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6 Attorneys for Plaintiffs  
 7 JAZMINE LUCILLE MORENO, E.A.O., a minor, by and through her Guardian  
 Ad Litem, JAZMINE LUCILLE MORENO, D.O. III, a minor, by and through his  
 8 Guardian Ad Litem, JAZMINE LUCILLE MORENO, E.A.O., a minor, by and  
 through her Guardian Ad Litem, JAZMINE LUCILLE MORENO, DAVID  
 9 ORDAZ MORENO, EDELMIRA RAMIREZ, LEONEL ORDAZ, ROBERT  
 ORDAZ, HILDA PEDROZA, GABRIELA HERNANDEZ, MARIA MADERA,  
 10 JUAN PEDROZA JR., and THE ESTATE OF DAVID ORDAZ JR, by and  
 through its successor-In-Interest, JAZMINE LUCILLE MORENO

11 **UNITED STATES DISTRICT COURT**

12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

13 JAZMINE LUCILLE MORENO, E.A.O.,  
 14 a minor, by and through her Guardian Ad  
 Litem, JAZMINE LUCILLE MORENO,  
 15 D.O. III, a minor, by and through his  
 Guardian Ad Litem, JAZMINE LUCILLE  
 16 MORENO, E.A.O., a minor, by and  
 through her Guardian Ad Litem,  
 17 JAZMINE LUCILLE MORENO, DAVID  
 ORDAZ MORENO, EDELMIRA  
 18 RAMIREZ, LEONEL ORDAZ, ROBERT  
 ORDAZ, HILDA PEDROZA,  
 19 GABRIELA HERNANDEZ, MARIA  
 MADERA, JUAN PEDROZA JR., and  
 20 THE ESTATE OF DAVID ORDAZ JR,  
 by and through its successor in interest,  
 21 JAZMINE LUCILLE MORENO

22 Plaintiffs,

23 vs.

24  
 25  
 26 COUNTY OF LOS ANGELES, a public  
 27 entity, REMIN PINEDA, an individual;  
 EDWIN NAVARRETE, an individual;  
 28 JAIME ROMERO, an individual;

Case No.: 2:21:CV-6062

**COMPLAINT FOR DAMAGES  
 FOR:**

1. **NEGLIGENCE –  
 WRONGFUL DEATH  
 ACTION;**
2. **NEGLIGENCE –  
 SURVIVAL  
 ACTION;**
3. **NEGLIGENCE –  
 INFLECTION OF  
 EMOTIONAL DISTRESS  
 ACTION;**
4. **VIOLATION OF TITLE 42  
 § 1983, 1988;**
5. **VIOLATION OF  
 CALIFORNIA CIVIL CODE  
 §51.7 “THE RALPH ACT”**

**PLAINTIFFS REQUESTS TRIAL  
 BY JURY**

1 NATHANIEL TRUJILLO; an individual;  
and DOES 1 through 50, inclusive,  
2 Defendants.

**DEMAND IS ABOVE \$75,000.00**

3  
4 **JURISDICTION**

5 1. Jurisdiction is conferred upon this Court by 28 U.S.C. §1331 (federal  
6 question) and § 1343(3) (civil rights). The state law claims for relief are within the  
7 supplemental jurisdiction of the Court pursuant to 28 U.S.C. § 1367.  
8

9 **VENUE**

10 2. Plaintiff’s claims herein arise out of an incident involving a Deputy  
11 Sheriff’s of the county of Los Angeles, which incident occurred in the county of  
12 Los Angeles in the state of California and within this judicial district.

13 **PARTIES**

14 3. Plaintiffs, JAZMINE LUCILLE MORENO, E.A.O., a minor, by and  
15 through her Guardian Ad Litem, JAZMINE LUCILLE MORENO, D.O. III, a  
16 minor, by and through his Guardian Ad Litem, JAZMINE LUCILLE MORENO,  
17 E.A.O., a minor, by and through her Guardian Ad Litem, JAZMINE LUCILLE  
18 MORENO, DAVID ORDAZ MORENO, EDELMIRA RAMIREZ, LEONEL  
19 ORDAZ, ROBERT ORDAZ, HILDA PEDROZA, GABRIELA HERNANDEZ,  
20 MARIA MADERA, JUAN PEDROZA JR. and THE ESTATE OF DAVID  
21 ORDAZ JR, by and through its successor in interest, JAZMINE LUCILLE  
22 MORENO.

23 4. Defendants COUNTY OF LOS ANGELES, a public entity, REMIN  
24 PINEDA, an individual; EDWIN NAVARRETE, an individual; JAIME  
25 ROMERO, an individual; NATHANIEL TRUJILLO.

26 **STATEMENT OF FACTS**

27 5. The claims set forth herein arise from the death of DAVID ORDAZ  
28 JR., (hereinafter “DECEDENT”) which occurred on March 14, 2021, in Los

1 Angeles County within the Central district of the Federal District Court, State of  
2 California, (hereinafter referred to as the “SUBJECT INCIDENT”).

3 6. At all times mentioned herein, PLAINTIFFS were, and are, residing in  
4 the County of Los Angeles, California. PLAINTIFFS bring this lawsuit as the  
5 successor in interest and survivor of DAVID ORDAZ JR., deceased, under Code of  
6 Civil Procedure 377.30.

7 7. DECEDENT’S death occurred in front of the family residence located  
8 at 168 N. Rowan, Los Angeles, California 90063, Los Angeles County within the  
9 Los Angeles Superior Court judicial district, and therefore the proper Court in which  
10 to bring this action, pursuant to 28 U.S.C. Sec 1391(b); 42 U.S.D. Sec 2000(e) -  
11 5(4)(3).

12 8. DEFENDANT LOS ANGELES at all times herein relevant, is a public  
13 entity duly organized and existing under and by virtue of laws of the State of  
14 California and authorized to do and is doing business in the State of California.

15 9. PLAINTIFFS are informed, believe, and thereon allege, that each of the  
16 DEFENDANTS is a member of the Los Angeles County Sheriff Department who  
17 were involved in the shooting and wrongful death of David Ordaz Jr., Decedent.

18 10. PLAINTIFFS are informed, believes, and thereon allege, that  
19 DEFENDANT PINEDA is the Sheriff of Los Angeles County who has a statutory  
20 duty and is statutorily liable for injury caused by his act or omission to the same  
21 extent as a private person would be, as provided by Government Code Section  
22 820(a).

23 11. PLAINTIFFS are informed, believes, and thereon allege, that  
24 DEFENDANT NAVARRETE is a member of the Sheriff’s Department of Los  
25 Angeles County who has a statutory duty and is statutorily liable for injury caused  
26 by his act or omission to the same extent as a private person would be, as provided  
27 by Government Code Section 820(a).

28 12. PLAINTIFFS are informed, believes, and thereon allege, that

1 DEFENDANT ROMERO is a member of the Sheriff's Department of Los Angeles  
2 County who has a statutory duty and is statutorily liable for injury caused by his act  
3 or omission to the same extent as a private person would be, as provided by  
4 Government Code Section 820(a).

5 13. PLAINTIFFS are informed, believes, and thereon allege, that  
6 DEFENDANT TRUJILLO is a member of the Sheriff's Department of Los Angeles  
7 County who has a statutory duty and is statutorily liable for injury caused by his act  
8 or omission to the same extent as a private person would be, as provided by  
9 Government Code Section 820(a).

10 14. PLAINTIFFS is informed, believes, and thereon alleges, that  
11 DEFENDANTS and/or DOES 1-50, and each of them, have a statutory duty and are  
12 statutorily liable for injury caused by their act or omission to the same extent as a  
13 private person would be, as provided by Government Code Section 820(a).

14 15. The true names and capacities, whether individual, plural, corporate,  
15 partnership, associate, or otherwise, of DOES 1-50, inclusive, are unknown to  
16 PLAINTIFFS, who therefore sue said DEFENDANTS by such fictitious names. The  
17 full extent of the facts linking such fictitiously sued DEFENDANTS are unknown  
18 to PLAINTIFFS. PLAINTIFFS is informed, believes, and thereon alleges that each  
19 of the DEFENDANTS designated herein as a DOE was, and is, negligent, or in some  
20 other actionable manner, responsible for the events and happenings hereinafter  
21 referred to, and thereby negligently, or in some other actionable manner, legally and  
22 proximately caused the described injuries and damages to DECEDENT.  
23 PLAINTIFFS will seek leave of the Court to amend this Complaint to show the  
24 DEFENDANTS' true names and capacities after the same have been ascertained.

25 16. PLAINTIFFS are informed, believes, and thereon allege that at all  
26 times relevant and mentioned herein, DEFENDANTS and/or DOES 1-50, and each  
27 of them, were the agents, servants, employees, and/or successors in interest, and/or  
28 joint venturers of their co-defendants, and each of them was acting within the course,

1 scope, and authority of said agency, employment, and/or venture, and that each and  
2 every defendant, as aforesaid, when acting as a principal, was negligent in the  
3 selection and hiring, retention, training and supervision of each and every other  
4 defendant as an agent, employee and/or joint venturer. Further, that each said  
5 defendant, while acting as a principal, expressly directed, consented to, approved,  
6 affirmed, and ratified each and every action taken by their co-defendants, as alleged.  
7 PLAINTIFF is informed, believes, and thereon alleges that said fictitiously named  
8 DEFENDANTS and/or DOES 1-50, and each of them, engaged in the same or  
9 similar conduct as DEFENDANTS and/or DOES 1-50, thereby proximately causing  
10 DECEDENT'S fatal injuries and damages as set forth herein, either through the said  
11 fictitious DEFENDANTS' own negligent conduct or through the conduct of agents,  
12 servants, or employees, or due to their ownership, rental, use, or maintenance of the  
13 property operated by DEFENDANT LOS ANGELES.

