restricted from heavy
5 lifting and from running for approximately one week.

6 f. In or around June 2024, during light duty, Shinn required Martin and another
7 injured female trainee to move heavy stationary bicycles into the sun, despite Martin’s
8 injury. Moving the heavy bicycle aggravated Martin’s knee and caused it to swell again.

9 g. In or around June 2024, retired Deputy William Smallwood (“Smallwood”)
10 would help trainees with defense tactics. During a training session Deputy Smallwood
11 smacked Martin’s butt with a plastic baton. When Martin shared this with other trainees,
12 Martin was discouraged from reporting because the retired officer had just lost his wife.

13 h. During her time as a trainee, Castaneda would intentionally target and
14 physically assault Martin based on her sex and gender. During the early summer of 2024,
15 Castaneda physically obstructed Martin during a march and intentionally bumped her
16 shoulder with her chest. Castaneda also threw Martin’s running shoes at her, struck her
17 face with one shoe, dumped or exposed her personal belongings including her underwear
18 in front of others, and pushed her out of the locker room

19 i. On or about August 12, 2024, as part of her ongoing campaign of harassment
20 targeting Martin because of her sex, gender, race, color, and national origin, Castaneda
21 pushed Martin from behind in the women’s locker room, causing Martin to fall forward
22 and strike her head against a wall. Martin hid in a restroom stall until Castaneda left.

23 j. The next day, August 13, 2024, Martinez, continuing to target Martin because
24 of her sex, gender, race, color, and national origin, grabbed Martin’s right arm, pulled and
25 shook Martin with strength, and left bruising on her arm. On that same day, Martinez
26 prevented Martin from drinking water after working out in the sun for several hours. Then
27 Martinez ordered all trainees into a squat position and to carry their duffel bags overhead,
28 which contained their personal belongings. Martinez singled out Martin, walking up to her

1 and dumping all her personal belongings onto the muddy floor, exposing her underwear
2 for everyone to see. That same day, Martin reported Martinez's conduct and Castaneda's
3 conduct from the day before to Sergeant Daniel Garcia, who was present on August 13,
4 2024, during Martinez's harassment of Martin. Sergeant Garcia escalated the matter to
5 Academy Director Sergeant Theodore Costello ("Costello"). Costello and Garcia
6 interviewed Martin, recorded her statement, photographed her bruises and the incident
7 locations, and referred the matter to Internal Affairs.

8 k. Martin was never notified of the outcome of the Internal Affairs investigation.
9 During the Internal Affairs interview, Martin stated that she did not want to move forward
10 with criminal charges because she feared retaliation. The questioning was hostile towards
11 Martin, and Martin felt her statements were being challenged. After the investigation,
12 Castaneda and Martinez returned to their RTO positions.

13 l. In approximately September 2024, when the academy schedule moved from
14 evenings to mornings, Martin, who is a single mother, requested a five-to-ten-minute grace
15 period because her then six-year-old son, who has autism and ADHD, could not be
16 dropped off at school before 7:00 a.m. Director Costello approved a grace period of up to
17 ten minutes for the remaining two weeks at the training center located at 962 Norris Road,
18 Bakersfield, California. Martin used the grace period three times, arriving no more than
19 approximately ten minutes late. On the third occasion, RTO Jason Ackerman yelled at
20 Martin for being late, and then Lieutenant Shinn called Martin into his office and
21 threatened to fire her if she was late again, despite the approved accommodation. Martin
22 informed Shinn that she had a son who suffered from autism and ADHD. Despite learning
23 of Martin's son's disabilities, Shinn callously responded that if she could not arrive on
24 time, then Martin should not pursue a career in law enforcement. On that same day,
25 Sergeant Routh gave Martin a permanent written reprimand for being late. Then, in early
26 November 2024, Martin was given a second permanent written reprimand for the same
27 incident involving the previously approved lateness.

28 ///

1 m. In or around April 2025, Martin reported to her supervisor that she was a
2 victim of domestic violence at the hands of her ex-boyfriend, Jaswinder Singh, who was
3 a Deputy Sheriff with Entity Defendant. The domestic violence occurred from
4 approximately September 2024 to February 2025. The Professional Standards Unit
5 investigated Martin's complaint and conducted a pretext call between Martin and Singh,
6 during which Singh confessed to the domestic violence.

7 n. On or about July 31, 2025, while effecting an arrest, Martin was thrown into
8 a wooden barstool and injured her left shoulder, neck, and left knee. On August 1, 2025,
9 Martin reported her injury to FTO Caymen Aguirre. Martin was sent to a physician, who
10 diagnosed her with a sprain of left shoulder, cervical sprain, coccyx contusion, and
11 contusion of left knee. Martin was allowed to return to work on August 1, 2025, with the
12 following restrictions: "other sedentary, and no repetitive work of left upper extremity,"
13 effective until August 14, 2025. On that same day, Senior Heather Porter told Martin that
14 there was no light-duty position available for Martin and directed her to remain home until
15 Risk Management located one. Martin asked whether she could resume Phase 4 of her
16 training after recovery, but Porter said she did not have an answer to that question.

17 16. *Defendants' termination of plaintiff's employment:*

18 a. On August 5, 2025, just four days after Martin requested modified work due
19 to her disability and before her scheduled August 14 follow-up appointment, Martin was
20 called to the Training Center and directed to return her gear and equipment. There,
21 Lieutenant Shinn, Senior Porter, and a chief presented Martin with several purportedly
22 negative Daily Observation Reports from her final week of training and informed her that
23 she was being terminated for failure to pass the one-year probationary period. Critically,
24 these reports had never been provided to Martin during her shifts, depriving her of any
25 opportunity to review, respond to, or improve upon the alleged deficiencies. Martin
26 immediately protested the reports, explaining they were inaccurate and offering to provide
27 responses and rebuttals to clarify the baseless allegations. Martin also informed the
28 defendants that she believed she was being terminated due to her disability and in

1 retaliation for reporting domestic violence.

