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

ABDULLAH PUCKETT, DAVID RAMIREZ,
KIRA LAYTON, JULIANA ISLAM HAWARI-
VOGENPOOHL,

Plaintiffs,

v.

STATE OF CALIFORNIA, CITY OF LOS
ANGELES, AND DOES 1-100,

Defendants.

Case No: **25STCV12875**

COMPLAINT FOR DAMAGES

1. Cal. Civil Code § 52.1 – Bane Act
2. Cal. Civil Code § 51.7 – Ralph Civil Rights Act of 1976
3. Assault
4. Battery
5. Negligence
6. Conspiracy
7. Code Civil Proc. § 526a – Taxpayer Suit

DEMAND FOR JURY TRIAL

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INTRODUCTION

1. In the early morning hours of May 2, 2024, law enforcement officers from the California Highway Patrol (“CHP”) and the Los Angeles Police Department (“LAPD”) shot peaceful demonstrators inside the University of California Los Angeles (“UCLA”) with 40mm kinetic energy projectiles, commonly known as rubber or foam bullets, causing severe injuries. Plaintiffs bring this case to demand accountability for CHP’s and LAPD’s violent attack on a diverse group of protestors at UCLA who participated in the Palestine Solidarity Encampment.

2. For nearly a week prior to the May 2 raid on the Palestine Solidarity Encampment, a group of UCLA students and community members, including Plaintiffs, participated in a public assembly on campus to protest the university’s complicity in Israel’s ongoing assault on Gaza. The students were calling on the university to disclose their investments in companies profiting from the conflict, to divest from those companies, and to remove police from campus, as well as for an immediate and permanent ceasefire. The encampment was a nonviolent and orderly assembly that made this series of demands to UCLA and hosted a wide range of political, social, cultural, and religious programming.

3. On May 1 and 2, 2024, hundreds of riot-clad law enforcement agents from CHP and LAPD, joined by officers from University of California – Los Angeles Police Department (“UCPD”) and Los Angeles County Sheriff’s Department (“LASD”), engaged in a joint operation to attack and clear the UCLA Palestine Solidarity Encampment. Officers tore down the encampment walls and attacked the students and community members gathered inside.

4. Without lawful justification, CHP and LAPD officers pushed and struck individuals with batons and indiscriminately fired over fifty rounds of kinetic energy projectiles directly into the crowd. The officers shot peaceful students and community members, including Plaintiffs Abdullah Puckett, David Ramirez, Kira Layton, and Juliana Islam Hawari-Vogenpoohl, in the head, hands, buttocks, and other body parts. The officers’ violence sent bloody victims to the hospital and spread fear and chaos. At least one of the shooting victims required surgery. Another’s head was split open, and another lost copious amounts of blood, and was so badly hurt they could not work for weeks. The peaceful protesters posed no threat to the officers that could possibly have justified the use of force, including shooting kinetic energy projectiles at protesters’ heads.

5. This action seeks the following relief: a declaration that Defendants’ law enforcement agencies’ violent actions in clearing the Palestine Solidarity Encampment were unlawful and compensatory and punitive damages to redress the violations of Plaintiffs’ rights and deter future misconduct. Plaintiffs also seek injunctive relief to prevent repetition of such a response to non-violent protestors.

JURISDICTION AND VENUE

6. This Court has jurisdiction over the Plaintiffs’ claims pursuant to Article VI, section 10 of the California Constitution and under Code of Civil Procedure §§ 187, 526(a), 1060, and 1085.

7. Venue is proper in this Court pursuant to Code of Civil Procedure §§ 393 and 395, because the conduct complained of occurred in Los Angeles and this action proceeds against public officers in Los Angeles for actions taken “in virtue of [their] office.” Code Civ. Proc § 393 (b). The relief sought is within this Court’s power to grant.

PARTIES

A. Plaintiffs

8. Plaintiff **Abdullah Puckett**, an individual, is a PhD candidate at the University of California Los Angeles. He was 51 years old on May 2, 2024. Mr. Puckett is and was at all times relevant hereto a resident of the County of Los Angeles, City of Los Angeles. Mr. Puckett is a taxpayer in Los Angeles City and the State of California, has paid taxes in Los Angeles within the past year, and has been assessed and/or paid taxes to the State of California within one year of filing this action. Doe Defendants subjected Mr. Puckett to unlawful force, as described below, shooting him with kinetic energy projectiles at least twice, including once in the left arm, and at least one time in his ribs. A Doe Defendant also hit Mr. Puckett with a baton.

9. Plaintiff **David Ramirez**, an individual, is a self-employed architectural designer. He was 32 years old on May 2, 2024. Mr. Ramirez is and was at all times relevant hereto a resident of the County of Los Angeles, City of Los Angeles. Mr. Ramirez is a taxpayer in Los Angeles City and the State of California, has paid taxes in Los Angeles within the past year, and has been assessed and/or paid taxes to the State of California within one year of filing this action. Doe Defendants subjected Mr. Ramirez to unlawful force, as described below, shooting him in the head with kinetic energy projectiles.

10. Plaintiff **Kira Layton**, an individual, is an undergraduate student studying art at the University

1 of California Los Angeles. She was 21 years old on May 2, 2024. Ms. Layton is and was at all times
2 relevant hereto a resident of the County of Los Angeles, City of Los Angeles. Ms. Layton is a taxpayer
3 in Los Angeles City and the State of California, has paid taxes in Los Angeles within the past year, and
4 has been assessed and/or paid taxes to the State of California within one year of filing this action. Doe
5 Defendants subjected Ms. Layton to unlawful force, as described below, shooting her in the hand with
6 kinetic energy projectiles.

7 11. Plaintiff **Juliana Islam Hawari-Vogenpoohl**, an individual, is a college student studying to
8 become a teacher. She was 23 years old on May 2, 2024. Ms. Hawari-Vogenpoohl is and was at all
9 times relevant hereto a resident of Orange County. Ms. Hawari-Vogenpoohl is a taxpayer in the State of
10 California, has paid taxes in Los Angeles City within the past year, and has been assessed and/or paid
11 taxes to the State of California within one year of filing this action. Doe Defendants subjected Ms.
12 Hawari-Vogenpoohl to unlawful force, as described below, shooting her with kinetic energy projectiles
13 at least three times, once in her groin, once in her right leg and once in her buttocks.

14 **B. Defendants**

15 12. Defendant **State of California** is a federated state of the United States of America that shares
16 sovereignty with the federal government. The California Highway Patrol is a California law
17 enforcement agency and an agency of Defendant State of California, and all actions of the CHP are the
18 legal responsibility of the State of California. The State of California is liable for the tortious and
19 unconstitutional conduct of CHP officers under the doctrine of respondeat superior.

20 13. Defendant **City of Los Angeles** is a municipal corporation duly organized and existing under
21 the Constitution and laws of the State of California. The Los Angeles Police Department is a local
22 government entity and an agency of Defendant City of Los Angeles, and all actions of the LAPD are
23 the legal responsibility of the City of Los Angeles. The City of Los Angeles is liable for the tortious
24 and unconstitutional conduct of LAPD officers under the doctrine of respondeat superior.