14 17. PLAINTIFFS are informed and believe, and thereon allege, that  
15 pursuant to California Government Code §§ 815.2, 815.4, and 820(a),  
16 DEFENDANTS and/or DOES 1-50, and each of them, are vicariously liable for the  
17 action and omissions of their employees, agents, and/or independent contractors.

18 18. On March 14, 2021, the DECEDENT, DAVID ORDAZ JR., was  
19 confronted by DEFENDANTS who used unnecessary and lethal force to  
20 unjustifiably kill DAVID ORDAZ JR., DECEDENT. The Sheriff's deputies alleged  
21 the reason they used lethal force was because DECEDENT, DAVID ORDAZ JR.,  
22 launched at them with a knife; however, the video shows that DECEDENT, DAVID  
23 ORDAZ JR., after being hit with non-lethal rounds turned to flee down the sidewalk  
24 and did not launch at the Sheriff's Deputies. In fact, the coroner's report shows that  
25 all of the bullets except two, struck him on the back and on the side and the final  
26 bullet as visualized in the video shows a helpless DAVID ORDAZ JR., looking up  
27 from the pavement without any weapon, and the killing shot was fired into his chest.

28 19. On March 14, 2021, DAVID ORDAZ JR., DECEDENT, was not in his

1 right mind and required special attention and handling to avoid injury. Such special  
2 attention and handling were not provided by DEFENDANTS, and instead  
3 DEFENDANTS used unjustifiable lethal force causing the death of DAVID  
4 ORDAZ JR., DECEDENT.

5 20. At said time and place, DEFENDANTS and/or DOES 1-50, and each  
6 of them, had a duty to exercise reasonable care in the apprehension and detention of  
7 DECEDENT DAVID ORDAZ JR., who was not in his right mind. Despite these  
8 duties, DEFENDANTS, and/or DOES 1-50, and each of them, negligently,  
9 recklessly, and carelessly managed, maintained, operated, controlled, and supervised  
10 the apprehension of DAVID ORDAZ JR., DECEDENT, so as to directly and  
11 proximately cause the death of the DECEDENT DAVID ORDAZ JR., and  
12 PLAINTIFFS damages alleged herein.

13 21. PLAINTIFFS are informed, believe, and thereon allege, that at all times  
14 herein relevant, DEFENDANT PINEDA was employed by DEFENDANTS and/or  
15 DOES 1-50, and was, at all times herein relevant, acting within the scope of his  
16 duties for DEFENDANTS. PLAINTIFFS are informed, believe, and thereon allege,  
17 that DEFENDANT PINEDA failed in his duty to apprehend DECEDENT safely  
18 without using unjustifiable lethal force.

19 22. PLAINTIFFS are informed, believe, and thereon allege, that at all times  
20 herein relevant, DEFENDANT NAVARRETE was employed by DEFENDANTS  
21 and/or DOES 1-50, and was, at all times herein relevant, acting within the scope of  
22 his duties for DEFENDANTS. PLAINTIFFS are informed, believe, and thereon  
23 allege, that DEFENDANT NAVARRETE failed in his duty to apprehend  
24 DECEDENT safely without using unjustifiable lethal force.

25 23. PLAINTIFFS are informed, believe, and thereon allege, that at all times  
26 herein relevant, DEFENDANT ROMERO was employed by DEFENDANTS and/or  
27 DOES 1-50, and was, at all times herein relevant, acting within the scope of his  
28 duties for DEFENDANTS. PLAINTIFFS are informed, believe, and thereon allege,

1 that DEFENDANT ROMERO failed in his duty to apprehend DECEDENT safely  
2 without using unjustifiable lethal force.

3 24. PLAINTIFFS are informed, believe, and thereon allege, that at all times  
4 herein relevant, DEFENDANT TRUJILLO was employed by DEFENDANTS  
5 and/or DOES 1-50, and was, at all times herein relevant, acting within the scope of  
6 his duties for DEFENDANTS. PLAINTIFFS are informed, believe, and thereon  
7 allege, that DEFENDANT TRUJILLO failed in his duty to apprehend DECEDENT  
8 safely without using unjustifiable lethal force.

9 25. As a result of the SUBJECT INCIDENT, DECEDENT suffered severe,  
10 traumatic, debilitating, and ultimately fatal injuries that necessitated significant  
11 medical care and resulted in his death.

12 26. On or about April 15, 2021, prior to the filing of this Complaint, and  
13 pursuant to the provisions of Government Code section 910, et seq., PLAINTIFFS  
14 timely, properly, and duly submitted to DEFENDANT LOS ANGELES a claim for  
15 the injuries and damages set forth herein on account of the events described herein.  
16 Attached as Exhibit "A" is a true and correct copy of PLAINTIFFS' claim form. On  
17 June 9, 2021, DEFENDANT LOS ANGELES sent correspondence rejecting  
18 PLAINTIFFS' claim. Attached as Exhibit "B" is a true and correct copy of  
19 DEFENDANT LOS ANGELES' correspondence.

20 27. On or about May 24, 2021, prior to the filing of this Complaint, and  
21 pursuant to the provisions of Government Code section 910, et seq., PLAINTIFFS  
22 timely, properly, and duly submitted to DEFENDANT LOS ANGELES an amended  
23 claim for the injuries and damages set forth herein on account of the events described  
24 herein. Attached as Exhibit "C" is a true and correct copy of PLAINTIFFS' claim  
25 form. On June 7, 2021, DEFENDANT LOS ANGELES sent correspondence  
26 rejecting PLAINTIFFS' claim. Attached as Exhibit "D" is a true and correct copy of  
27 DEFENDANT LOS ANGELES' correspondence.

28 **FIRST CAUSE OF ACTION**

**NEGLIGENCE – WRONGFUL DEATH**

(By PLAINTIFFS against DEFENDANTS and/or DOES 1-50)

28. PLAINTIFFS re-alleges and incorporates herein by reference each and every allegation and statement contained in the prior paragraphs.

29. PLAINTIFFS are informed and believe and thereon allege that at all times herein mentioned, DEFENDANT PINEDA was an employee and/or agent acting within the scope of that agency or employment or servility of DEFENDANTS and/or DOES 1-50.

30. PLAINTIFFS are informed and believe and thereon allege that at all times herein mentioned, DEFENDANT NAVARRETE was an employee and/or agent acting within the scope of that agency or employment or servility of DEFENDANTS and/or DOES 1-50.

31. PLAINTIFFS are informed and believe and thereon allege that at all times herein mentioned, DEFENDANT ROMERO was an employee and/or agent acting within the scope of that agency or employment or servility of DEFENDANTS and/or DOES 1-50.

32. PLAINTIFFS are informed and believe and thereon allege that at all times herein mentioned, DEFENDANT TRUJILLO was an employee and/or agent acting within the scope of that agency or employment or servility of DEFENDANTS and/or DOES 1-50.

33. PLAINTIFFS are informed and believe, and thereon allege, that on and prior to March 14, 2021, DEFENDANTS and/or DOES 1-50, and each of them, owed a duty of reasonable care to DECEDENT, and DEFENDANTS and/or DOES 1-50, breached that duty when they failed to act in an adequate and reasonable manner.

34. PLAINTIFFS are informed, believe, and thereon allege that, at all times relevant and mentioned herein, DEFENDANTS and/or DOES 1-50, and each of them, owed a duty of care to all reasonably foreseeable people, including

1 DECEDENT, to apprehend DECEDENT without unjustifiable lethal force.

2 35. PLAINTIFFS are informed, believe, and thereon allege that, at all times  
3 relevant and mentioned herein, DEFENDANTS and/or DOES 1-50, and each of  
4 them, carelessly and negligently managed, the apprehension of DECEDENT, so as  
5 to legally, directly, and proximately cause the SUBJECT INCIDENT.

6 36. PLAINTIFFS are informed, believe, and thereon allege that  
7 DEFENDANTS and/or DOES 1-50, and each of them, breached their duty to control  
8 and apprehend DECEDENT, thereby causing DECEDENT'S death and damages to  
9 PLAINTIFFS.

10 37. PLAINTIFFS are informed, believe, and thereon allege, that  
11 DEFENDANTS and/or DOES 1-50, and each of them, were agents, servants,  
12 employees, successors in interest, and/or joint venturers of their co-defendants, and  
13 were, as such, acting within the course, scope, and authority of said agency,  
14 employment and/or venture, and that each and every defendant, as aforesaid, when  
15 acting as a principal, was negligent in the selection of each and every other defendant  
16 as an agent, servant, employee, successor in interest, and/or joint venturer.

17 38. PLAINTIFFS is informed, believe, and thereon allege, that at all times  
18 mentioned herein, DEFENDANTS and/or DOES 1-50, and each of them, carelessly  
19 and negligently managed, controlled, and apprehended DECEDENT with  
20 unjustifiable lethal force so as to legally and proximately causing DECEDENT'S  
21 untimely death and damages to PLAINTIFFS.

22 39. More specifically, PLAINTIFF is informed, believes, and thereon  
23 alleges that, at all times relevant and mentioned herein, DEFENDANT PINEDA  
24 carelessly and negligently apprehended DECEDENT with unjustifiable lethal force.

25 40. More specifically, PLAINTIFF is informed, believes, and thereon  
26 alleges that, at all times relevant and mentioned herein, DEFENDANT  
27 NAVARRETE carelessly and negligently apprehended DECEDENT with  
28 unjustifiable lethal force.