2 b. The suspicious timing of Martin's termination, occurring immediately after
3 she disclosed her disability and requested accommodations, and shortly after she reported
4 domestic violence-combined with Defendants' reliance on fabricated performance
5 criticisms that were deliberately withheld from Martin, demonstrates that her termination
6 was pretextual and motivated by discriminatory animus toward her race, sex/gender, color,
7 national origin, associational disability, disability, and status as a domestic violence
8 survivor, and/or in retaliation for making good faith protected complaints and requesting
9 accommodations.

10 17. *Economic damages:* As a consequence of defendants' conduct, plaintiff has
11 suffered and will suffer harm, including lost past and future income and employment
12 benefits, damage to her career, and lost wages, overtime, unpaid expenses, and penalties,
13 as well as interest on unpaid wages at the legal rate from and after each payday on which
14 those wages should have been paid, in a sum to be proven at trial.

15 18. *Non-economic damages:* As a consequence of defendants' conduct, plaintiff has
16 suffered and will suffer psychological and emotional distress, humiliation, and mental and
17 physical pain and anguish, in a sum to be proven at trial.

18 19. *Punitive damages:* The Individual Defendants' conduct constitutes oppression,
19 fraud, and/or malice under California Civil Code section 3294 and, thus, entitles plaintiff
20 to an award of exemplary and/or punitive damages.

21 a. *Malice:* Defendants' conduct was committed with malice within the meaning
22 of California Civil Code section 3294, including that (a) defendants acted with intent to
23 cause injury to plaintiff and/or acted with reckless disregard for plaintiff's injury,
24 including by terminating plaintiff's employment and/or taking other adverse job actions
25 against plaintiff because of her race, sex/gender, color, national origin, associational
26 disability, disability, status as a domestic violence survivor, and/or for making good faith
27 protected complaints, and/or (b) defendants' conduct was despicable and committed in
28 willful and conscious disregard of plaintiff's rights, health, and safety, including plaintiff's

1 right to be free of discrimination, harassment, retaliation, abuse of the requirements of
2 accommodation and engaging in the interactive process, and wrongful employment
3 termination.

4 b. *Oppression*: In addition, and/or alternatively, defendants' conduct was
5 committed with oppression within the meaning of California Civil Code section 3294,
6 including that defendants' actions against plaintiff because of her race, sex/gender, color,
7 national origin, associational disability, disability, status as a domestic violence survivor,
8 and/or good faith complaints were "despicable" and subjected plaintiff to cruel and unjust
9 hardship, in knowing disregard of plaintiff's rights to a work place free of discrimination,
10 harassment, retaliation, abuse of the requirements of accommodation and engaging in the
11 interactive process, and wrongful employment termination.

12 c. *Fraud*: In addition, and/or alternatively, defendants' conduct, as alleged, was
13 fraudulent within the meaning of California Civil Code section 3294, including that
14 defendants asserted false (pretextual) grounds for terminating plaintiff's employment
15 and/or other adverse job actions, thereby to cause plaintiff hardship and deprive her of
16 legal rights.

17 20. *Attorneys' fees*: Plaintiff has incurred and continues to incur legal expenses and
18 attorneys' fees.

19 21. *Exhaustion of administrative remedies*: Prior to filing this action, plaintiff ex-
20 hausted her administrative remedies by filing a timely administrative complaint with the
21 California Civil Rights Department ("CCRD"), formerly known as the Department of Fair
22 Employment and Housing ("DFEH"), and receiving a CCRD/DFEH right-to-sue letter.

23 22. *Tort Claims Act, Claim Presentation (Non-FEHA Causes of Action)*: Plaintiff
24 served a tort claim letter on February 10, 2026. Entity Defendant rejected the government
25 tort claim on April 7, 2026. Plaintiff therefore exhausted all administrative remedies.

26 ///

27 ///

28 ///

1 **FIRST CAUSE OF ACTION**

2 **Hostile Work Environment Harassment on the Bases of Sex,**
3 **Gender, Disability, Associational Disability, Race, Ancestry,**
4 **Color, National Origin and/or Status as a Domestic Violence**

5 **Survivor**

6 **(Violation of Government Code § 12900, *et seq.*)**

7 **Against All Defendants; and Does 1 to 100, Inclusive**

8 23. The allegations set forth in preceding paragraphs are re-alleged and incorporated
9 herein by reference.

10 24. At all times herein mentioned, FEHA, Government Code section 12940, *et seq.*,
11 was in full force and effect and was binding on defendants. This statute requires
12 defendants to refrain from harassing any employee because of the employee's sex, gender,
13 disability, associational disability, race, ancestry, color, national origin, and status as a
14 domestic violence survivor.

15 25. Plaintiff was subjected to harassing conduct through a hostile work environment,
16 in whole or in part on the bases of plaintiff's race, color, ancestry, national origin, sex,
17 gender, disability, associational disability, status as a domestic violence survivor, and/or
18 other protected characteristics, in violation of Government Code sections 12940(j) and
19 12923.

20 26. Pursuant to Government Code section 12923(b), a single incident of harassing
21 conduct is sufficient to create a hostile work environment if the harassing conduct has
22 unreasonably interfered with plaintiff's work performance or created an intimidating,
23 hostile, or offensive working environment.

24 27. As a proximate result of defendants' willful, knowing, and intentional harassment
25 of plaintiff, plaintiff has sustained and continues to sustain substantial losses of earnings
26 and other employment benefits.