25 14. Plaintiffs are informed, believe, and thereupon allege that Does 1 through 100 were the agents,
26 servants, and employees of Defendants City of Los Angeles/LAPD and State of California/CHP.
27 Plaintiffs are ignorant of the true names and capacities of Defendants sued herein as Does 1 through
28 100, inclusive, and therefore sue these Defendant by such fictitious names. Plaintiffs are informed and

1 believe and thereon allege that Defendant Does are responsible in some manner for the damages and
2 injuries hereinafter complained of. At all times herein, Defendants, and each of them, were acting under
3 the color of state law. Plaintiffs are informed and believe that there is audio and/or body worn video
4 that may identify the shooting officers. Plaintiffs will amend this Complaint to allege their true names
5 and capacities when ascertained. The individual Doe Defendants are sued in both their individual and
6 official capacities.

7 15. Plaintiffs are informed, believe, and thereupon allege that at all times relevant hereto Does 1
8 through 100, in addition to the named Defendants, are responsible in some manner for the damages and
9 injuries alleged herein.

10 16. Plaintiffs are informed, believe, and thereupon allege that at all times relevant hereto
11 Defendants, and each of them, were the agents, servants and employees of the other Defendants and
12 were acting at all times within the scope of their agency and employment and with the knowledge and
13 consent of their principal and employer.

14 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

15 17. Plaintiffs exhausted their administrative remedies by timely filing a governmental tort claim
16 with the Defendants pursuant to California Government Code § 910 et seq. on behalf of Plaintiffs
17 Puckett, Ramirez, Layton, and Hawari-Vogenpoohl. This action was timely filed.

18 **FACTS**

19 **a. California Places Stringent Restrictions on the Use of Kinetic Energy Projectile** 20 **Weapons at Protests**

21 18. In the protests that followed the murder of George Floyd in 2020, law enforcement repeatedly
22 shot nonviolent demonstrators with 40mm “less-lethal” kinetic energy projectiles, commonly known as
23 rubber or foam bullets. The typical kinetic energy projectile travels slower than a bullet but weighs five
24 times as much. Kinetic energy projectiles have broken skin, broken bones, blinded, and maimed
25 protestors.

26 19. Alarmed by these life-changing injuries and by the millions of dollars public entities have had
27 to pay to compensate shooting victims, California passed a law to prohibit police from using them “to
28 disperse any assembly, protest, or demonstration” unless it is “objectively reasonable to defend against

1 a threat to life or serious bodily injury.” (Cal. Penal Code §13652).

2 20. In addition, in 2021, University of California (“UC”) President Michael Drake released the UC
3 Campus Safety Plan, which included guidelines to “minimize police presence at protests, follow de-
4 escalation methods in the event of violence and seek non-urgent mutual aid first from UC campuses
5 before calling outside law enforcement agencies.”¹

6 **b. Students at UCLA and Across the Country Organize Palestine Solidarity**

7 **Encampments**

8 21. Following the October 7, 2023, attacks by Hamas in Southern Israel and the Israeli
9 government’s subsequent military action in Gaza, a protest movement grew across the United States in
10 opposition to Israel’s actions and to the United States government’s political and economic support of
11 Israel.

12 22. This wave of protest activity took hold on university campuses, which became sites of daily
13 protest and various forms of speech and expressive activities opposing the Israeli government’s military
14 conduct in Gaza.

15 23. Starting in mid-April 2024, pro-Palestine encampments mobilized on approximately 130
16 college campuses across the United States.² These encampments demanded that schools disclose and
17 divest from financial ties with Israel and weapon manufacturers, alongside broader calls for Palestinian
18 liberation and an end to the genocide in Gaza. Many students and professors were moved to protest on
19 their campuses after watching months of Israel’s assault on Gaza. On April 17, 2024, pro-Palestine
20 students at Columbia University set up an encampment of approximately 50 tents on campus, calling it
21 the Gaza Solidarity Encampment, and demanded the university divest from Israel.³ The nation-wide
22 encampment wave reached the west coast shortly thereafter on April 22, 2024, when UC Berkeley
23
24

25 ¹ University of California, UC COMMUNITY SAFETY PLAN 4 (2021), <https://www.ucop.edu/uc-operations/systemwide-community-safety/policies-and-guidance/community-safety-plan/uc-community-safety-plan.pdf>.

26 ² Harvard Kennedy School Ash Center for Democratic Governance and Innovation, *Crowd Counting Consortium: An Empirical Overview of Recent Pro-Palestine Protests at U.S. Schools* (May 30, 2024),

27 <https://ash.harvard.edu/articles/crowd-counting-blog-an-empirical-overview-of-recent-pro-palestine-protests-at-u-s-schools/>.

28 ³ Judy Goldstein and Joseph Zuloaga, *In Focus: The first 24 hours of the ‘Gaza Solidarity Encampment’*, THE COLUMBIA SPECTATOR (Apr. 18, 2024), <https://www.columbiaspectator.com/main/2024/04/18/in-focus-the-first-24-hours-of-the-gaza-solidarity-encampment/>.

1 students launched their own “Free Palestine Camp.”⁴

2 24. On April 24, 2024, University of Southern California students launched a Gaza solidarity
3 encampment.⁵ The next day, April 25, 2024, UCLA students, faculty, and staff along with community
4 supporters established their own Palestine Solidarity Encampment on the UCLA campus.⁶ UCLA
5 students called on the university to disclose UC’s investments in companies profiting from the war in
6 Gaza, to divest from those companies, to remove police from campus, and to end academic
7 collaboration with institutions that are profiting and collaborating with Israel, as well as calling for an
8 immediate and permanent ceasefire.⁷ The Palestine Solidarity Encampment also hosted political, social,
9 and religious programming for students and community members.

10 25. UCLA was immediately aware and supportive of the encampment and quickly released public
11 statements to the UCLA community.⁸ Referencing the “history of peaceful protest” at UCLA, the
12 administration issued a statement on April 26, 2024 saying: “UCLA’s approach to the encampment is
13 guided by several equally important principles: the need to support the safety and wellbeing of Bruins,
14 the need to support the free expression rights of our community, and the need to minimize disruption to
15 our teaching and learning mission.”⁹ The statement went on to say that, as a result of its commitment to
16 this “history of peaceful protest,” UCLA would be taking “several steps to help ensure people on
17 campus know about the demonstration so they can avoid the area if they wish,” including “having
18 student affairs representatives stationed near Royce Quad to let Bruins and visitors know about the
19 encampment, redirect them if desired and to serve as a resource for their needs.”¹⁰

20 26. UCLA administration also communicated its support of the encampment to university deans.

21 _____
22 ⁴ Ximena Natera and Supriya Yelimeli, *UC Berkeley students begin Sproul Plaza sit-in to protest Gaza war, Cal’s investments*, BERKELEYSIDE (Apr. 22, 2024), <https://www.berkeleyside.org/2024/04/22/uc-berkeley-protest-sit-in-gaza-war-cal-investments>.

23 ⁵ Julie Sharp and Matthew Rodriguez, *USC closes its campus as LAPD arrests at least 93 pro-Palestinian protesters*, CBS
24 NEWS (Apr. 24, 2024), <https://www.cbsnews.com/losangeles/news/pro-palestine-protestors-at-uscs-alumni-park-are-forced-to-clear-tents-by-campus-police/>.

25 ⁶ David Mendez, *Peace holds at UCLA pro-Palestinian protest despite tensions*, SPECTRUM NEWS NY 1 (Apr. 26, 2024)
<https://ny1.com/nyc/all-boroughs/news/2024/04/26/ucla-pro-palestinian-campus-protest>.

26 ⁷ Makenna Sievertson, *Pro-Palestinian Protesters at UCLA Build Encampment After Arrests At Similar USC Demonstration*, LAIST (Apr. 25, 2024) <https://laist.com/news/pro-palestinian-protesters-at-ucla-build-encampment>.