1 41. More specifically, PLAINTIFF is informed, believes, and thereon  
2 alleges that, at all times relevant and mentioned herein, DEFENDANT ROMERO  
3 carelessly and negligently apprehended DECEDENT with unjustifiable lethal force.

4 42. More specifically, PLAINTIFF is informed, believes, and thereon  
5 alleges that, at all times relevant and mentioned herein, DEFENDANT TRUJILLO  
6 carelessly and negligently apprehended DECEDENT with unjustifiable lethal force.

7 43. As a legal, direct, and proximate result of the aforementioned conduct  
8 of the DEFENDANTS and/or DOES 1-50, and each of them, DECEDENT suffered  
9 severe, traumatic, irreparable injuries to his body, nervous system, and person, all of  
10 which said injuries ultimately caused DECEDENT'S death on March 14, 2021.

11 44. As a legal, direct, and proximate result of the aforementioned conduct  
12 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
13 JAZMINE LUCILLE MORENO lost the life of her domestic partner and sustained  
14 damages in an amount that will be stated according to proof.

15 45. As a legal, direct, and proximate result of the aforementioned conduct  
16 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF EMILY  
17 ALYSSA ORDAZ by and through her Guardian Ad Litem JAZMINE LUCILLE  
18 MORENO lost the life of her father and sustained damages in an amount that will  
19 be stated according to proof.

20 46. As a legal, direct, and proximate result of the aforementioned conduct  
21 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF ERIAL  
22 ANDREA ORDAZ by and through her Guardian Ad Litem JAZMINE LUCILLE  
23 MORENO lost the life of her father and sustained damages in an amount that will  
24 be stated according to proof.

25 47. As a legal, direct, and proximate result of the aforementioned conduct  
26 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF DAVID  
27 ORDAZ III by and through her Guardian Ad Litem JAZMINE LUCILLE  
28 MORENO lost the life of his father and sustained damages in an amount that will

1 be stated according to proof.

2 48. As a legal, direct, and proximate result of the aforementioned conduct  
3 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF DAVID  
4 ORDAZ MORENO lost the life of his son and sustained damages in an amount that  
5 will be stated according to proof.

6 49. As a legal, direct, and proximate result of the aforementioned conduct  
7 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
8 EDELMIRA RAMIREZ lost the life of her son and sustained damages in an amount  
9 that will be stated according to proof.

10 50. As a legal, direct, and proximate result of the aforementioned conduct  
11 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF LEONEL  
12 ORDAZ lost the life of his brother and sustained damages in an amount that will be  
13 stated according to proof.

14 51. As a legal, direct, and proximate result of the aforementioned conduct  
15 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF ROBER  
16 ORDAZ lost the life of his brother and sustained damages in an amount that will be  
17 stated according to proof.

18 52. As a legal, direct, and proximate result of the aforementioned conduct  
19 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF HILDA  
20 PEDROZA lost the life of her brother and sustained damages in an amount that will  
21 be stated according to proof.

22 53. As a legal, direct, and proximate result of the aforementioned conduct  
23 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
24 GABRIELA HERNANDEZ lost the life of her brother and sustained damages in an  
25 amount that will be stated according to proof.

26 54. As a legal, direct, and proximate result of the aforementioned conduct  
27 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF JUAN  
28 PEDROZA JR., lost the life of his uncle and sustained damages in an amount that

1 will be stated according to proof.

2 55. As a legal, direct, and proximate result of the aforementioned conduct  
3 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFFS have  
4 sustained and are entitled to recover damages pursuant to California Code of Civil  
5 Procedure Section 377.60 et seq. and based upon all other applicable statutes and  
6 case law, including but not limited to pecuniary losses, losses of support, services,  
7 parental and filial training, education, love, assistance, protection, care, comfort,  
8 society, solace, moral support, guidance, prospective inheritance, emotional distress,  
9 grief, and sorrow.

10 56. PLAINTIFFS have been deprived of, among many others, (1) the value  
11 of lost financial and other support that DECEDENT would have contributed to his  
12 family and estate during his lifetime, (2) the value of the gifts and benefits that he  
13 would have bestowed upon PLAINTIFFS and that PLAINTIFFS reasonably  
14 expected to receive from him, (3) the value of funeral and burial expenses, and (4)  
15 the reasonable value of household services that DECEDENT would have provided.

16 **SECOND CAUSE OF ACTION**

17 **NEGLIGENCE – SURVIVAL ACTION**

18 (By PLAINTIFFS against DEFENDANTS and/or DOES 1-50)

19 57. PLAINTIFFS re-allege and incorporates herein by reference each and  
20 every allegation and statement contained in the prior paragraphs.

21 58. As a legal, direct, and proximate result of the aforementioned conduct  
22 of the DEFENDANTS and/or DOES 1-50, and each of them, DECEDENT was  
23 required to and did employ physicians and surgeons for medical examinations,  
24 treatment, and care of his injuries and did incur medical and incidental expenses in  
25 an amount to be ascertained.

26 59. As a legal, direct, and proximate result of the aforementioned conduct  
27 of the DEFENDANTS and/or DOES 1-50, and each of them, DECEDENT was  
28 unable to attend to his usual occupation and has been damaged in a sum to be

1 determined.

2 60. As a result of the foregoing, PLAINTIFFS, as the heirs of DECEDENT  
3 and as his successors in interest, hereby assert a survivors' claims on behalf of him,  
4 the deceased, pursuant to California Code of Civil Procedure Sections 377.10,  
5 377.20, 377.30, et seq., and based upon all other applicable statutes and case law  
6 and succeed to causes of action that might have been brought by DECEDENT.  
7 PLAINTIFFS will file a declaration under penalty of perjury as required by Code of  
8 Civil Procedure Section 377.32 concurrently herewith this Complaint.

9 61. As such, PLAINTIFFS are entitled to compensation for DECEDENT'S  
10 medical expenses, loss of earnings and earning capacity.

11 **THIRD CAUSE OF ACTION**

12 **NEGLIGENCE – INFLICTION OF EMOTIONAL DISTRESS**

13 (By PLAINTIFFS against DEFENDANTS and/or DOES 1-50)

14 62. PLAINTIFFS re-alleges and incorporates herein by reference each and  
15 every allegation and statement contained in the prior paragraphs.

16 63. At all times herein, PLAINTIFFS DAVID ORDAZ MORENO AND  
17 EDELMIRA RAMIREZ were the parents of DECEDENT DAVID ORDAZ JR.,  
18 and had a loving relationship with their son.

19 64. On March 14, 2021, PLAINTIFFS DAVID ORDAZ MORENO AND  
20 EDELMIRA RAMIREZ were contemporaneously present in the front yard of their  
21 home at the time the DECEDENT was standing in front home and was killed by  
22 DEFENDANTS. PLAINTIFFS DAVID ORDAZ MORENO and EDELMIRA  
23 RAMIREZ contemporaneously observed his death.

24 65. As a result of their contemporaneous observation of DECEDENT'S  
25 death, PLAINTIFFS DAVID ORDAZ MORENO and EDELMIRA RAMIREZ  
26 suffered severe emotional distress caused by DEFENDANTS who shot  
27 DECEDENT to death in front of their family.

28 66. At all times herein, PLAINTIFFS HILDA PEDROZA, and

1 GABRIELA HERNANDEZ, were the sisters of DECEDENT DAVID ORDAZ JR.,  
2 and had a long loving relationship with their brother.

3 67. On March 14, 2021, PLAINTIFFS HILDA PEDROZA and  
4 GABRIELA HERNANDEZ were physically present in the front yard of the family  
5 home and contemporaneously observed their brother DECEDENT DAVID ORDAZ  
6 JR., killed before their eyes by DEFENDANTS.

7 68. As a result of their contemporaneous observation of their brother,  
8 DECEDENT's death, PLAINTIFFS HILDA PEDROZA and GABRIELA  
9 HERNANDEZ suffered severe emotional distress caused by DEFENDANTS who  
10 shot DECEDENT to death in front of their family.

11 69. At all times herein, PLAINTIFFS LEONEL ORDAZ and ROBERT  
12 ORDAZ, were the brothers of DECEDENT DAVID ORDAZ JR., and had a long  
13 loving relationship with their brother.

14 70. On March 14, 2021, PLAINTIFFS LEONEL ORDAZ and ROBERT  
15 ORDAZ were physically present in the front yard of the family home and  
16 contemporaneously observed their brother DECEDENT DAVID ORDAZ JR.,  
17 killed before their eyes by DEFENDANTS.

18 71. As a result of their contemporaneous observation of their brother,  
19 DECEDENT's death, PLAINTIFFS LEONEL ORDAZ and ROBERT ORDAZ  
20 suffered severe emotional distress caused by DEFENDANTS who shot  
21 DECEDENT to death in front of their family.

22 72. At all times herein, PLAINTIFF JUAN PEDROZA JR., was the  
23 nephew of DECEDENT DAVID ORDAZ JR., and had a long loving relationship  
24 with his uncle.

25 73. On March 14, 2021, PLAINTIFFS JUAN PEDROZA JR., was  
26 physically present in the front yard of the family home and contemporaneously  
27 observed his uncle DECEDENT DAVID ORDAZ JR., killed before his eyes by  
28 DEFENDANTS.

1 74. As a result of his contemporaneous observation of his uncle,  
2 DECEDENT's death, PLAINTIFFS JUAN PEDROZA JR., suffered severe  
3 emotional distress caused by DEFENDANTS who shot DECEDENT to death in  
4 front of the family.