27 28. As a proximate result of defendants' willful, knowing, and intentional harassment
28 of plaintiff, plaintiff has suffered and continues to suffer physical injury, humiliation,

1 emotional distress, and mental and physical pain and anguish, all to her damage in a sum
2 according to proof.

3 29. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
4 Pursuant to Government Code section 12965(b), plaintiff is entitled to recover reasonable
5 attorneys' fees and costs (including expert costs) in an amount according to proof.

6 30. The Individual Defendants' harassment was committed intentionally, in a
7 malicious, fraudulent, despicable, and/or oppressive manner, and this entitles plaintiff to
8 punitive damages against defendants.

9
10 **SECOND CAUSE OF ACTION**

11 **Discrimination on the Bases of Sex, Gender, Race, Color,**

12 **Ancestry, National Origin, Disability, Associational**

13 **Disability, and/or Status as a Domestic Violence Survivor**

14 **(Violation of Government Code § 12900, *et seq.*) Against**

15 **Entity Defendant; and Does 1 to 100, Inclusive**

16 31. The allegations set forth in preceding paragraphs are re-alleged and incorporated
17 herein by reference.

18 32. At all times herein mentioned, FEHA, Government Code section 12940, *et seq.*,
19 was in full force and effect and was binding on defendants. This statute requires defendants
20 to refrain from discriminating against any employee because of the employee's race, color,
21 ancestry, national origin, sex, gender, disability, associational disability, and/or status as a
22 domestic violence survivor.

23 33. Plaintiff's race, national origin, ancestry, sex, gender, disability, associational
24 disability, status as a domestic violence survivor, and/or other characteristics protected by
25 FEHA, Government Code section 12900, *et seq.*, were substantial motivating reasons in
26 defendants' decision to terminate plaintiff's employment, not to retain, hire, or otherwise
27 employ plaintiff in any position, and/or to take other adverse employment actions against
28 plaintiff.

1 34. As a proximate result of defendants' willful, knowing, and intentional
2 discrimination against plaintiff, plaintiff has sustained and continues to sustain substantial
3 losses of earnings and other employment benefits.

4 35. As a proximate result of defendants' willful, knowing, and intentional
5 discrimination against plaintiff, plaintiff has suffered and continues to suffer physical
6 injury, humiliation, emotional distress, and mental and physical pain and anguish, all to
7 her damage in a sum according to proof.

8 36. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
9 Pursuant to Government Code section 12965(b), plaintiff is entitled to recover reasonable
10 attorneys' fees and costs (including expert costs) in an amount according to proof.

11
12 **THIRD CAUSE OF ACTION**

13 **Retaliation for Engaging in Protected Activity**

14 **(Violation of Government Code § 12900, *et seq.*)**

15 **Against Entity Defendant; and Does 1 to 100, Inclusive**

16 37. The allegations set forth in preceding paragraphs are re-alleged and incorporated
17 herein by reference.

18 38. At all times herein mentioned, FEHA, Government Code section 12940, *et seq.*,
19 was in full force and effect and was binding on defendants. This statute requires defendants
20 to refrain from retaliating against any employee making complaints or opposing
21 discrimination, harassment, or retaliation, or otherwise engaging in activity protected by
22 the FEHA, including for seeking to exercise rights guaranteed under FEHA and/or
23 assisting and/or participating in an investigation, opposing defendants' failure to provide
24 rights, including rights to complain and to assist in a lawsuit, and/or the right to be free of
25 retaliation, in violation of Government Code section 12940(h).

26 39. Plaintiff's seeking to exercise rights guaranteed under FEHA and/or opposing
27 defendants' failure to provide such rights, including the right to be free of discrimination,
28 harassment, or retaliation, in violation of Government Code section 12940(h), were

1 substantial motivating reasons in defendants' decision to terminate plaintiff's employment
2 (either actually or constructively), not to retain, hire, or otherwise employ plaintiff in any
3 position, and/or to take other adverse employment actions against plaintiff.

4 40. As a proximate result of defendants' willful, knowing, and intentional retaliation
5 against plaintiff, plaintiff has sustained and continues to sustain substantial losses of
6 earnings and other employment benefits.

7 41. As a proximate result of defendants' willful, knowing, and intentional retaliation
8 against plaintiff, plaintiff has suffered and continues to suffer physical injury, humiliation,
9 emotional distress, and mental and physical pain and anguish, all to her damage in a sum
10 according to proof.

11 42. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
12 Pursuant to Government Code section 12965(b), plaintiff is entitled to recover reasonable
13 attorneys' fees and costs (including expert costs) in an amount according to proof.

14 15 **FOURTH CAUSE OF ACTION**

16 **Failure to Prevent Discrimination, Harassment, or Retaliation**

17 **(Violation of Government Code § 12900, *et seq.*)**

18 **Against Entity Defendant; and Does 1 to 100, Inclusive**

19 43. The allegations set forth in preceding paragraphs are re-alleged and incorporated
20 herein by reference.

21 44. At all times herein mentioned, FEHA, Government Code section 12940(k), was
22 in full force and effect and was binding on defendants. This statute states that it is an
23 unlawful employment practice in California for an employer "to fail to take all reasonable
24 steps necessary to prevent discrimination and harassment from occurring."

25 45. During the course of plaintiff's employment, defendants failed to prevent their
26 employees from engaging in intentional actions that resulted in plaintiff being treated less
27 favorably because of plaintiff's race, national origin, color, sex, gender, disability,
28 associational disability, status as a domestic violence survivor, and/or because plaintiff

1 had engaged in protected activity.

2 46. Plaintiff believes that she was subjected to discrimination, harassment and
3 retaliation because of her race, sex, gender, color, national origin, disability, associational
4 disability, status as a domestic violence survivor, and/or protected activity.