27 ⁸ *UCLA Statement on Today’s Demonstration*, (Apr. 25, 2024) <https://newsroom.ucla.edu/ucla-statement-on-todays-demonstration>.

28 ⁹ *UCLA Statement About Encampment on Campus (April 26)*, (Apr. 26, 2024) <https://newsroom.ucla.edu/ucla-statement-about-encampment-on-campus-april-26>.

¹⁰ *Id.*

1 Senior leadership informed deans that the university will manage student demonstrations differently
2 than did the University of Southern California, which cleared a similar student encampment on April 24
3 and caused the arrest of ninety-three people. Leadership also communicated to deans that as long as the
4 encampment stayed peaceful, they would allow it to stay.

5 27. UCLA leadership also initially took steps to protect encampment participants from outside
6 harassment. Since the formation of the UCLA encampment, participants were subjected to several
7 incidents of targeted harassment and attempts to intimidate participants. University leadership ordered
8 the installation of metal barriers surrounding the encampment the night of April 25 to protect its
9 occupants from those wishing to harm the peaceful protestors. The administration did this again on
10 April 27, adding more barriers to shield the encampment from potential conflict in advance of a
11 counter-demonstration on April 28.

12 28. The UCLA encampment lasted one week. During that time, students held teach-ins about
13 Palestinian history, hosted a Passover seder, established a “People’s Library,” held rallies and speeches,
14 and dedicated spaces for art making, Muslim and Jewish prayers, reading group discussions, and movie
15 screenings. On April 29, the faculty group Faculty for Justice in Palestine led a walkout that culminated
16 in speeches and a rally at the encampment in front of Royce Hall. On May 1, graduate student workers
17 with UAW 4811 held a rally at the encampment to protest UCLA’s failure to protect union workers in
18 the encampment when it was attacked by the Pro-Israel counter-protesters.¹¹ Aside from formal
19 programming, the encampment became a space for mutual association and camaraderie where students
20 of all faiths—including Muslims, Jews, Christians, atheists, and others—spent time together, studied
21 together, and prayed together.

22 **c. Pro-Israel Supporters Attack UCLA’s Palestine Solidarity Encampment**

23 29. Since the very first day of the Palestine Solidarity Encampment, pro-Israel protestors attempted
24 to disrupt the encampment.¹² On Sunday, April 28, pro-Israel supporters hosted a large rally on
25

26 ¹¹ Jill Cowan, *University of California Workers May Strike after UCLA Raid*, NEW YORK TIMES (May 2, 2024)
27 <https://www.nytimes.com/2024/05/02/us/university-california-ucla-strike.html>.

28 ¹² Jonathan Gonzales, *Israel supporters counter protest pro-Palestinian encampment at UCLA*, NBC LOS ANGELES (Apr. 26, 2024), <https://www.nbclosangeles.com/news/local/israel-supporters-counter-protest-pro-palestinian-encampment-at-ucla/3398847/>.

campus, just a few yards away from the encampment.¹³ Pro-Israel supporters were caught on video using racial slurs¹⁴ and assaulting pro-Palestine protestors.¹⁵ Each night of the encampment, pro-Israel supporters harassed the encampment and attempted to breach the encampment walls.¹⁶ On April 29, pro-Israel supporters released a backpack full of mice near the encampment.¹⁷

30. On the night of April 30, pro-Israel protestors violently attacked the encampment and its participants with chemical irritants, fireworks, metal rods, wooden boards, and other weapons and attempted to tear down the barricades and breach the encampment, an assault that lasted for five hours before any sort of intervention by police. The police waited until 3:00 a.m. before taking action to protect students from the counter protestors' violence. The Daily Bruin reported that twenty-five Palestine solidarity protestors from the encampment were hospitalized due to the April 30 attack.¹⁸ "I'd seen something like I've never seen before and something that I never would expect to happen – not in the United States, not in California and certainly not in Los Angeles and on campus," said an alumnus who was in the Palestine solidarity encampment at UCLA on April 30. "I thought I was going to die . . . I saw people bleeding from their heads. I saw people on the floor. I saw people crying."¹⁹

d. CHP and LAPD Plan to Dismantle UCLA's Palestine Solidarity Encampment

31. According to the LAPD's After-Action Report, on the following day, May 1, 2024, leaders from CHP, LAPD, City of Los Angeles, including Mayor Karen Bass, UCLA administration, and other law enforcement agencies began to discuss the dismantling of the encampment.²⁰ It was agreed upon that CHP would be responsible for dismantling the encampment and making arrests and LAPD would be

¹³ Aaron Bandler and Brian Fishbach, *Tension Surfaces at Pro-Israel Rally at UCLA With Pro-Palestinian Protesters*, JEWISH JOURNAL (Apr. 29, 2024), <https://jewishjournal.com/community/370832/thousands-attend-pro-israel-rally-at-ucla-to-support-jewish-students-while-surrounded-by-pro-palestinian-protesters/>.

¹⁴ Karim Zidan, *Israeli pro boxer identified as assailant intimidating UCLA protestors in video*, SPORTS POLITIKA (May 1, 2024), <https://www.sportspolitika.news/p/israeli-pro-boxer-assailant-ucla-gaza-news>.

¹⁵ Stop Arab Hate (@StopArabHate), X (Apr. 29, 2024, 8:35 a.m.), <https://x.com/StopArabHate/status/1784969866652348693>.

¹⁶ People's City Council – Los Angeles (@PplsCityCouncil), X (Apr. 29, 2024, 11:27 p.m.), <https://x.com/PplsCityCouncil/status/1785194265301467187>.

¹⁷ Sabiha Khan (@SabihaKhan) X (Apr. 29, 2024, 3:33 a.m.), <https://x.com/SabihaKhan/status/1784893820343328862>.

¹⁸ Catherine Hamilton, *'I thought I was going to die': UCLA encampment protestors recall April 30 attack*, DAILY BRUIN (May 7, 2024), <https://dailybruin.com/2024/05/07/i-thought-i-was-going-to-die-ucla-encampment-protestors-recall-april-30-attack>.

¹⁹ *Id.*

²⁰ Dominic H. Choi, A REVIEW OF THE LOS ANGELES POLICE DEPARTMENT'S RESPONSE TO PROTESTS AT THE UNIVERSITY OF CALIFORNIA, LOS ANGELES BETWEEN APRIL 25, 2024, AND MAY 7, 2024 5 (Nov. 5, 2024), https://www.lapdpolicecom.lacity.org/110524/BPC_24-285.pdf.

1 responsible for maintaining the perimeter around the encampment and CHP.²¹

2 32. In a statement on X, Mayor Bass stated that she “met in person with LAPD, LASD, CHP,
3 CalOES, UCPD and other regional agencies at the UCLA incident command post.”²²

4 33. Shocked by images of the attack the night before, hundreds of people traveled to UCLA campus
5 throughout the day of May 1 to show support and solidarity with the Pro-Palestine protesters.