5 75. At all times herein, PLAINTIFF MARIA MADERA, was the mother  
6 of DECEDENT DAVID ORDAZ JR., nephews and had a long loving relationship  
7 with DECEDENT.

8 76. On March 14, 2021, PLAINTIFF MARIA MADERA was physically  
9 present in the front yard of the family home and contemporaneously observed the  
10 uncle of her children DECEDENT DAVID ORDAZ JR., killed before her eyes by  
11 DEFENDANTS.

12 77. As a result of their contemporaneous observation of the uncle of her  
13 children, DECEDENT's death, PLAINTIFF MARIA MADERA suffered severe  
14 emotional distress caused by DEFENDANTS who shot DECEDENT to death in  
15 front of the family.

16 78. Each and every one of the PLAINTIFFS above alleged in this cause of  
17 action suffered severe and long-lasting emotional distress and each one of them will  
18 need to consult a psychiatrist or psychologist because of the infliction of emotional  
19 distress caused by the actions of DEFENDANTS.

20 **FOURTH CAUSE OF ACTION**

21 **VIOLATION OF TITLE 42 § 1983**

22 (By PLAINTIFFS against DEFENDANTS and/or DOES 1-50)

23 79. PLAINTIFFS re-alleges and incorporates herein by reference each and  
24 every allegation and statement contained in the prior paragraphs.

25 80. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
26 each of them, were under a duty not to deprive DECEDENT of his right to life as  
27 afforded to him under the Fourteenth Amendment of the United States Constitution,  
28 including but not limited to, serious bodily harm and death and not to deprive

1 PLAINTIFF JAZMINE LUCILLE MORENO of her right to a relationship with her  
2 domestic partner.

3 81. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
4 each of them, were under a duty not to deprive DECEDENT of his right to life as  
5 afforded to him under the Fourteenth Amendment of the United States Constitution,  
6 including but not limited to, serious bodily harm and death and not to deprive  
7 PLAINTIFF EMILY ALYSSA ORDAZ by and through her Guardian Ad Litem  
8 JAZMINE LUCILLE MORENO of her right to a relationship with her father.

9 82. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
10 each of them, were under a duty not to deprive DECEDENT of his right to life as  
11 afforded to him under the Fourteenth Amendment of the United States Constitution,  
12 including but not limited to, serious bodily harm and death and not to deprive  
13 PLAINTIFF ERIAL ANDREA ORDAZ by and through her Guardian Ad Litem  
14 JAZMINE LUCILLE MORENO of her right to a relationship with her father.

15 83. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
16 each of them, were under a duty not to deprive DECEDENT of his right to life as  
17 afforded to him under the Fourteenth Amendment of the United States Constitution,  
18 including but not limited to, serious bodily harm and death and not to deprive  
19 PLAINTIFF DAVID ORDAZ III by and through his Guardian Ad Litem JAZMINE  
20 LUCILLE MORENO of his right to a relationship with his father.

21 84. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
22 each of them, were under a duty not to deprive DECEDENT of his right to life as  
23 afforded to him under the Fourteenth Amendment of the United States Constitution,  
24 including but not limited to, serious bodily harm and death and not to deprive  
25 PLAINTIFF DAVID ORDAZ MORENO his right to a relationship with his son.

26 85. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
27 each of them, were under a duty not to deprive DECEDENT of his right to life as  
28 afforded to him under the Fourteenth Amendment of the United States Constitution,

1 including but not limited to, serious bodily harm and death and not to deprive  
2 PLAINTIFF EDELMIRA RAMIREZ her right to a relationship with his son.

3 86. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
4 each of them, were under a duty not to deprive DECEDENT of his right to life as  
5 afforded to him under the Fourteenth Amendment of the United States Constitution,  
6 including but not limited to, serious bodily harm and death and not to deprive  
7 PLAINTIFF LEONEL ORDAZ his right to a relationship with his brother.

8 87. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
9 each of them, were under a duty not to deprive DECEDENT of his right to life as  
10 afforded to him under the Fourteenth Amendment of the United States Constitution,  
11 including but not limited to, serious bodily harm and death and not to deprive  
12 PLAINTIFF ROBERT ORDAZ his right to a relationship with his brother.

13 88. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
14 each of them, were under a duty not to deprive DECEDENT of his right to life as  
15 afforded to him under the Fourteenth Amendment of the United States Constitution,  
16 including but not limited to, serious bodily harm and death and not to deprive  
17 PLAINTIFF HILDA PEDROZA her right to a relationship with her brother.

18 89. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
19 each of them, were under a duty not to deprive DECEDENT of his right to life as  
20 afforded to him under the Fourteenth Amendment of the United States Constitution,  
21 including but not limited to, serious bodily harm and death and not to deprive  
22 PLAINTIFF GABRIELA HERNANDEZ her right to a relationship with her brother.

23 90. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
24 each of them, were under a duty not to deprive DECEDENT of his right to life as  
25 afforded to him under the Fourteenth Amendment of the United States Constitution,  
26 including but not limited to, serious bodily harm and death and not to deprive  
27 PLAINTIFF JUAN PEDROZA JR., his right to a relationship with his uncle.

28 91. DEFENDANTS DOES 1 through 50, and each of them deprived

1 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
2 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
3 JAZMINE LUCILLE MORENO of her rights to have a relationship with her  
4 domestic partner.

5 92. DEFENDANTS DOES 1 through 50, and each of them deprived  
6 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
7 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
8 EMILY ALYSSA ORDAZ, a minor by and through her Guardian Ad Litem,  
9 JAZMINE LUCILLE MORENO of her rights to have a relationship with her father.

10 93. DEFENDANTS DOES 1 through 50, and each of them deprived  
11 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
12 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
13 ERIAL ANDREA ORDAZ, a minor by and through her Guardian Ad Litem,  
14 JAZMINE LUCILLE MORENO of her rights to have a relationship with her father.

15 94. DEFENDANTS DOES 1 through 50, and each of them deprived  
16 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
17 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
18 DAVID ORDAZ III, a minor by and through her Guardian Ad Litem, JAZMINE  
19 LUCILLE MORENO of his rights to have a relationship with his father.

20 95. DEFENDANTS DOES 1 through 50, and each of them deprived  
21 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
22 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
23 DAVID ORDAZ MORENO of his rights to have a relationship with his son.

24 96. DEFENDANTS DOES 1 through 50, and each of them deprived  
25 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
26 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
27 EDELMIRA RAMIREZ of her rights to have a relationship with her son.

28 97. DEFENDANTS DOES 1 through 50, and each of them deprived

1 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
2 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
3 LEONEL ORDAZ of his rights to have a relationship with his brother.

4 98. DEFENDANTS DOES 1 through 50, and each of them deprived  
5 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
6 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
7 ROBERT ORDAZ of his rights to have a relationship with his brother.

8 99. DEFENDANTS DOES 1 through 50, and each of them deprived  
9 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
10 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
11 HILDA PEDROZA of her rights to have a relationship with her brother.

12 100. DEFENDANTS DOES 1 through 50, and each of them deprived  
13 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
14 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
15 GABRIELA HERNANDEZ of her rights to have a relationship with her brother.

16 101. DEFENDANTS DOES 1 through 50, and each of them deprived  
17 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
18 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
19 JUAN PEDROZA of his rights to have a relationship with his uncle.

20 102. While engaged in the aforementioned conduct, DEFENDANTS and/or  
21 DOES 1-50, and each of them, were acting under the color of law of a statute,  
22 ordinance, regulation, custom, or practice that regulates or governs DEFENDANTS  
23 and their employees.

24 103. As employers and supervisors, DEFENDANTS owed DECEDENT a  
25 duty to manage, supervise, review, investigate and monitor DEFENDANT  
26 PINEDA'S conduct and behavior as so to prevent their employees from harming  
27 public citizens while acting under the color of law or in the course and scope of his  
28 duties for DEFENDANTS.

1           104. As employers and supervisors, DEFENDANTS owed DECEDENT a  
2 duty to manage, supervise, review, investigate and monitor DEFENDANT  
3 NAVARRETE'S conduct and behavior as so to prevent their employees from  
4 harming public citizens while acting under the color of law or in the course and  
5 scope of his duties for DEFENDANTS.

6           105. As employers and supervisors, DEFENDANTS owed DECEDENT a  
7 duty to manage, supervise, review, investigate and monitor DEFENDANT  
8 ROMERO'S conduct and behavior as so to prevent their employees from harming  
9 public citizens while acting under the color of law or in the course and scope of his  
10 duties for DEFENDANTS.

11           106. As employers and supervisors, DEFENDANTS owed DECEDENT a  
12 duty to manage, supervise, review, investigate and monitor DEFENDANT  
13 TRUJILLO'S conduct and behavior as so to prevent their employees from harming  
14 public citizens while acting under the color of law or in the course and scope of his  
15 duties for DEFENDANTS.

16           107. DEFENDANTS and/or DOES 1-50, and each of them, breached their  
17 duty of care owed to DECEDENT by failing to manage, supervise, review,  
18 investigate and monitor DEFENDANT PINEDA'S field conduct, behavior,  
19 activities, and psychological profile. DEFENDANTS failings were in direct  
20 violation of DECEDENTS' substantive rights under the United States Constitution.

21           108. DEFENDANTS and/or DOES 1-50, and each of them, breached their  
22 duty of care owed to DECEDENT by failing to manage, supervise, review,  
23 investigate and monitor DEFENDANT NAVARRETE'S field conduct, behavior,  
24 activities, and psychological profile. DEFENDANTS failings were in direct  
25 violation of DECEDENTS' substantive rights under the United States Constitution.