5 47. As a proximate result of defendants' willful, knowing, and intentional miscon-
6 duct, plaintiff has sustained and continues to sustain substantial losses of earnings and
7 other employment benefits.

8 48. As a proximate result of defendants' willful, knowing, and intentional
9 misconduct, plaintiff has suffered and continues to suffer physical injury, humiliation,
10 emotional distress, and physical and mental pain and anguish, all to her damage in a sum
11 according to proof.

12 49. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
13 Pursuant to Government Code section 12965(b), plaintiff is entitled to recover reasonable
14 attorneys' fees and costs (including expert costs) in an amount according to proof.

15
16 **FIFTH CAUSE OF ACTION**

17 **Failure to Provide Reasonable Accommodation**

18 **(Violation of Government Code § 12940(a), (i), (m), (n))**

19 **Against Entity Defendant; and Does 1 to 100, Inclusive**

20 50. The allegations set forth in preceding paragraphs are re-alleged and incorporated
21 herein by reference.

22 51. At all times herein mentioned, FEHA, Government Code section 12940(a), (i),
23 (m), and (n), was in full force and effect and was binding on defendants. This statute
24 requires defendants to provide reasonable accommodations to known disabled employees.
25 Within the time provided by law, plaintiff filed a complaint with the CRD, in full
26 compliance with administrative requirements, and received a right-to-sue letter.

27 52. Defendants wholly failed to attempt any reasonable accommodation of plaintiff's
28 known disability. Defendants used plaintiff's disability and her need to take medical leave

1 as an excuse for terminating plaintiff's employment.

2 53. Plaintiff believes and on that basis alleges that her disability and the need to
3 accommodate her disability were substantial motivating factors in defendants' termination
4 of her employment.

5 54. As a proximate result of defendants' willful, knowing, and intentional miscon-
6 duct, plaintiff has sustained and continues to sustain substantial losses of earnings and
7 other employment benefits.

8 55. As a proximate result of defendants' willful, knowing, and intentional
9 misconduct, plaintiff has suffered and continues to suffer physical injury, humiliation,
10 emotional distress, and physical and mental pain and anguish, all to her damage in a sum
11 according to proof.

12 56. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
13 Pursuant to Government Code section 12965(b), plaintiff is entitled to recover reasonable
14 attorneys' fees and costs (including expert costs) in an amount according to proof.

15
16 **SIXTH CAUSE OF ACTION**

17 **Failure to Engage in Interactive Process**

18 **(Violation of Government Code § 12940(a), (i), (m), (n))**

19 **Against Entity Defendant; and Does 1 to 100, Inclusive**

20 57. The allegations set forth in preceding paragraphs are re-alleged and incorporated
21 herein by reference.

22 58. At all times herein mentioned, FEHA, Government Code section 12940(a), (i),
23 (m), and (n), was in full force and effect and was binding on defendants. This statute
24 requires defendants to engage in a timely, good faith interactive process to accommodate
25 known disabled employees. Within the time provided by law, plaintiff filed a complaint
26 with the CRD, in full compliance with administrative requirements, and received a right-
27 to-sue letter.

28 ///

1 59. Defendants wholly failed to engage in a timely, good-faith interactive process
2 with plaintiff to accommodate her known disabilities. Instead, defendants terminated
3 plaintiff's employment in part because of her disabilities and need for medical leave.

4 60. Plaintiff believes and on that basis alleges that her disabilities were a motivating
5 factor in defendants' termination of her employment.

6 61. As a proximate result of defendants' willful, knowing, and intentional miscon-
7 duct, plaintiff has sustained and continues to sustain substantial losses of earnings and
8 other employment benefits.

9 62. As a proximate result of defendants' willful, knowing, and intentional
10 misconduct, plaintiff has suffered and continues to suffer physical injury, humiliation,
11 emotional distress, and physical and mental pain and anguish, all to her damage in a sum
12 according to proof.

13 63. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
14 Pursuant to Government Code section 12965(b), plaintiff is entitled to recover reasonable
15 attorneys' fees and costs (including expert costs) in an amount according to proof.

17 SEVENTH CAUSE OF ACTION

18 Battery

19 **Against Defendants Julia Castaneda, Jacob Martinez, and**

20 **Does 1 through 100, Inclusive**

21 64. The allegations set forth in preceding paragraphs are re-alleged and incorporated
22 herein by reference. During Plaintiff's employment, Defendant Castaneda intentionally
23 engaged in harmful and offensive physical contact with Plaintiff, including physically
24 obstructing Plaintiff during a march, intentionally bumping Plaintiff with her body,
25 throwing a running shoe that struck Plaintiff's face, pushing Plaintiff from the locker
26 room, and, on or about August 12, 2024, pushing Plaintiff from behind in the women's
27 locker room, causing Plaintiff to fall forward and strike her head against a wall.

28 ///

65. On or about August 13, 2024, Defendant Martinez intentionally grabbed Plaintiff's right arm, pulled and shook Plaintiff with force, and left bruising on Plaintiff's arm.

66. Defendants Castaneda and Martinez intended to harm or offend Plaintiff by their respective acts. Plaintiff did not consent to any of the harmful or offensive contacts alleged herein.

67. As a direct and proximate result of Defendants Castaneda's and Martinez's conduct, Plaintiff suffered physical injury, pain, emotional distress, humiliation, and other damages in an amount according to proof.

68. Defendants Castaneda's and Martinez's conduct was willful, malicious, oppressive, and despicable and was undertaken with conscious disregard for Plaintiff's rights, health, and safety. Plaintiff therefore seeks exemplary and punitive damages against Defendants Castaneda and Martinez in an amount according to proof.