6 34. Around 4:00 p.m., Darnell Hunt, Executive Vice Chancellor and Provost of UCLA, met with
7 students at the encampment.²³ Hunt told the students of the school’s intent to close the encampment
8 that night.²⁴ In the meeting with students at the encampment, Mr. Hunt articulated no suspicion or
9 basis to suspect criminal activity or intent within the encampment. At about 4:35 p.m., a “Command
10 Team,” which included CHP and LAPD, held a meeting to decide upon tactics to dismantle the
11 encampment despite there being no criminal activity within the encampment.²⁵

12 35. Shortly before 6:00 p.m., UCPD issued a dispersal order via UCLA’s Long Range Acoustic
13 Device.²⁶ The same dispersal order was played approximately every 15 minutes until almost 10:00
14 p.m.²⁷ According to LAPD’s After-Action Report, this dispersal order was given too early due to poor
15 communication between UCPD, LAPD, and CHP. Around 7:30 p.m., LAPD Commander Lurie called
16 for a citywide tactical alert.²⁸ Tactical alerts are used to signal, prioritize and allocate LAPD resources
17 and officers to a specific event.²⁹ In addition to the people inside the encampment, hundreds of
18 protesters remained on the steps in front of the encampment during this time.³⁰ Soon after, CHP’s
19 Special Weapons and Tactics team arrived at Royce Hall.³¹ Students and community members
20 continued to peacefully protest inside and outside of the encampment.

21 ²¹ *Id.*

22 ²² Mayor Karen Bass (@MayorofLA), X (May 1, 2024, 3:28 p.m.),
23 <https://x.com/MayorOfLA/status/1785798369065198042>.

24 ²³ UCLA Radio, *Live Updates: Demonstrations and War in Gaza, 5/1/2024 – 4:08pm – Darnell Hunt is currently meeting
25 with students in the encampment*, <https://uclaradio.com/live-updates-demonstrations-and-war-in-gaza/>.

26 ²⁴ *Id.*

27 ²⁵ Choi, *supra* note 20, at 42.

28 ²⁶ Catherine Hamilton, *Palestine solidarity encampment at UCLA braces for police sweep*, DAILY BRUIN (May 1, 2024),
<https://dailybruin.com/2024/05/01/palestine-solidarity-encampment-at-ucla-braces-for-police-sweep>.

²⁷ Choi, *supra* note 20, at 6.

²⁸ *Id.*

²⁹ Choi, *supra* note 20, footnote 1: “Per the LAPD Emergency Operations Guide, Volume 1, a Tactical Alert “is the preliminary stage of the Department Mobilization Plan for Unusual Occurrences (UOs). It provides for the controlled redistribution of on duty personnel to achieve the personnel level necessary for control of a major police incident.”

³⁰ Choi, *supra* note 20, at 43.

³¹ *Id.* at 43.

36. Shortly after 10:00 p.m., LAPD officers assembled outside of the encampment carrying “less lethal” firearms.³² According to the LAPD After-Action Report, at a 10:30 p.m. briefing, City of Los Angeles’ Assistant Chief of the Fire Department Joseph Everett stated that he had been in contact with the hospitals, which were ready for an influx of patients.³³

37. At the 12:30 a.m. Command Team briefing, LAPD, UCPD, and Mayor Bass advised that the Long Range Acoustic Device would begin announcing dispersal orders every fifteen minutes starting at 12:30 a.m.³⁴

e. CHP and LAPD Officers Enter UCLA’s Palestine Solidarity Encampment and Shoot the Peaceful Demonstrators with Kinetic Energy Projectiles

38. At about 1:20 a.m., LAPD officers first entered the encampment through the Janss steps.³⁵ Around 2:00 a.m., LAPD officers shot three demonstrators with 40mm “less lethal” kinetic energy projectiles, struck a protester with a baton, and tackled a protester.³⁶

39. Also around 2:00 a.m., CHP officers in riot gear assembled near the rear entrance of the encampment.³⁷ Around 3:00 a.m., CHP officers entered Dickson Plaza through the walkway by the Fowler Museum in full riot gear, carrying their batons.³⁸

40. After 3:00 a.m., CHP officers expanded their assembly to the front of the encampment and launched sound concussive devices into the encampment.³⁹ Around 3:30 a.m., an LAPD officer shot one “less-lethal” 39 millimeter munition at a protestor, hitting him in the navel area.⁴⁰

41. Also around 3:30 a.m., CHP officers began indiscriminately shooting “less lethal” 40mm kinetic energy projectiles into the encampment.⁴¹

³² People’s City Council – Los Angeles (@PplCityCouncil), X (May 1, 2024, 10:09 p.m.), <https://x.com/PplsCityCouncil/status/1785899514551001412>.

³³ Choi, *supra* note 20, at 44-45.

³⁴ *Id.* at 45.

³⁵ Sergio Olmos (@MrOlmos), X (May 2, 2024, 1:25 a.m.), <https://x.com/MrOlmos/status/1785948689154146567>.

³⁶ Louise Keene (@thislouis), X (May 2, 2024, 2:04 a.m.), <https://x.com/thislouis/status/1785958444060868848>.

³⁷ Martin Macias Jr. (@_mxmmedia), X (May 2, 2024, 2:51 a.m.), https://x.com/_mxmmedia/status/1785970477581894047.

³⁸ *Id.*

³⁹ Sergio Olmos (@MrOlmos), X (May 2, 2024, 3:24 a.m.), <https://x.com/MrOlmos/status/1785978720165200199>; Sergio Olmos (@MrOlmos), X (May 2, 2024, 3:33 a.m.), <https://x.com/MrOlmos/status/1785980833490412020>.

⁴⁰ Choi, *supra* note 20 at 9.

⁴¹ <https://scenicroutee.smugmug.com/PALESTINE/COP-FILES/UCLA/n-bCnQpv/COPS-ADDED/i-SCwbMB4/A;https://app.box.com/s/ua7x98vjroesgdi51sskpc1heubq0aah>, Sergio Olmos (@MrOlmos), X (May 2, 2024, 3:33 a.m.), <https://x.com/MrOlmos/status/1785980833490412020>.



CHP continued to fire munitions into the crowd.⁴² One CHP officer used the barrel of a shotgun to repeatedly strike the hands of a protester who was holding onto a fence.⁴³ Another officer aimed a shotgun with kinetic energy rounds at the heads of protestors who were kneeling.⁴⁴ CHP officers continued to aim kinetic energy projectile weapons at eye level of pro-Palestine protestors.⁴⁵

⁴² Sergio Olmos (@MrOlmos), X (May 2, 2024, 4:03 a.m.), <https://x.com/MrOlmos/status/1785988537005015367>.

⁴³ Sergio Olmos, *CHP isn't supposed to aim less-lethal munitions at protesters' heads and fire into crowds. It did at UCLA*, CAL MATTERS (May 13, 2024), <https://calmatters.org/justice/2024/05/ucla-protest-palestine-police/>.

⁴⁴ *Id.* See also Anthony (@AnthonyCabassa_), X (May 2, 2024, 3:59 a.m.)

https://x.com/AnthonyCabassa_/status/1785987471446262228; Cal Matters (@calmatters), Instagram (May 2, 2024), https://www.instagram.com/reel/C6eVApUMCSE/?utm_source=ig_web_copy_link.

⁴⁵ Olmos, *supra* note 39.



Screenshot via video by Sergio Olmos, CalMatters



Screenshot via video by Sergio Olmos, CalMatters

A CalMatters review documented at least twenty-five instances in which officers appeared to aim their weapons at the heads of protesters or fired them into crowds.⁴⁶

42. According to CHP's use of force report, CHP fired fifty-seven rounds of so-called "less-lethal" 40mm kinetic energy projectile munitions on the morning of May 2.⁴⁷ According to LAPD's after-action report, LAPD fired four rounds of 40mm kinetic energy projectile munitions.⁴⁸

43. Medics reported a range of injuries including head trauma and brain bleeds from the projectiles,

⁴⁶ *Id.*

⁴⁷ California Highway Patrol, RISK MANAGEMENT USE OF FORCE FOR CROWD CONTROL REPORT (May 1, 2024), <https://www.chp.ca.gov/Documents/May%202024%20Southern%20Division.pdf>.