26           109. DEFENDANTS and/or DOES 1-50, and each of them, breached their  
27 duty of care owed to DECEDENT by failing to manage, supervise, review,  
28 investigate and monitor DEFENDANT ROMERO'S field conduct, behavior,

1 activities, and psychological profile. DEFENDANTS failings were in direct  
2 violation of DECEDENTS' substantive rights under the United States Constitution.

3 110. DEFENDANTS and/or DOES 1-50, and each of them, breached their  
4 duty of care owed to DECEDENT by failing to manage, supervise, review,  
5 investigate and monitor DEFENDANT TRUJILLO'S field conduct, behavior,  
6 activities, and psychological profile. DEFENDANTS failings were in direct  
7 violation of DECEDENTS' substantive rights under the United States Constitution.

8 111. DEFENDANTS' breach resulted in a direct violation of  
9 DECEDENTS' constitutional rights to be free from fear of bodily harm, assault, and  
10 mental and emotional distress.

11 112. DEFENDANTS failings amounted to a deliberate indifference to  
12 DECEDENTS' Constitutional rights because DEFENDANTS had actual or  
13 constructive notice that its failures were substantially certain to result in a violation  
14 of DECEDENTS' constitutional rights, but it consciously and deliberately choose  
15 to disregard the substantial risk of harm.

16 113. PLAINTIFFS are informed and believe, and on such information and  
17 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
18 and monitor DEFENDANT PINEDA'S field conduct, behavior, activities, and  
19 psychological profiles were not limited to DEFENDANT PINEDA'S violations of  
20 DECEDENTS' constitutional rights under the Fourteenth Amendment. Rather,  
21 PLAINTIFFS are informed and believe, and on such information and belief allege  
22 that DEFENDANTS and/or DOES 1-50, and each of them, had a long-standing  
23 custom or practice of consistently and repeatedly failing to manage, supervise,  
24 review, investigate and monitor DEFENDANT PINEDA'S field conduct, behavior,  
25 activities, and psychological profile with public citizens.

26 114. PLAINTIFFS are informed and believe, and on such information and  
27 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
28 and monitor DEFENDANT NAVARRETE'S field conduct, behavior, activities, and

1 psychological profiles were not limited to DEFENDANT NAVARRETE'S  
2 violations of DECEDENTS' constitutional rights under the Fourteenth Amendment.  
3 Rather, PLAINTIFFS are informed and believe, and on such information and belief  
4 allege that DEFENDANTS and/or DOES 1-50, and each of them, had a long-  
5 standing custom or practice of consistently and repeatedly failing to manage,  
6 supervise, review, investigate and monitor DEFENDANT NAVARRETE'S field  
7 conduct, behavior, activities, and psychological profile with public citizens.

8 115. PLAINTIFFS are informed and believe, and on such information and  
9 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
10 and monitor DEFENDANT ROMERO'S field conduct, behavior, activities, and  
11 psychological profiles were not limited to DEFENDANT ROMERO'S violations of  
12 DECEDENTS' constitutional rights under the Fourteenth Amendment. Rather,  
13 PLAINTIFFS are informed and believe, and on such information and belief allege  
14 that DEFENDANTS and/or DOES 1-50, and each of them, had a long-standing  
15 custom or practice of consistently and repeatedly failing to manage, supervise,  
16 review, investigate and monitor DEFENDANT ROMERO'S field conduct,  
17 behavior, activities, and psychological profile with public citizens.

18 116. PLAINTIFFS are informed and believe, and on such information and  
19 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
20 and monitor DEFENDANT TRUJILLO'S field conduct, behavior, activities, and  
21 psychological profiles were not limited to DEFENDANT TRUJILLO'S violations  
22 of DECEDENTS' constitutional rights under the Fourteenth Amendment. Rather,  
23 PLAINTIFFS are informed and believe, and on such information and belief allege  
24 that DEFENDANTS and/or DOES 1-50, and each of them, had a long-standing  
25 custom or practice of consistently and repeatedly failing to manage, supervise,  
26 review, investigate and monitor DEFENDANT TRUJILLO'S field conduct,  
27 behavior, activities, and psychological profile with public citizens.

28 117. As a direct and proximate result of DEFENDANTS' conduct set forth

1 herein, including but not limited to prior paragraphs, DECEDENT sustained severe  
2 physical injuries, which resulted in his death.

3 118. As a direct and proximate result of DEFENDANTS' conduct set forth  
4 herein, including but not limited to prior paragraphs, PLAINTIFF JAZMINE  
5 LUCILLE MORENO suffered a violation of her civil rights in having a relationship  
6 with her domestic partner.

7 119. As a direct and proximate result of DEFENDANTS' conduct set forth  
8 herein, including but not limited to prior paragraphs, PLAINTIFF EMILY ALYSSA  
9 ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE LUCILLE  
10 MORENO suffered a violation of her civil rights in having a relationship with her  
11 father.

12 120. As a direct and proximate result of DEFENDANTS' conduct set forth  
13 herein, including but not limited to prior paragraphs, PLAINTIFF ERIAL ANDREA  
14 ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE LUCILLE  
15 MORENO suffered a violation of her civil rights in having a relationship with her  
16 father.

17 121. As a direct and proximate result of DEFENDANTS' conduct set forth  
18 herein, including but not limited to prior paragraphs, PLAINTIFF DAVID ORDAZ  
19 III, a minor by and through his Guardian Ad Litem JAZMINE LUCILLE MORENO  
20 suffered a violation of his civil rights in having a relationship with his father.

21 122. As a direct and proximate result of DEFENDANTS' conduct set forth  
22 herein, including but not limited to prior paragraphs, PLAINTIFF DAVID ORDAZ  
23 MORENO suffered a violation of his civil rights in having a relationship with his  
24 son.

25 123. As a direct and proximate result of DEFENDANTS' conduct set forth  
26 herein, including but not limited to prior paragraphs, PLAINTIFF EDELMIRA  
27 RAMIREZ suffered a violation of her civil rights in having a relationship with her  
28 son.

1           124. As a direct and proximate result of DEFENDANTS’ conduct set forth  
2 herein, including but not limited to prior paragraphs, PLAINTIFF LEONEL  
3 ORDAZ suffered a violation of his civil rights in having a relationship with his  
4 brother.

5           125. As a direct and proximate result of DEFENDANTS’ conduct set forth  
6 herein, including but not limited to prior paragraphs, PLAINTIFF ROBERT  
7 ORDAZ suffered a violation of his civil rights in having a relationship with his  
8 brother.

9           126. As a direct and proximate result of DEFENDANTS’ conduct set forth  
10 herein, including but not limited to prior paragraphs, PLAINTIFF HILDA  
11 PEDROZA suffered a violation of her civil rights in having a relationship with her  
12 brother.

13           127. As a direct and proximate result of DEFENDANTS’ conduct set forth  
14 herein, including but not limited to prior paragraphs, PLAINTIFF GABRIELA  
15 HERNANDEZ suffered a violation of her civil rights in having a relationship with  
16 her brother.

17           128. As a direct and proximate result of DEFENDANTS’ conduct set forth  
18 herein, including but not limited to prior paragraphs, PLAINTIFF JUAN PEDROZA  
19 JR., suffered a violation of his civil rights in having a relationship with his uncle.

20           129. As a legal, direct, and proximate result of the aforementioned conduct  
21 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
22 JAZMINE LUCILLE MORENO lost the life of her domestic partner and sustained  
23 damages in an amount that will be stated according to proof, pursuant to California  
24 Code of Civil Procedure section 425.10.

25           130. As a legal, direct, and proximate result of the aforementioned conduct  
26 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF EMILY  
27 ALYSSA ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE  
28 LUCILLE MORENO lost the life of her father and sustained damages in an amount

1 that will be stated according to proof.

2 131. As a legal, direct, and proximate result of the aforementioned conduct  
3 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF ERIAL  
4 ANDREA ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE  
5 LUCILLE MORENO lost the life of her father and sustained damages in an amount  
6 that will be stated according to proof.

7 132. As a legal, direct, and proximate result of the aforementioned conduct  
8 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF DAVID  
9 ORDAZ III, a minor by and through his Guardian Ad Litem JAZMINE LUCILLE  
10 MORENO lost the life of his father and sustained damages in an amount that will  
11 be stated according to proof.

12 133. As a legal, direct, and proximate result of the aforementioned conduct  
13 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF DAVID  
14 ORDAZ MORENO lost the life of his son and sustained damages in an amount that  
15 will be stated according to proof.

16 134. As a legal, direct, and proximate result of the aforementioned conduct  
17 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
18 EDELMIRA RAMIREZ lost the life of her son and sustained damages in an amount  
19 that will be stated according to proof.

20 135. As a legal, direct, and proximate result of the aforementioned conduct  
21 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF LEONEL  
22 ORDAZ lost the life of his brother and sustained damages in an amount that will be  
23 stated according to proof.

24 136. As a legal, direct, and proximate result of the aforementioned conduct  
25 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF ROBERT  
26 ORDAZ lost the life of his brother and sustained damages in an amount that will be  
27 stated according to proof.

28 137. As a legal, direct, and proximate result of the aforementioned conduct

1 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF HILDA  
2 PEDROZA lost the life of her brother and sustained damages in an amount that will  
3 be stated according to proof.

4 138. As a legal, direct, and proximate result of the aforementioned conduct  
5 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
6 GABRIELA HERNANDEZ lost the life of her brother and sustained damages in an  
7 amount that will be stated according to proof.

8 139. As a legal, direct, and proximate result of the aforementioned conduct  
9 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF JUAN  
10 PEDROZA JR., lost the life of his uncle and sustained damages in an amount that  
11 will be stated according to proof.