EIGHTH CAUSE OF ACTION

Assault

Against Defendants Julia Castaneda, Jacob Martinez, and

Does 1 through 100, Inclusive

The allegations set forth in preceding paragraphs are re-alleged and incorporated herein by reference.

69. Before the harmful and offensive contacts alleged above, Defendants Castaneda and Martinez intentionally engaged in conduct directed at Plaintiff that caused Plaintiff reasonably to believe she was about to be subjected to harmful or offensive contact, including: Defendant Castaneda repeatedly shouted at Plaintiff at close range, physically obstructed Plaintiff during a march and intentionally bumped Plaintiff with her chest, threw Plaintiff's running shoes at Plaintiff striking her in the face, dumped and exposed Plaintiff's personal belongings including her underwear in front of others, and pushed Plaintiff out of the locker room; and on or about August 12, 2024, Defendant Castaneda

1 approached Plaintiff from behind in the women's locker room immediately before pushing
2 her, causing Plaintiff to fall forward and strike her head against a wall. Defendant Martinez
3 repeatedly shouted at Plaintiff at close range in an intimidating manner, and on or about
4 August 13, 2024, Defendant Martinez aggressively approached Plaintiff immediately
5 before grabbing her right arm, pulling and shaking her with force, and leaving bruising on
6 her arm.

7 70. Plaintiff reasonably believed that Defendants Castaneda and Martinez had the
8 present ability to carry out their threatened harmful or offensive contacts. Plaintiff did not
9 consent to their conduct.

10 71. As a direct and proximate result of Defendants Castaneda's and Martinez's
11 assaultive conduct, Plaintiff suffered physical injury, pain, emotional distress, humiliation,
12 and other damages in an amount according to proof.

13 72. Defendants Castaneda's and Martinez's conduct was willful, malicious,
14 oppressive, and despicable and was undertaken with conscious disregard for Plaintiff's
15 rights, health, and safety. Plaintiff therefore seeks exemplary and punitive damages against
16 Defendants Castaneda and Martinez in an amount according to proof.

17
18 **NINTH CAUSE OF ACTION**

19 **Whistleblower Retaliation**

20 **(Violation of Labor Code § 1102.5, et seq.)**

21 **Against Entity Defendant; and Does 1 to 100, Inclusive**

22 73. The allegations set forth in preceding paragraphs are re-alleged and incorporated
23 herein by reference.

24 74. At all relevant times, Labor Code section 1102.5 was in effect and was binding
25 on defendants. This statute prohibits defendants from retaliating against any employee,
26 including plaintiff, for actually raising complaints of actual or potential illegality, for
27 providing information of such actual or potential illegality, because the employee is
28 believed to have engaged in such conduct, or because the employee may engage in such

1 conduct. The statute also further prohibits defendants from retaliating against any
2 employee, including plaintiff, where the employee refused to participate in activity that
3 would result in a violation of the law.

4 75. Plaintiff raised complaints of actual and/or potential illegality, including but not
5 limited to complaints about violations of the FEHA, the California Constitution,
6 Government Code Section 12900 *et seq.*, California Labor Code sections 230(c), 230.1,
7 232.5, 1102.5, 6300 *et seq.*, 6310, 6311, 6400, *et seq.*, 1102.5, and California Penal Code
8 sections 240 (assault), 242 (battery), and 273.5 (domestic violence), while she worked for
9 defendants, and defendants retaliated against her by taking adverse employment actions,
10 including employment termination, against her.

11 76. As a proximate result of defendants' willful, knowing, and intentional violations
12 of Labor Code section 1102.5, plaintiff has suffered and continues to suffer physical
13 injury, humiliation, emotional distress, and mental and physical pain and anguish, all to
14 her damage in a sum according to proof.

15 77. As a result of defendants' adverse employment actions against plaintiff, plaintiff
16 has suffered general and special damages in sums according to proof.

17 78. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
18 Pursuant to California Labor Code section 1102.5(j), plaintiff is entitled to recover
19 reasonable attorneys' fees and costs (including expert costs) in an amount according to
20 proof.

21
22 **TENTH CAUSE OF ACTION**

23 **Intentional Infliction of Emotional Distress**

24 **(Hughes v. Pair (2009) 46 Cal.4th 1035)**

25 **Against Individual Defendants Julia Castaneda, Jacob**
26 **Martinez, and Charles Shinn; and Does 1 to 100, Inclusive**

27 79. The allegations set forth in preceding paragraphs are re-alleged and incorporated
28 herein by reference.

1 80. Defendants' discriminatory, harassing, and retaliatory actions against plaintiff
2 constituted extreme and outrageous misconduct and caused plaintiff severe emotional
3 distress. Defendants were aware that treating plaintiff in the manner alleged above,
4 including depriving plaintiff of her livelihood, would devastate plaintiff and cause her
5 extreme hardship.

6 81. As a proximate result of defendants' extreme and outrageous conduct, plaintiff
7 has suffered and continues to suffer severe emotional distress. Plaintiff has sustained and
8 continues to sustain substantial losses of earnings and other employment benefits as a
9 result of being emotionally distressed.

10 82. As a proximate result of defendants' extreme and outrageous conduct, plaintiff
11 has suffered and continues to suffer physical injury, humiliation, emotional distress, and
12 mental and physical pain and anguish, all to her damage in a sum according to proof.

13 83. Defendants' misconduct was committed intentionally, in a malicious, fraudulent,
14 despicable, and/or oppressive manner, and this entitles plaintiff to punitive damages
15 against the individual defendants.