⁴⁸ Choi, *supra* note 20, at 9.

1 burns, lacerations, and respiratory issues from flashbang grenades, as well as scrapes and bruises.⁴⁹

2 44. When the law enforcement raid began, Plaintiff David Ramirez, a community supporter, was
3 inside the encampment. Mr. Ramirez has a bachelor's degree in architecture from SCI-Arc and had
4 recently started his own business as an architectural designer. Besides spending time volunteering to
5 provide resources to the unhoused community, he is also an artist and sculptor. He was at the
6 encampment to offer support to UCLA students, faculty, and staff, and to show solidarity with
7 Palestinians. Defendant Doe officers shot and struck Mr. Ramirez in the head with a kinetic energy
8 projectile. Mr. Ramirez was taken to the hospital where he was diagnosed with internal bleeding after
9 receiving a CAT Scan and given stitches for his head wound. As a result of being shot with the kinetic
10 energy projectile, Mr. Ramirez has experienced intense and prolonged pain, suffering, and mental and
11 emotional distress.



21 45. As of May 2, 2024, Plaintiff Abdullah Puckett was a UCLA PhD student in anthropology. Mr.
22 Puckett has studied activism and peaceful protest movements particularly amongst Black Americans in
23 Los Angeles. Mr. Puckett went to the encampment to interview protesters and conduct first-hand
24 research on the encampment and the reasons for its formation. Mr. Puckett was in the encampment
25 when CHP began to tear down the barricades. As he began to retreat with his hands up, Defendant Doe
26 officers shot him at least twice with kinetic energy projectiles, first in the arm and again in the ribs.

27 ⁴⁹ Connor Sheets et al., *Police report no serious injuries. But scenes from inside UCLA camp, protesters tell a different*
28 *story*, LOS ANGELES TIMES (May 3, 2024), <https://www.latimes.com/california/story/2024-05-03/injuries-during-clearing-of-ucla-encampment>.

1 Defendant Doe officers then jabbed Mr. Puckett with batons and threw him to the ground. Mr. Puckett
2 suffered bruised ribs, difficulty sleeping, and difficulty breathing for weeks. Mr. Puckett required
3 medical treatment for several months to heal his injuries. As a result of Defendants' use of force
4 Defendants, Mr. Puckett has experienced intense and prolonged pain, suffering, and mental and
5 emotional distress that continues to negatively impact him to this day.



17 46. Plaintiff Kira Layton is an undergraduate student at UCLA studying art. Ms. Layton was in the
18 encampment when Defendant Doe officers shot Ms. Layton in the hand with a kinetic energy projectile.
19 The projectile shattered multiple bones in her right hand, which required hospitalization, surgery, and
20 extensive rehabilitation therapy. As a result of Defendants shooting Ms. Layton, she has also
21 experienced intense and prolonged pain, suffering, and mental and emotional distress.



47. Plaintiff Juliana Islam Hawari-Vogenpoohl was also in the encampment during the police raid. Ms. Hawari-Vogenpoohl is a college student who is studying to become a teacher. Working with children and advocating for the less fortunate has long been her goal. An active member of her community, she grew up helping with beach clean-ups, food drives, and youth programs at her local masjid (Islamic Center). She also helps with charity fundraising drives for Sudan, Gaza, and other countries. She was at the encampment to offer support to UCLA students, faculty, and staff after the attacks by pro-Israel protestors, and to show solidarity with Palestinians. Defendant Doe officers shot Ms. Hawari-Vogenpoohl at least three times with kinetic energy projectiles, including at least one time when her back was turned to the officers. Ms. Hawari-Vogenpoohl was hospitalized. She suffered significant blood loss and nerve damage and required extensive medical treatment for her wounds. For the first three weeks she could not shower without help, could not drive, and could barely sleep because her wounds were so painful. As a young adult, losing her independence was particularly difficult. As a result of being shot by Defendants, Ms. Hawari-Vogenpoohl was unable to work for three weeks and only returned to work because she could not afford any more time without her wages. Her job as a lead cashier required prolonged standing, which was very painful, and she walked with a limp. Ms. Hawari-Vogenpoohl has also experienced intense and prolonged pain, suffering, and mental and emotional distress.



48. The encampment clearance by means of violence, excessive force, and kinetic energy projectiles traumatized Plaintiffs, chilled their protest activity, and justifiably made them less willing to engage in any further Palestine-related protest activity.

49. This was the natural consequence of the dramatic and violent clearing organized and carried out by CHP and LAPD, which would have certainly chilled any ordinary person from engaging in Palestine solidarity advocacy in the future.

50. But for the violent clearing of the encampment, Plaintiff Puckett had intended to continue to attend programming at the encampment and visit with his peers inside the encampment. After it was violently and forcibly cleared, he has become more hesitant and afraid of continuing his participation in protests. He now feels that he must reconsider whether he can participate in protests and if so, to what extent he can participate. He now fears that he will experience violent retaliation at the hands of law enforcement if he participates in protests. He suffered physical and mental trauma from the night of the breakdown of the encampment.

51. As a result of the violence inflicted upon him by Defendant Doe officers at the encampment, Plaintiff Ramirez is fearful of law enforcement and afraid of being subjected to violence again by law enforcement at future protests. He suffered physical and mental trauma from the night of the breakdown of the encampment.

52. As a result of being shot by law enforcement on May 2, 2024, Plaintiff Layton is now hesitant

1 to attend future protests, especially any event that is not a small, quiet gathering, for fear of being
2 subjected to violence by law enforcement again. She suffered physical and mental trauma from the
3 night of the breakdown of the encampment.

4 53. As a result of being shot by law enforcement on May 2, 2024, Plaintiff Hawari-Vogenpoohl, is
5 now afraid to attend any event, including protests, where law enforcement will be present. She is afraid
6 that if she attends a protest, law enforcement officers will violently use force on her again, as they did
7 on May 2, 2024. She suffered physical and mental trauma from the night of the breakdown of the
8 encampment.

9 **FIRST CAUSE OF ACTION**

10 **Violation of the Bane Act (Cal. Civil Code § 52.1)**

11 **(All Plaintiffs against All Defendants)**

12 54. Plaintiffs re-allege and incorporate by reference the preceding and subsequent paragraphs as
13 though fully set forth herein.

14 55. California Civil Code § 52.1, known as the Tom Bane Civil Rights Act, prohibits any “person
15 or persons, whether or not acting under the color of law,” from interfering “by threat, intimidation, or
16 coercion” with the “exercise or enjoyment by any individual or individuals of rights secured by the
17 Constitution or laws of the United States, or of the rights secured by the Constitution or laws of this
18 state.” Cal. Civ. Code. § 52.1.

19 56. The federal and state constitutions guarantee the rights to assembly and to petition the
20 government for a redress of grievances, the right to be free from unnecessary and excessive force by
21 law enforcement officers, as well as the rights to due process and to be free from cruel and unusual
22 punishment. By engaging in the wrongful acts and failures to act alleged above, Defendants retaliated
23 against Plaintiffs for exercising these constitutional rights and prevented Plaintiffs from continuing to
24 engage in the exercise of these rights, in violation of Cal. Civ. Code § 52.1.