12 140. As a legal, direct, and proximate result of the aforementioned conduct  
13 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF has  
14 sustained and is entitled to recover damages pursuant to California Code of Civil  
15 Procedure Section 377.60 et seq. and based upon all other applicable statutes and  
16 case law, including but not limited to pecuniary losses, losses of support, services,  
17 parental and filial training, education, love, assistance, protection, care, comfort,  
18 society, solace, moral support, guidance, prospective inheritance, emotional distress,  
19 grief, and sorrow.

20 141. PLAINTIFFS have been deprived of, among many others, (1) the value  
21 of lost financial and other support that DECEDENT would have contributed to his  
22 family and estate during his lifetime, (2) the value of the gifts and benefits that he  
23 would have bestowed upon her and that they reasonably expected to receive from  
24 him, (3) the value of funeral and burial expenses, and (4) the reasonable value of  
25 household services that DECEDENT would have provided.

26 142. PLAINTIFFS are entitled to an award of attorney's fees, costs, and  
27 expenses under 42 U.S.C. § 1988, due to DEFENDANT officers and employees  
28 named as DOES violations of DECEDENT and PLAINTIFFS' civil rights.

1 143. PLAINTIFFS are informed and believe, and thereon allege,  
2 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
3 a conscious disregard of the dangers such conduct would and did create for the rights  
4 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
5 thereon alleges that DEFENDANT PINEDA who was employed, managed,  
6 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,  
7 acted with malice in that he engaged in despicable conduct and in conscious  
8 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
9 DEFENDANT PINEDA was oppressive, despicable, highly reprehensible, and done  
10 in the conscious disregard for the rights and safety of DECEDENT, and as such,  
11 warrants imposition of punitive damages against DEFENDANTS.

12 144. PLAINTIFFS are informed and believe, and thereon allege,  
13 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
14 a conscious disregard of the dangers such conduct would and did create for the rights  
15 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
16 thereon alleges that DEFENDANT NAVARRETE who was employed, managed,  
17 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,  
18 acted with malice in that he engaged in despicable conduct and in conscious  
19 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
20 DEFENDANT NAVARRETE was oppressive, despicable, highly reprehensible,  
21 and done in the conscious disregard for the rights and safety of DECEDENT, and as  
22 such, warrants imposition of punitive damages against DEFENDANTS.

23 145. PLAINTIFFS are informed and believe, and thereon allege,  
24 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
25 a conscious disregard of the dangers such conduct would and did create for the rights  
26 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
27 thereon alleges that DEFENDANT ROMERO who was employed, managed,  
28 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,

1 acted with malice in that he engaged in despicable conduct and in conscious  
2 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
3 DEFENDANT ROMERO was oppressive, despicable, highly reprehensible, and  
4 done in the conscious disregard for the rights and safety of DECEDENT, and as  
5 such, warrants imposition of punitive damages against DEFENDANTS.

6 146. PLAINTIFFS are informed and believe, and thereon allege,  
7 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
8 a conscious disregard of the dangers such conduct would and did create for the rights  
9 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
10 thereon alleges that DEFENDANT TRUJILLO who was employed, managed,  
11 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,  
12 acted with malice in that he engaged in despicable conduct and in conscious  
13 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
14 DEFENDANT TRUJILLO was oppressive, despicable, highly reprehensible, and  
15 done in the conscious disregard for the rights and safety of DECEDENT, and as  
16 such, warrants imposition of punitive damages against DEFENDANTS.

17 147. As a direct and proximate result of the conduct of DEFENDANTS  
18 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
19 and damages for which PLAINTIFF JAZMINE LUCILLE MORENO may recover:

- 20 a. Violation of DECEDENT'S constitutional rights under the Fourteenth  
21 Amendment to the United States Constitution to be free from  
22 unreasonable injury and death of his person, and the deprivation of  
23 life and liberty;
- 24 b. Loss of the life of her domestic partner, DAVID ORDAZ JR.,  
25 including the value of his life to himself; and
- 26 c. Conscious physical pain, suffering and emotional trauma from the  
27 time of the incident to the time of his death.

28 148. As a direct and proximate result of the conduct of DEFENDANTS

1 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
2 and damages for which PLAINTIFF EMILY ALYSSA ORDAZ, a minor by and  
3 through her Guardian Ad Litem JAZMINE LUCILLE MORENO may recover:

- 4 a. Violation of DECEDENT’S constitutional rights under the Fourteenth  
5 Amendment to the United States Constitution to be free from  
6 unreasonable injury and death of his person, and the deprivation of  
7 life and liberty;
- 8 b. Loss of the life of her father, DAVID ORDAZ JR., including the  
9 value of his life to himself; and
- 10 c. Conscious physical pain, suffering and emotional trauma from the  
11 time of the incident to the time of his death.

12 149. As a direct and proximate result of the conduct of DEFENDANTS  
13 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
14 and damages for which PLAINTIFF ERIAL ANDREA ORDAZ, a minor by and  
15 through her Guardian Ad Litem JAZMINE LUCILLE MORENO may recover:

- 16 a. Violation of DECEDENT’S constitutional rights under the Fourteenth  
17 Amendment to the United States Constitution to be free from  
18 unreasonable injury and death of his person, and the deprivation of  
19 life and liberty;
- 20 b. Loss of the life of her father, DAVID ORDAZ JR., including the  
21 value of his life to himself; and
- 22 c. Conscious physical pain, suffering and emotional trauma from the  
23 time of the incident to the time of his death.

24 150. As a direct and proximate result of the conduct of DEFENDANTS  
25 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
26 and damages for which PLAINTIFF DAVID ORDAZ III, a minor by and through  
27 his Guardian Ad Litem JAZMINE LUCILLE MORENO may recover:

- 28 a. Violation of DECEDENT’S constitutional rights under the Fourteenth

1 Amendment to the United States Constitution to be free from  
2 unreasonable injury and death of his person, and the deprivation of  
3 life and liberty;

4 b. Loss of the life of his father, DAVID ORDAZ JR., including the value  
5 of his life to himself; and

6 c. Conscious physical pain, suffering and emotional trauma from the  
7 time of the incident to the time of his death.

8 151. As a direct and proximate result of the conduct of DEFENDANTS  
9 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
10 and damages for which PLAINTIFF DAVID ORDAZ MORENO may recover:

11 a. Violation of DECEDENT'S constitutional rights under the Fourteenth  
12 Amendment to the United States Constitution to be free from  
13 unreasonable injury and death of his person, and the deprivation of  
14 life and liberty;

15 b. Loss of the life of his son, DAVID ORDAZ JR., including the value  
16 of his life to himself; and

17 c. Conscious physical pain, suffering and emotional trauma from the  
18 time of the incident to the time of his death.

19 152. As a direct and proximate result of the conduct of DEFENDANTS  
20 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
21 and damages for which PLAINTIFF EDELMIRA RAMIREZ may recover:

22 d. Violation of DECEDENT'S constitutional rights under the Fourteenth  
23 Amendment to the United States Constitution to be free from  
24 unreasonable injury and death of his person, and the deprivation of  
25 life and liberty;

26 e. Loss of the life of her son, DAVID ORDAZ JR., including the value  
27 of his life to himself; and

28 f. Conscious physical pain, suffering and emotional trauma from the

1 time of the incident to the time of his death.

2 153. As a direct and proximate result of the conduct of DEFENDANTS  
3 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
4 and damages for which PLAINTIFF LEONEL ORDAZ may recover:

- 5 a. Violation of DECEDENT'S constitutional rights under the Fourteenth  
6 Amendment to the United States Constitution to be free from  
7 unreasonable injury and death of his person, and the deprivation of  
8 life and liberty;
- 9 b. Loss of the life of his brother, DAVID ORDAZ JR., including the  
10 value of his life to himself; and
- 11 c. Conscious physical pain, suffering and emotional trauma from the  
12 time of the incident to the time of his death.

13 154. As a direct and proximate result of the conduct of DEFENDANTS  
14 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
15 and damages for which PLAINTIFF ROBERT ORDAZ may recover:

- 16 a. Violation of DECEDENT'S constitutional rights under the Fourteenth  
17 Amendment to the United States Constitution to be free from  
18 unreasonable injury and death of his person, and the deprivation of  
19 life and liberty;
- 20 b. Loss of the life of his brother, DAVID ORDAZ JR., including the  
21 value of his life to himself; and
- 22 c. Conscious physical pain, suffering and emotional trauma from the  
23 time of the incident to the time of his death.

24 155. As a direct and proximate result of the conduct of DEFENDANTS  
25 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
26 and damages for which PLAINTIFF HILDA PEDROZA may recover:

- 27 a. Violation of DECEDENT'S constitutional rights under the Fourteenth  
28 Amendment to the United States Constitution to be free from

1 unreasonable injury and death of his person, and the deprivation of  
2 life and liberty;

3 b. Loss of the life of her brother, DAVID ORDAZ JR., including the  
4 value of his life to himself; and

5 c. Conscious physical pain, suffering and emotional trauma from the  
6 time of the incident to the time of his death.

7 156. As a direct and proximate result of the conduct of DEFENDANTS  
8 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
9 and damages for which PLAINTIFF GABRIELA HERNANDEZ may recover:

10 a. Violation of DECEDENT'S constitutional rights under the Fourteenth  
11 Amendment to the United States Constitution to be free from  
12 unreasonable injury and death of his person, and the deprivation of  
13 life and liberty;

14 b. Loss of the life of her brother, DAVID ORDAZ JR., including the  
15 value of his life to himself; and

16 c. Conscious physical pain, suffering and emotional trauma from the  
17 time of the incident to the time of his death.