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1 **PRAYER**

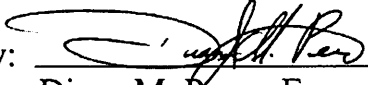
2 WHEREFORE, plaintiff, Emily Martin, prays for judgment against defendants as
3 follows:

- 4 1. For general and special damages according to proof;
5 2. For exemplary damages against Julia Castaneda, Jacob Martinez, and Charles
6 Shinn, according to proof;
7 3. For pre-judgment and post-judgment interest on all damages awarded;
8 4. For reasonable attorneys' fees;
9 5. For costs of suit incurred;
10 6. For declaratory relief;
11 7. For such other and further relief as the Court may deem just and proper;
12

13 ADDITIONALLY, plaintiff, Emily Martin, demands trial of this matter by jury. The
14 amount demanded exceeds \$35,000.00 (Government Code § 72055).
15

16 Dated: September 15, 2026

SHEGERIAN & ASSOCIATES

17
18 By: 
19 Diana M. Perez, Esq.
20 Attorneys for Plaintiff,
EMILY MARTIN
21
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23
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28

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Melineh Jingoian, Esq. FIRM NAME: Shegerian & Associates STREET ADDRESS: 320 North Larchmont Boulevard CITY: Los Angeles TELEPHONE NO.: (310) 860 0770 EMAIL ADDRESS: MeJingoian@Shegerianlaw.com ATTORNEY FOR (name): Plaintiff, Emily Martin	STATE BAR NUMBER: 329033 STATE: CA ZIP CODE: 90004 FAX NO.: (310) 860 0771
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Avenue MAILING ADDRESS: 1215 Truxtun Avenue CITY AND ZIP CODE: Bakersfield, CA 93301 BRANCH NAME: Kern County Superior Court - Metropolitan Division Justice Building	
CASE NAME: Martin v. County of Kern, 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: 26CUB03644	
JUDGE: DEPT.:	

Items 1–6 below must be completed (see instructions on page 2 and examples on page 3).

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

Auto Tort

- ☐ Auto (22)
☐ Uninsured motorist (46)

Asbestos

- ☐ Asbestos (04)

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

- ☐ 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)
☐ Song-Beverly Act: Motor Vehicle Lemon Law (49)
☐ 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)

Employment Development Department (EDD)

- ☐ EDD decision review (48)

Provisionally Complex Civil Litigation
 (Cal. Rules of Court, rules 3.400–3.404)

- ☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Comprehensive groundwater adjudication (47)
☐ 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. Is this case complex under rule 3.400 of the California Rules of Court? ☐ Yes ☒ No

If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties
- b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c. ☐ Substantial amount of documentary evidence
- d. ☐ Large number of witnesses
- e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply):

- a. ☒ monetary
- b. ☒ nonmonetary; declaratory or injunctive relief
- c. ☒ punitive

4. Number of causes of action (specify): (10) Causes of Action

5. Is this case a class action suit? ☐ Yes ☒ No

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: September 15, 2026

Melineh Jingoian, 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, or a collections case under rule 3.740, you must serve a copy of this cover sheet on all other parties to the action or proceeding. (Cal. Rules of Court, rule 3.220.)
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

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 pages 1 and 2. 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 on page 3 of this form. 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 of the California Rules of Court is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$35,000, 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.

SEE PAGE 3 FOR INFORMATION PURPOSES ONLY.



CASE TYPES AND EXAMPLES

The list below provides explanations and examples for the case type checkboxes listed in item 1 on this form. The lists of examples below are not meant to be exhaustive, and some case types may have causes of action not listed here.

Auto Tort

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

Asbestos

- Asbestos (04)
- Asbestos Property Damage
- Asbestos Personal Injury/Wrongful Death

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

- Product Liability (*not asbestos or
environmental/toxic tort*) (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 (*other than contract*) (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice
(*not medical*)
- 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*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Song-Beverly Act: Motor Vehicle Lemon Law
(*check this item if the case involves a Song-
Beverly Act claim regarding a motor
vehicle*) (49)
- Rule 3.740 Collections (*as defined in Cal.
Rules of Court, rule 3.740(a)*) (09)
- Other Collections (e.g., money owed, open
book accounts, promissory note) (09)
- 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 unlawful
detainer*)

Unlawful Detainer

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

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

Employment Development Department (EDD)

- EDD Decision Review (*if the case involves an
Employment Development Department
decision, check this item instead of
wrongful termination or other employment*)
(48)

**Provisionally Complex Civil Litigation (Cal.
Rules of Court, rules 3.400–3.404)**

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Comprehensive Groundwater Adjudication
(47)
- 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
 - 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*)
 - Mechanic's 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 Government
Claim Requirement
- Other Civil Petition



SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN
Bakersfield Metropolitan Justice
1215 Truxtun Ave
Bakersfield, CA 93301
Phone: (661) 610-6000

FOR COURT USE ONLY

FILED
SUPERIOR COURT OF
CALIFORNIA
COUNTY OF KERN

September 17, 2026

/s/ Javen Silva,
Deputy Clerk

Emily Martin v. County of Kern, et al

Notice of Assignment to Judicial Officer for All Purposes, Notice of
Order to Show Cause Re: California Rules of Court, Rule 3.110, and
Notice of Case Management Conference

Case Number:
26CUB03644

By order of the presiding judge, the above-entitled case is assigned to the Honorable T. Mark Smith for all purposes. It will be managed in Department/Division Bakersfield Traffic Courtroom 2 until its conclusion. Peremptory challenges, if any, must be made within the times set out in Code of Civil Procedure §170.6.

To Plaintiff(s) and Plaintiff(s) Counsel:

You are required to serve this Notice of Assignment and Notice of Order to Show Cause date and Notice of Case Management Conference date with the Summons, Complaint [Local Rule 3.7(a), Alternative Dispute Resolution (ADR) Information Packet, and ADR Stipulation and Order Form (California Rules of Court, Rule 3.221).