25 57. Defendants’ actions as set out above and below in this complaint constituted interference by
26 threat, intimidation, or coercion with the exercise or enjoyment by any individual or individuals of
27 rights secured by the Constitution or laws of the United States, or of the rights secured by the
28 Constitution or laws of California in violation of Cal. Civ. Code § 52.1.

58. The use of unreasonable force by the Doe Defendants, the entity Defendants' public employees, was a substantial factor in causing the violation of rights and attendant harm of Plaintiffs.

59. Upon information and belief, each Defendant, including each of the Doe Defendants, was either personally involved and/or aided and abetted in the violation of Plaintiffs' constitutional rights. Each Defendant, including each of the Doe Defendants, knew that the other Defendants were committing unlawful actions against Plaintiffs and gave substantial assistance or encouragement to the other Defendants.

60. The entity Defendants are liable for the wrongful conduct of their employees through the doctrine of respondeat superior.

61. Defendant State of California is vicariously liable for the actions of Defendant City of Los Angeles because Defendant City of Los Angeles was acting as the agent of Defendant State of California and was acting within the scope of this agency when Plaintiffs were harmed.

62. Defendant City of Los Angeles is vicariously liable for the actions of Defendant State of California because Defendant State of California was acting as the agent of Defendant City of Los Angeles and was acting within the scope of this agency when Plaintiffs were harmed.

63. As a direct and proximate result of the aforementioned acts or omissions of Defendants, Plaintiffs sustained and incurred damages including but not limited to wounds, internal bleeding, bruised ribs, broken bones, extensive blood loss, intense and prolonged pain, suffering, fear, anxiety, nightmares, anger, frustration, humiliation, and other emotional injuries.

64. As a direct and proximate result of the aforementioned acts or omissions of Defendants, Plaintiffs sustained damages, including but not limited to those set forth above, statutory damages and treble statutory damages under Cal. Civ. Code § 52, to be determined at trial but of no less than \$4,000 for each incident, as well as compensatory and punitive damages and attorneys' fees.

65. The conduct of Defendants was willful, wanton, malicious, and done with an evil motive and intent and a reckless disregard for the rights of Plaintiffs and therefore warrants the imposition of exemplary and punitive damages against each individual Doe Defendant (but not the entity Defendants) in an amount adequate to punish the wrongdoers and deter future misconduct.

66. Absent injunctive and declaratory relief, Defendants' actions will continue to harm plaintiffs.

SECOND CAUSE OF ACTION

Violation of the Ralph Civil Rights Act of 1976 (Cal. Civil Code § 51.7)

(All Plaintiffs against All Defendants)

67. Plaintiffs re-allege and incorporate by reference the preceding and subsequent paragraphs as though fully set forth herein.

68. California Civil Code § 51.7, known as the Ralph Civil Rights Act of 1976, states that “[a]ll persons within the jurisdiction of this state have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of political affiliation, or on account of... characteristic[s]” such as their sex, race, color, religion ancestry or national origin or is perceived to be from any of these categories. Cal. Civ. Code. § 51.7.

69. Plaintiffs Puckett, Ramirez, Layton, and Hawari-Vogenpoohl bring this cause of action against all Defendants by operation of state law.

70. All Defendants, and each of them, by doing and/or causing the acts complained of in this entire Complaint, assaulted, battered, and intimidated Plaintiffs with threats of violence because of Plaintiffs’ perceived political affiliation and/or political beliefs, because of Plaintiffs’ perceived membership in or association with persons of a particular race, national origin, religion, or ethnic affiliation, and in retaliation for Plaintiffs’ exercising their First Amendment rights.

71. There was no lawful justification for Defendants to commit violence against and threaten violence against Plaintiffs because of their perceived political affiliation and/or political beliefs or because of Plaintiffs’ perceived membership in or association with persons of a particular race, national origin, religion, or ethnic affiliation while Plaintiffs were engaged in First Amendment activity.

72. The use of unreasonable force by the Doe Defendants, the entity Defendants’ public employees, was a substantial factor in causing the violation of rights and attendant harm of Plaintiffs.

73. Upon information and belief, each Defendant, including each of the Doe Defendants, was either personally involved and/or aided and abetted in the violation of Plaintiffs’ constitutional rights. Each Defendant, including each of the Doe Defendants, knew that the other Defendants were committing unlawful actions against Plaintiffs and gave substantial assistance or encouragement to the other Defendants.

74. Defendants are liable to Plaintiffs for the acts of their public employees for conduct and/or omissions herein alleged, pursuant to the doctrine of respondeat superior, codified at California Government Code § 815.2.

75. Defendant State of California is vicariously liable for the actions of Defendant City of Los Angeles because Defendant City of Los Angeles was acting as the agent of Defendant State of California and was acting within the scope of this agency when Plaintiffs were harmed.

76. Defendant City of Los Angeles is vicariously liable for the actions of Defendant State of California because Defendant State of California was acting as the agent of Defendant City of Los Angeles and was acting within the scope of this agency when Plaintiffs were harmed.

77. As a direct and proximate result of the aforementioned acts or omissions of Defendants, Plaintiffs sustained and incurred damages including but not limited to wounds, internal bleeding, bruised ribs, broken bones, extensive blood loss, intense and prolonged pain, suffering, fear, anxiety, nightmares, anger, frustration, humiliation, and other emotional injuries, and are entitled to monetary damages.

78. The conduct of Defendants was willful, wanton, malicious, and done with an evil motive and intent and a reckless disregard for the rights of Plaintiffs and therefore warrants the imposition of exemplary and punitive damages against each individual Doe Defendant (but not the entity Defendants) in an amount adequate to punish the wrongdoers and deter future misconduct.

THIRD CAUSE OF ACTION

Assault (e.g., Cal. Civil Code § 43)

(All Plaintiffs against All Defendants)

79. Plaintiffs re-allege and incorporate by reference the preceding and subsequent paragraphs as though fully set forth herein.

80. California Civil Code § 43 provides that every person has “the right of protection from bodily restraint or harm.” Civ. Code § 43.

81. Defendants intended to cause harmful or offensive contact with Plaintiffs and threatened to touch Plaintiffs in a harmful or offensive manner.

82. Doe Defendants approached Plaintiffs Puckett, Ramirez, Layton, and Hawari-Vogenpoohl

1 dressed in riot gear and wielding batons and kinetic energy projectile weapons. Plaintiffs, all peaceful
2 protesters, reasonably believed the officers would use such force against them.

3 83. Plaintiffs did not consent to Defendants' conduct.

4 84. Plaintiffs were harmed.

5 85. The use of unreasonable force by the Doe Defendants, the entity Defendants' public employees,
6 was a substantial factor in causing the violation of rights and attendant harm of Plaintiffs.

7 86. Upon information and belief, each Defendant, including each of the Doe Defendants, was either
8 personally involved and/or aided and abetted in the violation of Plaintiffs' personal rights. Each
9 Defendant, including each of the Doe Defendants, knew that the other Defendants were committing
10 unlawful actions against Plaintiffs and gave substantial assistance or encouragement to the other
11 Defendants.

12 87. As a direct and proximate result of the aforementioned acts or omissions, Plaintiffs Puckett,
13 Ramirez, Layton, and Hawari-Vogenpoohl sustained and incurred damages including but not limited to
14 wounds, internal bleeding, bruised ribs, broken bones, extensive blood loss, intense and prolonged pain,
15 suffering, fear, anxiety, nightmares, anger, frustration, humiliation, and other emotional injuries.