18 157. As a direct and proximate result of the conduct of DEFENDANTS  
19 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
20 and damages for which PLAINTIFF JUAN PEDROZA, JR., may recover:

21 a. Violation of DECEDENT'S constitutional rights under the Fourteenth  
22 Amendment to the United States Constitution to be free from  
23 unreasonable injury and death of his person, and the deprivation of  
24 life and liberty;

25 b. Loss of the life of his uncle, DAVID ORDAZ JR., including the value  
26 of his life to himself; and

27 c. Conscious physical pain, suffering and emotional trauma from the  
28 time of the incident to the time of his death.

1 158. As a direct and proximate result of the actions of DEFENDANTS  
2 and/or DOES 1-50, and each of them, PLAINTIFF JAZMINE LUCILLE MORENO  
3 suffered the following injuries, including but not limited to:

- 4 a. Loss of love, aide, comfort, and society due to the death of her son,  
5 DECEDENT; and
- 6 b. Loss of economic support from her domestic partner, DECEDENT.

7 159. As a direct and proximate result of the actions of DEFENDANTS  
8 and/or DOES 1-50, and each of them, PLAINTIFF EMILY ALYSSA ORDAZ, a  
9 minor by and through her Guardian Ad Litem JAZMINE LUCILLE MORENO  
10 suffered the following injuries, including but not limited to:

- 11 a. Loss of love, aide, comfort, and society due to the death of her father,  
12 DECEDENT; and
- 13 b. Loss of economic support from her father, DECEDENT.

14 160. As a direct and proximate result of the actions of DEFENDANTS  
15 and/or DOES 1-50, and each of them, PLAINTIFF ERIAL ANDREA ORDAZ, a  
16 minor by and through her Guardian Ad Litem JAZMINE LUCILLE MORENO  
17 suffered the following injuries, including but not limited to:

- 18 a. Loss of love, aide, comfort, and society due to the death of her father,  
19 DECEDENT; and
- 20 b. Loss of economic support from her father, DECEDENT.

21 161. As a direct and proximate result of the actions of DEFENDANTS  
22 and/or DOES 1-50, and each of them, PLAINTIFF DAVID ORDAZ III, a minor by  
23 and through his Guardian Ad Litem JAZMINE LUCILLE MORENO suffered the  
24 following injuries, including but not limited to:

- 25 a. Loss of love, aide, comfort, and society due to the death of his father,  
26 DECEDENT; and
- 27 b. Loss of economic support from his father, DECEDENT.

28 162. As a direct and proximate result of the actions of DEFENDANTS

1 and/or DOES 1-50, and each of them, PLAINTIFF DAVID ORDAZ MORENO  
2 suffered the following injuries, including but not limited to:

- 3 a. Loss of love, aide, comfort, and society due to the death of his son,  
4 DECEDENT; and  
5 b. Loss of economic support from his son, DECEDENT.

6 163. As a direct and proximate result of the actions of DEFENDANTS  
7 and/or DOES 1-50, and each of them, PLAINTIFF EDELMIRA RAMIREZ  
8 suffered the following injuries, including but not limited to:

- 9 a. Loss of love, aide, comfort, and society due to the death of her son,  
10 DECEDENT; and  
11 b. Loss of economic support from her son, DECEDENT.

12 164. The conduct of DEFENDANT’S officers and employees, names as  
13 DOES 1 through 50, was reckless and they acted with callous indifference to the  
14 federally protected rights of DECEDENT and PLAINTIFFS’. DEFENDANTS, its  
15 officers, and employees, and DOES 1 through 50, and each of them, engaged in  
16 despicable conduct by deliberate indifference and were malicious in their reckless  
17 and conscious disregard for the rights and individual safety of DECEDENT and  
18 PLAINTIFFS.

19 165. PLAINTIFFS are entitled to punitive damages in accord with  
20 statutorily permitted limits to punish and make an example of the individual  
21 DEFENDANT officers and employees.

22 166. PLAINTIFFS are entitled to an award of attorneys’ fees, costs, and  
23 expense under 42 U.S.C. section 1988 due to DEFENDANTS’ officer’s and  
24 employee’s, named as DOES 1 through 50, violations of DECEDENT’S and  
25 PLAINTIFFS’ Civil Rights.

26 **FIFTH CAUSE OF ACTION**

27 **VIOLATION OF CALIFORNIA CIVIL CODE § 51.7 “THE RALPH ACT”**

28 **(By PLAINTIFFS against DEFENDANTS and/or DOES 1-50)**

1 167. PLAINTIFFS re-alleges and incorporates herein by reference each and  
2 every allegation and statement contained in the prior paragraphs.

3 168. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
4 each of them, were under a duty not to deprive DECEDENT of life by acts of  
5 violence because of his race and national origin under California Civil Code Section  
6 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
7 to, serious bodily harm and death and not to deprive PLAINTIFF JAZMINE  
8 LUCILLE MORENO of her right to a relationship with her domestic partner.

9 169. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
10 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
11 violence because of his race and national origin under California Civil Code Section  
12 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
13 to, serious bodily harm and death and not to deprive PLAINTIFF EMILY ALYSSA  
14 ORDAZ by and through her Guardian Ad Litem JAZMINE LUCILLE MORENO  
15 of her right to a relationship with her father.

16 170. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
17 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
18 violence because of his race and national origin under California Civil Code Section  
19 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
20 to, serious bodily harm and death and not to deprive PLAINTIFF ERIAL ANDREA  
21 ORDAZ by and through her Guardian Ad Litem JAZMINE LUCILLE MORENO  
22 of her right to a relationship with her father.

23 171. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
24 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
25 violence because of his race and national origin under California Civil Code Section  
26 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
27 to, serious bodily harm and death and not to deprive PLAINTIFF DAVID ORDAZ  
28 III by and through his Guardian Ad Litem JAZMINE LUCILLE MORENO of his

1 right to a relationship with his father.

2 172. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
3 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
4 violence because of his race and national origin under California Civil Code Section  
5 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
6 to, serious bodily harm and death and not to deprive PLAINTIFF DAVID ORDAZ  
7 MORENO his right to a relationship with his son.

8 173. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
9 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
10 violence because of his race and national origin under California Civil Code Section  
11 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
12 to, serious bodily harm and death and not to deprive PLAINTIFF EDELMIRA  
13 RAMIREZ her right to a relationship with his son.

14 174. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
15 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
16 violence because of his race and national origin under California Civil Code Section  
17 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
18 to, serious bodily harm and death and not to deprive PLAINTIFF LEONEL ORDAZ  
19 his right to a relationship with his brother.

20 175. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
21 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
22 violence because of his race and national origin under California Civil Code Section  
23 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
24 to, serious bodily harm and death and not to deprive PLAINTIFF ROBERT ORDAZ  
25 his right to a relationship with his brother.

26 176. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
27 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
28 violence because of his race and national origin under California Civil Code Section

1 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
2 to, serious bodily harm and death and not to deprive PLAINTIFF HILDA  
3 PEDROZA her right to a relationship with her brother.

4 177. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
5 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
6 violence because of his race and national origin under California Civil Code Section  
7 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
8 to, serious bodily harm and death and not to deprive PLAINTIFF GABRIELA  
9 HERNANDEZ her right to a relationship with her brother.

10 178. At all times mentioned herein DEFENDANTS and/or DOES 1-50, and  
11 each of them, were under a duty not to deprive DECEDENT of his life by acts of  
12 violence because of his race and national origin under California Civil Code Section  
13 51.7 “The Ralph Act” part of the California Constitution, including but not limited  
14 to, serious bodily harm and death and not to deprive PLAINTIFF JUAN PEDROZA  
15 JR., his right to a relationship with his uncle.

16 179. DEFENDANTS DOES 1 through 50, and each of them deprived  
17 DECEDENT of his right there under by engaging in conduct, as set forth in the prior  
18 paragraphs, which resulted in DECEDENT’S death and deprive PLAINTIFF  
19 JAZMINE LUCILLE MORENO of her rights to have a relationship with her  
20 domestic partner.

21 180. DEFENDANTS DOES 1 through 50, and each of them deprived  
22 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
23 prior paragraphs, which resulted in DECEDENT’S death and deprive PLAINTIFF  
24 EMILY ALYSSA ORDAZ, a minor by and through her Guardian Ad Litem,  
25 JAZMINE LUCILLE MORENO of her rights to have a relationship with her father.

26 181. DEFENDANTS DOES 1 through 50, and each of them deprived  
27 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
28 prior paragraphs, which resulted in DECEDENT’S death and deprive PLAINTIFF

1 ERIAL ANDREA ORDAZ, a minor by and through her Guardian Ad Litem,  
2 JAZMINE LUCILLE MORENO of her rights to have a relationship with her father.

3 182. DEFENDANTS DOES 1 through 50, and each of them deprived  
4 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
5 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
6 DAVID ORDAZ III, a minor by and through her Guardian Ad Litem, JAZMINE  
7 LUCILLE MORENO of his rights to have a relationship with his father.

8 183. DEFENDANTS DOES 1 through 50, and each of them deprived  
9 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
10 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
11 DAVID ORDAZ MORENO of his rights to have a relationship with his son.

12 184. DEFENDANTS DOES 1 through 50, and each of them deprived  
13 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
14 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
15 EDELMIRA RAMIREZ of her rights to have a relationship with her son.

16 185. DEFENDANTS DOES 1 through 50, and each of them deprived  
17 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
18 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
19 LEONEL ORDAZ of his rights to have a relationship with his brother.

20 186. DEFENDANTS DOES 1 through 50, and each of them deprived  
21 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
22 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
23 ROBERT ORDAZ of his rights to have a relationship with his brother.