You are ordered to appear on December 29, 2026 at 8:30 A.M. in Bakersfield Traffic Courtroom 2 at 3131 Arrow St, Bakersfield, CA 93308 to give any legal reason why sanctions shall not be imposed for failure to serve the complaint on all named defendants and file proof(s) of service with the court within sixty (60) days after the filing of the complaint pursuant to California Rules of Court, Rule 3.110. All appearances are mandatory, unless the court receives the required proof(s) of service five (5) court days prior to the hearing date, and then no appearance is necessary.

To each party and their respective attorney(s) of record:

Your attention is directed to the California Rules of Court and the Code of Civil Procedure provisions regarding mandatory expedited jury trial procedures, specifically to California Rules of Court Rules 3.1546, et seq., and Code of Civil Procedure section 630.20, et seq.

This case is set for Case Management Conference on March 15, 2027 at 8:30 A.M. in Bakersfield Traffic Courtroom 2 located at 3131 Arrow St, Bakersfield, CA 93308. Parties shall comply with and file case management statements at least fifteen (15) days prior to the conference in accordance with California Rules of Court, Rules 3.720 – 3.730.

To Cross Complainant(s) and Cross Complainant(s) Counsel:

If you are bringing cross complaint against new parties, you are, likewise, required to serve this Notice of Assignment pursuant to California Rules of Court, Rule 3.110, Notice of Order to Show Cause date and Notice of Case Management Conference date on the new cross defendants.

Tara Leal
Clerk of the Superior Court

Date: September 17, 2026

By: /s/ Javen Silva
Javen Silva, Deputy Clerk

The Clerk of the Superior Court's office has received a civil complaint from you for filing. Pursuant to the Trial Court Delay Reduction Act, your case has been assigned to the Honorable T. Mark Smith as monitoring judge.

Judge T. Mark Smith has instituted a direct calendaring system for all cases assigned to him/her as the monitoring judge.

All law and motion, case management and trial setting conferences, ex parte matters and trials will be scheduled before him/her in Bakersfield Traffic Courtroom 2 at 3131 Arrow St, Bakersfield, CA 93308.

Law & Motion and Ex-Parte hearing dates must be pre-cleared by contacting the Direct Calendaring Clerk at 661-610-6460. Tentative rulings are not provided in advance of the hearing.

At the time of filing the complaint, plaintiff's counsel will be given a Notice of Case Management Conference which sets a conference approximately one hundred eighty (180) days after filing of the complaint. This notice must be served with the summons and complaint on all defendants. Defendants must serve the notice on all cross-defendants named. The notice must also be served on interveners and lien claimants.

Pursuant to Local Rule 3.2.1, a party wishing to appear remotely in any civil proceeding other than an evidentiary hearing or trial, including conferences and law and motion hearings, is permitted to appear without advance notice to the court or other parties. By appearing remotely those persons will be deemed to have requested a remote appearance. Instructions for accessing Remote Court Hearings can be found on the court's website. Each judicial officer retains the discretion to require a party to appear in person at a conference, hearing, or proceeding, as authorized by Code of Civil Procedure section 367.75. Remote proceedings for evidentiary hearings or trials in all divisions shall be noticed and conducted as authorized by Code of Civil Procedure section 367.75 and California Rules of Court, rule 3.672.

The Court does not provide court reporters for civil matters. Parties wishing to have a matter reported must provide their own reporter. The court maintains a list of pre-approved official reporters pro tem. Your preferred reporter can be added to this list. Information regarding the court's list is on the court's website.

Another judge will hear settlement conferences in cases assigned to Judge T. Mark Smith. However, those cases that do not settle will be set for trial before him/her.

At least fifteen (15) days prior to the case management conference, each party shall prepare, file and serve on each other party a case management conference statement providing the Court with the following information:

1. The "at-issue" status of the case including any new parties that may be contemplated;
2. A brief statement of the type of case and the general facts or contentions;
3. A description of the discovery done to date and that contemplated to be done;
4. Estimated time for trial and whether a jury is demanded;
5. Whether or not the case is entitled to priority in trial setting and if so, the legal authority thereof;
6. An evaluation of the case for alternative dispute resolution, including arbitration (judicial or binding), mediation or private judge handling;
7. If a person injury action, a description of the injuries sustained by each plaintiff and the elements of claimed damage;
8. A statement of any settlement negotiations undertaken thus far;
9. The name of the attorney primary responsible for the case on behalf of the party filing the statement.

More than one party may join in the filing of a single statement.

The case management conference shall be attended by the attorney primarily responsible for the case on behalf of each party or a member of his or her firm or counsel formally associated in the case. The attorney attending shall be thoroughly familiar with the case, and be able to engage in meaningful discussions with court and counsel, and to enter into agreements on behalf of his or her client on the following subjects:

1. The "at-issue" status of the case including the dismissal of the unnamed doe defendants or cross-defendants by agreement of all parties;
2. Discovery conducted and remaining to be done;
3. Amenability of the case to alternative dispute resolution including, but no limited to, arbitration (judicial or binding), mediation, and private judge handling.
4. Delineation of issues including stipulation of facts not in substantial controversy;
5. Settlement prospects;
6. Setting the matter for trial, pre-trial conferences, settlement conference or further case management conference;
7. Any other matters relevant to the processing of the case to a final resolution.

Any violation of these rules shall result in the imposition of substantial sanctions which may include monetary, issue, termination, or other appropriate sanctions.