16 88. Defendants are liable to Plaintiffs for the acts of their public employees for conduct and/or
17 omissions herein alleged, pursuant to the doctrine of respondeat superior, codified at California
18 Government Code § 815.2.

19 89. Defendant State of California is vicariously liable for the actions of Defendant City of Los
20 Angeles because Defendant City of Los Angeles was acting as the agent of Defendant State of
21 California and was acting within the scope of this agency when Plaintiffs were harmed.

22 90. Defendant City of Los Angeles is vicariously liable for the actions of Defendant State of
23 California because Defendant State of California was acting as the agent of Defendant City of Los
24 Angeles and was acting within the scope of this agency when Plaintiffs were harmed.

25 91. The conduct of Defendants was willful, wanton, malicious, and done with an evil motive and
26 intent and a reckless disregard for the rights of Plaintiffs and therefore warrants the imposition of
27 exemplary and punitive damages against each individual Doe Defendant (but not the entity Defendants)
28 in an amount adequate to punish the wrongdoers and deter future misconduct.

1 **FOURTH CAUSE OF ACTION**

2 **Battery by a Police Officer (e.g., Cal. Civil Code § 43)**

3 **(All Plaintiffs against All Defendants)**

4 92. Plaintiffs re-allege and incorporate by reference the preceding and subsequent paragraphs as
5 though fully set forth herein.

6 93. Defendants intentionally touched Plaintiffs Puckett, Ramirez, Layton, and Hawari-Vogenpoohl
7 without their consent and without lawful justification by shooting them with kinetic energy projectiles,
8 beating them with batons, and shoving them, resulting in bodily injury to their person.

9 94. Upon information and belief, each Defendant, including each of the Doe Defendants, was either
10 personally involved and/or aided and abetted in the violation of Plaintiffs' personal rights. Each
11 Defendant, including each of the Doe Defendants, knew that the other Defendants were committing
12 unlawful actions against Plaintiffs and gave substantial assistance or encouragement to the other
13 Defendants.

14 95. As a direct and proximate result of the aforementioned acts or omissions, Plaintiffs Puckett,
15 Ramirez, Layton, and Hawari-Vogenpoohl sustained and incurred damages including but not limited to
16 wounds, internal bleeding, bruised ribs, broken bones, extensive blood loss, intense and prolonged pain,
17 suffering, fear, anxiety, nightmares, anger, frustration, humiliation, and other emotional injuries.

18 96. The use of unreasonable force by the Doe Defendants, the entity Defendants' public employees,
19 was a substantial factor in causing the violation of rights and attendant harm of Plaintiffs.

20 97. Defendants are liable to Plaintiffs for the acts of their public employees for conduct and/or
21 omissions herein alleged, pursuant to the doctrine of respondeat superior, codified at California
22 Government Code § 815.2.

23 98. Defendant State of California is vicariously liable for the actions of Defendant City of Los
24 Angeles because Defendant City of Los Angeles was acting as the agent of Defendant State of
25 California and was acting within the scope of this agency when Plaintiffs were harmed.

26 99. Defendant City of Los Angeles is vicariously liable for the actions of Defendant State of
27 California because Defendant State of California was acting as the agent of Defendant City of Los
28 Angeles and was acting within the scope of this agency when Plaintiffs were harmed.

100. The conduct of Defendants was willful, wanton, malicious, and done with an evil motive and intent and a reckless disregard for the rights of Plaintiffs and therefore warrants the imposition of exemplary and punitive damages against each individual Doe Defendant (but not the entity Defendants) in an amount adequate to punish the wrongdoers and deter future misconduct.

FIFTH CAUSE OF ACTION

Negligence

(All Plaintiffs against All Defendants)

101. Plaintiffs re-allege and incorporate by reference the preceding and subsequent paragraphs as though fully set forth herein.

102. The conduct of Defendants as set forth herein was tortious and negligent in that Defendants breached their duties of care of Plaintiffs, unarmed, non-threatening and non-resisting peaceful protesters, when the Doe Defendants shot Plaintiffs multiple times with kinetic energy projectiles and used other methods of force on them as described above.

103. Defendants were negligent per se because they violated California Penal Code § 13652 when they, by the actions of their public employees, injured Plaintiffs Puckett, Ramirez, Layton, and Hawari-Vogenpoohl by the discharge of kinetic energy weapons to disperse a public assembly without lawful justification, resulting in bodily injury to their persons.

104. Defendants had no objectively reasonable basis to believe that any of the plaintiffs posed a threat to life or a threat to serious bodily injury. Further, Defendants did not attempt to use de-escalation techniques or other alternatives to force; did not make repeated, audible announcements of the intent to use kinetic energy projectiles; did not give persons an objectively reasonable opportunity to disperse and leave the scene; did not make any effort to extract individuals in distress; did not promptly provide medical assistance to Plaintiffs; and did not make an objectively reasonable effort to identify and target any individuals engaged in violent acts; but rather shot protesters indiscriminately; took no steps to minimize the possible impact of their use of kinetic energy projectiles on unintended targets; and aimed kinetic energy projectiles at the head, neck, and other vital organs. No threat existed warranting a proportional use of kinetic energy projectiles.

105. Defendants State of California and City of Los Angeles negligently failed to appropriately

supervise, train, review, and ensure that their officers abided by the standard of care and failed to enact appropriate standards and procedures that would have prevented such harm to Plaintiffs.

106. Defendants are liable to Plaintiffs for the acts of their public employees for conduct and/or omissions herein alleged, pursuant to the doctrine of respondeat superior, codified at California Government Code § 815.2.

107. Defendant State of California is vicariously liable for the actions of Defendant City of Los Angeles because Defendant City of Los Angeles was acting as the agent of Defendant State of California and was acting within the scope of this agency when Plaintiffs were harmed.

108. Defendant City of Los Angeles is vicariously liable for the actions of Defendant State of California because Defendant State of California was acting as the agent of Defendant City of Los Angeles and was acting within the scope of this agency when Plaintiffs were harmed.

109. As a direct and proximate result of the aforementioned acts or omissions of Defendants, Plaintiffs sustained and incurred damages including but not limited to wounds, internal bleeding, bruised ribs, broken bones, extensive blood loss, intense and prolonged pain, suffering, fear, anxiety, nightmares, anger, frustration, humiliation, and other emotional injuries, and are entitled to monetary damages.

110. The conduct of Defendants was willful, wanton, malicious, and done with an evil motive and intent and a reckless disregard for the rights of Plaintiffs and therefore warrants the imposition of exemplary and punitive damages against each individual Doe Defendant (but not the entity Defendants) in an amount adequate to punish the wrongdoers and deter future misconduct.

SIXTH CAUSE OF ACTION

Conspiracy

(All Plaintiffs against Defendants State of California and City of Los Angeles)

111. Plaintiffs re-allege and incorporate by reference the preceding and subsequent paragraphs as though fully set forth herein.

112. Defendants State of California and City of Los Angeles agreed to commit the aforementioned tortious acts against Plaintiffs and were a part of a conspiracy to commit these tortious acts. This conspiracy is implied by the conduct of Defendants State of California and City of Los Angeles as

described herein. Therefore, Defendant State of California is responsible for the harm Defendant City of Los Angeles and its employees caused Plaintiffs and Defendant City of Los Angeles is responsible for the harm Defendant State of California and its employees caused Plaintiffs.