Certificate of Service

The undersigned, of said Kern County, certify: That I am a Deputy Clerk of the Superior Court of the State of California, in and for the County of Kern, that I am a citizen of the United States, over 18 years of age, I reside in or am employed in the County of Kern, that I am not a party to the within action and that my business address is 1215 Truxtun Ave, Bakersfield, CA 93301, that I served the Notice of Assignment to Judicial Officer for All Purposes, Notice of Order to Show Cause Re: California Rules of Court, Rule 3.110, and Notice of Case Management Conference attached hereto on all interested parties and any respective counsel of record in the within action, following standard Court practices, by: (a) enclosing true copies thereof in a sealed envelope(s) with postage fully prepaid and depositing/placing for collection and delivery in the United States mail at Bakersfield, California; and/or (b) enclosing true copies thereof in a Kern County interoffice envelope(s) and placing for collection and delivery; and/or (c) electronically transmitting true copies thereof by electronic service or e-mail. Service address(es) are indicated on the attached service list.

Date of service: September 17, 2026

Place of service: Bakersfield, California

Sent from electronic service address: donotreply@kern.courts.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Tara Leal
Clerk of the Superior Court

Date: September 17, 2026

By: /s/ Javen Silva
Javen Silva, Deputy Clerk

Service List

Melineh Jingoian
320 N. Larchmont Blvd
Los Angeles, CA 90004
mejingoian@shegerianlaw.com

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN
ALTERNATIVE DISPUTE RESOLUTION (ADR)
INFORMATION PACKET



Kern County Superior Court encourages, and under certain circumstances, may require parties to try ADR before trial. Courts have also found ADR to be beneficial when used early in the case process. The courts, community organizations and private providers offer a variety of ADR processes to help people resolve disputes without a trial. Below is information about the potential advantages and disadvantages of ADR, the most common types of ADR, and how to find a local arbitrator, mediator or neutral evaluator. You may find more information about these ADR processes at www.courts.ca.gov/programs/adr.

Possible Advantages and Disadvantages of ADR

ADR may have a variety of advantages or disadvantages over a trial depending on the type of ADR process used as well as the particular type of case involved.

Possible Advantages: Saves time; saves money; gives the parties more control over the dispute resolution process and outcome; helps to preserve and/or improve party relationships.

Possible Disadvantages: May add additional time and costs to the litigation if ADR does not resolve the dispute; procedures such as discovery, jury trial, appeals, and other legal protections may be limited or unavailable.

Most Common Types of ADR

Mediation: A neutral person or "mediator" helps the parties communicate in an effective and constructive manner so the parties can try to resolve their dispute. The mediator does not decide the outcome, but helps the parties to do so. Mediation is generally confidential and may be particularly useful where ongoing relationships are involved, such as between family members, neighbors, employers/employees or business partners.

Settlement Conferences: A judge or another neutral person assigned by the court helps the parties to understand the strengths and weaknesses of their case and to discuss settlement. The judge or settlement conference neutral does not make a decision in the case but helps the parties to negotiate a settlement. Settlement conferences may be particularly helpful when the parties have very different views about the likely outcome of a trial in their case.

Neutral Evaluation: The parties briefly and informally present their facts and arguments to a neutral person who is often an expert in the subject matter of the dispute. The neutral does not decide the outcome of the dispute, but helps the parties to do so by providing them with a non-binding opinion about the strengths, weaknesses and likely outcome of their case. Depending on the neutral evaluation process, and with the parties' consent, the neutral may then help the parties try to negotiate a settlement. Neutral evaluation may be appropriate when the parties desire a neutral's opinion about how the case might be resolved at trial; and, if the primary dispute is about the amount of damages or technical issues, the parties would like a neutral expert to resolve those disputes.

Arbitration: The parties present evidence and arguments to a neutral person or “arbitrator” who then decides the outcome of the dispute. Arbitration is less formal than a trial, and the rules of evidence are generally more relaxed. If the parties agree to *binding* arbitration, they waive their right to a jury trial and agree to accept the arbitrator’s decision. With *nonbinding* arbitration, any party may reject the arbitrator’s decision and request a trial. Arbitration may be appropriate when the parties want another person to decide the outcome of their dispute but would like to avoid the formality, time and expense of a trial, or desire an expert in the subject matter of their dispute to make a decision.

Local Court ADR Programs

The Superior Court, County of Kern offers two types of ADR: Arbitration in cases in which the amount in controversy as to each plaintiff is \$50,000 or less; and DRPA mediation services on the day of the hearing, settlement conference or trial.

Arbitration: The Superior Court of California, County of Kern does use Arbitrators in civil cases where the amount in controversy as to each individual plaintiff is \$50,000 or less. The Court may order the parties to Arbitration or the parties may agree to Arbitration any time before the first case management conference statement is filed. See Local Rule 3.14 at https://www.kern.courts.ca.gov/system/files/local_rules_of_court.pdf

Dispute Resolution Program Act (DRPA): The Superior Court of California, County of Kern also offers mediation services in small claims and unlawful detainer, civil harassment, family law and probate matters. The Court has contracted with the Better Business Bureau (BBB) under the Dispute Resolution Programs Act (DRPA) to provide these mediation services. For more information about BBB Mediation Services go to <https://www.bbb.org/local-bbb/bbb-serving-central-california-and-inland-empire-counties>.

ADR Coordinator:

Although complaints about arbitrators and mediators are rare, the Superior Court of California, County of Kern does provide a complaint procedure in our Local Rules, Rule 3.14.7. If you have a complaint or a concern with any of this Court’s ADR programs, or simply have a question about ADR, please contact the ADR Administrator at ADRAdministrator@kern.courts.ca.gov or 661-868-5695.

Resources:

California Department of Consumer Affairs: https://www.dca.ca.gov/consumers/mediation_guides.shtml

Judicial Branch California Courts – ADR: www.courts.ca.gov/selfhelp-adr.htm

ADR Stipulation Form: https://www.kern.courts.ca.gov/system/files/adr_stipulation_and_order_form.pdf