113. Defendants State of California and City of Los Angeles committed the aforementioned tortious acts or omissions against Plaintiffs. As a direct and proximate result of the aforementioned tortious acts or omissions of Defendants State of California and City of Los Angeles, Plaintiffs sustained and incurred damages including but not limited to wounds, internal bleeding, bruised ribs, broken bones, extensive blood loss, intense and prolonged pain, suffering, fear, anxiety, nightmares, anger, frustration, humiliation, and other emotional injuries.

114. Defendant State of California was aware that Defendant City of Los Angeles planned to commit the aforementioned tortious acts or omissions against Plaintiffs.

115. Defendant State of California agreed with Defendant City of Los Angeles and intended that the aforementioned tortious acts or omissions against Plaintiffs be committed.

116. Defendant City of Los Angeles was aware that Defendant State of California planned to commit the aforementioned tortious acts or omissions against Plaintiffs.

117. Defendant City of Los Angeles agreed with Defendant State of California and intended that the aforementioned tortious acts or omissions against Plaintiffs be committed.

118. This conspiracy is evidenced by facts including but not limited to: Defendants State of California and City of Los Angeles participated in multiple command meetings throughout May 1 and May 2, 2024, where they developed agreed-upon plans for dismantling the encampment, including by means of use of kinetic energy projectiles and other types of force; Defendants assembled with “less lethal” firearms, kinetic energy projectile launchers, around the encampments; and Defendants contacted local hospitals to instruct them to prepare to receive injured protesters.

119. Defendant State of California is liable for harm caused to Plaintiffs as a result of the aforementioned tortious acts or omissions committed by Defendant City of Los Angeles in conspiracy with Defendant State of California.

120. Defendant City of Los Angeles is liable for harm caused to Plaintiffs as a result of the aforementioned tortious acts or omissions committed by Defendant State of California in conspiracy

1 with Defendant City of Los Angeles.

2 121. Defendants are liable to Plaintiffs for the acts of their public employees for conduct and/or
3 omissions herein alleged, pursuant to the doctrine of respondeat superior, codified at California
4 Government Code § 815.2.

5 **SEVENTH CAUSE OF ACTION**

6 **Taxpayer Suit; Declaratory and Injunctive Relief (Code of Civil Procedure § 526a)**

7 **(All Plaintiffs against Defendant City of Los Angeles)**

8 122. Plaintiffs re-allege and incorporate by reference the preceding and subsequent paragraphs as
9 though fully set forth herein.

10 123. California Code of Civil Procedure section 526a, California's "taxpayer standing" statute,
11 provides California taxpayers with a private right of action to restrain and prevent any illegal
12 expenditure of, waste of, or injury to public funds.

13 124. Plaintiffs have paid taxes in the City of Los Angeles within the past year, including but not
14 limited to sales taxes, and have been assessed and/or paid taxes to the State of California within one
15 year of filing this action.

16 125. Defendant City of Los Angeles is subject to suit given that it is a "local agency" as defined
17 under Code of Civil Procedure section 526a or the Doe Defendants are officers, agents, or persons
18 acting in an official capacity on behalf of Defendant City of Los Angeles. Defendant City of Los
19 Angeles is subject to suit under Code of Civil Procedure section 526a as well as pursuant to the
20 common law theory of taxpayer standing.

21 126. Defendant City of Los Angeles has a clear, present, ministerial duty to perform and/or direct
22 law enforcement functions consistent with the California Constitution, state law, and their own policies.
23 In particular, Defendant has a mandatory duty to ensure that law enforcement respond to student protest
24 activity on campus consistent with this law and that kinetic energy projectiles are only used in
25 accordance with the law.

26 127. By failing this duty and unlawfully deploying kinetic energy projectiles on peaceful protesters,
27 Defendant City of Los Angeles caused an illegal expenditure, a waste of public funds, an ultra vires
28 action, and/or a failure to perform a mandatory duty.

1 128. Ensuring that Defendant City of Los Angeles discharges its duties under the California
2 Constitutions and California law is a matter of compelling public interest.

3 129. Plaintiffs have an interest in ensuring that Defendant City of Los Angeles oversees and manages
4 LAPD in a manner consistent with California law and the California Constitution. They also have an
5 interest in enjoining the waste of government resources and ultra vires activity, as well as in restraining
6 officials from enforcing an unlawful or unconstitutional practice.

7 130. Plaintiffs are informed and believe, and on that basis allege, that the conduct of Defendants,
8 their employees, agents, and contractors, has been and, unless restrained, will continue to be deleterious
9 to the constitutional and statutory rights of Plaintiffs and the general public.

10 131. Plaintiffs have no adequate remedy at law.

11 132. Defendants have expended public monies and threaten and will continue to spend such monies
12 to implement and engage in the illegal conduct described herein.

13 133. Pursuant to California Code of Civil Procedure §§ 526 and 526a, and the constitutional and
14 statutory provisions set forth above, the Plaintiffs, as taxpayers and as injured parties entitled to relief,
15 seek declaratory and injunctive relief and an accounting to prevent continued harm and to protect
16 themselves and the public from the Defendants' unlawful policies and practices.

17 134. Unless the Defendants are enjoined from continuing their unlawful course of conduct, Plaintiffs
18 will suffer ongoing and irreparable injury to their rights. Plaintiffs seek injunctive relief pursuant to
19 California Code of Civil Procedure § 526a and the substantive standards reflected in the claims stated
20 above for which injunctive and declaratory relief are appropriate remedies.

21 135. It is necessary and appropriate for the Court to render a declaratory judgment that sets forth the
22 parties' legal rights and obligations with respect to constitutionally protected public assemblies and
23 demonstrations.

24 **REQUEST FOR RELIEF**

25 Wherefore, Plaintiffs seek judgment as follows:

- 26 1. An order enjoining and restraining Defendants from unlawfully and unconstitutionally policing
27 protected expressive activity, assemblies and demonstrations;
- 28 2. A declaratory judgment that Defendants' conduct detailed herein violated Plaintiffs' rights

1 under the state Constitution and laws;

2 3. General and compensatory damages for Plaintiffs for the violations of their constitutional and
3 statutory rights, pain and suffering, all to be determined according to proof;

4 4. Punitive and exemplary damages against individual defendants in an amount appropriate to
5 punish Defendant(s) and deter others from engaging in similar misconduct;

6 5. An award of attorneys' fees pursuant to Cal. Civil Code §§ 52(b) & 52.1(h) and Cal. Code of
7 Civ. Proc. § 1021.5;

8 6. Costs of suit;

9 7. Pre- and post-judgment interest as permitted by law;

10 8. Such other and further relief as the Court may deem just and proper.

11
12 **JURY DEMAND**

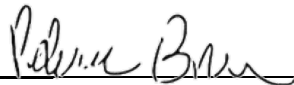
13 Plaintiffs hereby demand a jury trial in this action.

14
15 Dated: April 29, 2025

Respectfully submitted,

16
17 HADSELL STORMER RENICK & DAI LLP
18 COUNCIL ON AMERICAN-ISLAMIC RELATIONS,
19 CALIFORNIA
20 LAW OFFICE OF COLLEEN FLYNN
21 RICCI SERGIENKO, ESQ
22 KLEIMAN RAJARAM
23 LAW OFFICES OF THOMAS B. HARVEY

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27
28
By:


Rebecca Brown
Attorneys for Plaintiffs