24 187. DEFENDANTS DOES 1 through 50, and each of them deprived  
25 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
26 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
27 HILDA PEDROZA of her rights to have a relationship with her brother.

28 188. DEFENDANTS DOES 1 through 50, and each of them deprived

1 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
2 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
3 GABRIELA HERNANDEZ of her rights to have a relationship with her brother.

4 189. DEFENDANTS DOES 1 through 50, and each of them deprived  
5 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
6 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
7 JUAN PEDROZA of his rights to have a relationship with his uncle.

8 190. DEFENDANTS DOES 1 through 50, and each of them deprived  
9 DECEDENT of his rights there under by engaging in conduct, as set forth in the  
10 prior paragraphs, which resulted in DECEDENT'S death and deprive PLAINTIFF  
11 MARIA MADERA of her rights to have a relationship with the uncle of her children.

12 191. While engaged in the aforementioned conduct, DEFENDANTS and/or  
13 DOES 1-50, and each of them, were acting under the color of law of a statute,  
14 ordinance, regulation, custom, or practice that regulates or governs DEFENDANTS  
15 and their employees who were engaging in acts of violence because of  
16 DECEDENT'S race and national origin.

17 192. As employers and supervisors, DEFENDANTS owed DECEDENT a  
18 duty to manage, supervise, review, investigate and monitor DEFENDANT  
19 PINEDA'S conduct and behavior as so to prevent their employees from harming  
20 public citizens while acting under the color of law or in the course and scope of his  
21 duties for DEFENDANTS and engaging in violent acts because of DECEDENT'S  
22 race and national origin.

23 193. As employers and supervisors, DEFENDANTS owed DECEDENT a  
24 duty to manage, supervise, review, investigate and monitor DEFENDANT  
25 NAVARRETE'S conduct and behavior as so to prevent their employees from  
26 harming public citizens while acting under the color of law or in the course and  
27 scope of his duties for DEFENDANTS and engaging in violent acts because of  
28 DECEDENT'S race and national origin.

1 194. As employers and supervisors, DEFENDANTS owed DECEDENT a  
2 duty to manage, supervise, review, investigate and monitor DEFENDANT  
3 ROMERO'S conduct and behavior as so to prevent their employees from harming  
4 public citizens while acting under the color of law or in the course and scope of his  
5 duties for DEFENDANTS and engaging in violent acts because of DECEDENT'S  
6 race and national origin.

7 195. As employers and supervisors, DEFENDANTS owed DECEDENT a  
8 duty to manage, supervise, review, investigate and monitor DEFENDANT  
9 TRUJILLO'S conduct and behavior as so to prevent their employees from harming  
10 public citizens while acting under the color of law or in the course and scope of his  
11 duties for DEFENDANTS and engaging in violent acts because of DECEDENT'S  
12 race and national origin.

13 196. DEFENDANTS and/or DOES 1-50, and each of them, breached their  
14 duty of care owed to DECEDENT by failing to manage, supervise, review,  
15 investigate and monitor DEFENDANT PINEDA'S field conduct, behavior,  
16 activities, and psychological profile. DEFENDANTS failings were in direct  
17 violation of DECEDENTS' substantive rights under the California Constitution.

18 197. DEFENDANTS and/or DOES 1-50, and each of them, breached their  
19 duty of care owed to DECEDENT by failing to manage, supervise, review,  
20 investigate and monitor DEFENDANT NAVARRETE'S field conduct, behavior,  
21 activities, and psychological profile. DEFENDANTS failings were in direct  
22 violation of DECEDENTS' substantive rights under the California Constitution.

23 198. DEFENDANTS and/or DOES 1-50, and each of them, breached their  
24 duty of care owed to DECEDENT by failing to manage, supervise, review,  
25 investigate and monitor DEFENDANT ROMERO'S field conduct, behavior,  
26 activities, and psychological profile. DEFENDANTS failings were in direct  
27 violation of DECEDENTS' substantive rights under the California Constitution.

28 199. DEFENDANTS and/or DOES 1-50, and each of them, breached their

1 duty of care owed to DECEDENT by failing to manage, supervise, review,  
2 investigate and monitor DEFENDANT TRUJILLO'S field conduct, behavior,  
3 activities, and psychological profile. DEFENDANTS failings were in direct  
4 violation of DECEDENTS' substantive rights under the California Constitution.

5 200. DEFENDANTS' breach resulted in a direct violation of  
6 DECEDENTS' constitutional rights to be free from fear of bodily harm, assault, and  
7 mental and emotional distress, and free from violent acts because of his race and  
8 national origin.

9 201. DEFENDANTS failings amounted to a deliberate indifference to  
10 DECEDENTS' Constitutional rights because DEFENDANTS had actual or  
11 constructive notice that its failures were substantially certain to result in a violation  
12 of DECEDENTS' constitutional rights, but it consciously and deliberately chooses  
13 to disregard the substantial risk of harm.

14 202. PLAINTIFFS are informed and believe, and on such information and  
15 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
16 and monitor DEFENDANT PINEDA'S field conduct, behavior, activities, and  
17 psychological profiles were not limited to DEFENDANT PINEDA'S violations of  
18 DECEDENTS' constitutional rights under California Civil Code Section 51.7 "The  
19 Ralph Act" and the California Constitution. Rather, PLAINTIFFS are informed and  
20 believe, and on such information and belief allege that DEFENDANTS and/or  
21 DOES 1-50, and each of them, had a long-standing custom or practice of  
22 consistently and repeatedly failing to manage, supervise, review, investigate and  
23 monitor DEFENDANT PINEDA'S field conduct, behavior, activities, and  
24 psychological profile with public citizens.

25 203. PLAINTIFFS are informed and believe, and on such information and  
26 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
27 and monitor DEFENDANT NAVARRETE'S field conduct, behavior, activities, and  
28 psychological profiles were not limited to DEFENDANT NAVARRETE'S

1 violations of DECEDENTS’ constitutional rights under California Civil Code  
2 Section 51.7 “The Ralph Act” and the California Constitution. Rather, PLAINTIFFS  
3 are informed and believe, and on such information and belief allege that  
4 DEFENDANTS and/or DOES 1-50, and each of them, had a long-standing custom  
5 or practice of consistently and repeatedly failing to manage, supervise, review,  
6 investigate and monitor DEFENDANT NAVARRETE’S field conduct, behavior,  
7 activities, and psychological profile with public citizens.

8 204. PLAINTIFFS are informed and believe, and on such information and  
9 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
10 and monitor DEFENDANT ROMERO’S field conduct, behavior, activities, and  
11 psychological profiles were not limited to DEFENDANT ROMERO’S violations of  
12 DECEDENTS’ constitutional rights under California Civil Code Section 51.7 “The  
13 Ralph Act” and the California Constitution. Rather, PLAINTIFFS are informed and  
14 believe, and on such information and belief allege that DEFENDANTS and/or  
15 DOES 1-50, and each of them, had a long-standing custom or practice of  
16 consistently and repeatedly failing to manage, supervise, review, investigate and  
17 monitor DEFENDANT ROMERO’S field conduct, behavior, activities, and  
18 psychological profile with public citizens.

19 205. PLAINTIFFS are informed and believe, and on such information and  
20 belief allege that DEFENDANTS failure to manage, supervise, review, investigate  
21 and monitor DEFENDANT TRUJILLO’S field conduct, behavior, activities, and  
22 psychological profiles were not limited to DEFENDANT TRUJILLO’S violations  
23 of DECEDENTS’ constitutional rights under California Civil Code Section 51.7  
24 “The Ralph Act” and the California Constitution. Rather, PLAINTIFFS are  
25 informed and believe, and on such information and belief allege that  
26 DEFENDANTS and/or DOES 1-50, and each of them, had a long-standing custom  
27 or practice of consistently and repeatedly failing to manage, supervise, review,  
28 investigate and monitor DEFENDANT TRUJILLO’S field conduct, behavior,

1 activities, and psychological profile with public citizens.

2 206. As a direct and proximate result of DEFENDANTS' conduct set forth  
3 herein, including but not limited to prior paragraphs, DECEDENT sustained severe  
4 physical injuries, which resulted in his death.

5 207. As a direct and proximate result of DEFENDANTS' conduct set forth  
6 herein, including but not limited to prior paragraphs, PLAINTIFF JAZMINE  
7 LUCILLE MORENO suffered a violation of her civil rights in having a relationship  
8 with her domestic partner.

9 208. As a direct and proximate result of DEFENDANTS' conduct set forth  
10 herein, including but not limited to prior paragraphs, PLAINTIFF EMILY ALYSSA  
11 ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE LUCILLE  
12 MORENO suffered a violation of her civil rights in having a relationship with her  
13 father.

14 209. As a direct and proximate result of DEFENDANTS' conduct set forth  
15 herein, including but not limited to prior paragraphs, PLAINTIFF ERIAL ANDREA  
16 ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE LUCILLE  
17 MORENO suffered a violation of her civil rights in having a relationship with her  
18 father.

19 210. As a direct and proximate result of DEFENDANTS' conduct set forth  
20 herein, including but not limited to prior paragraphs, PLAINTIFF DAVID ORDAZ  
21 III, a minor by and through his Guardian Ad Litem JAZMINE LUCILLE MORENO  
22 suffered a violation of his civil rights in having a relationship with his father.

23 211. As a direct and proximate result of DEFENDANTS' conduct set forth  
24 herein, including but not limited to prior paragraphs, PLAINTIFF DAVID ORDAZ  
25 MORENO suffered a violation of his civil rights in having a relationship with his  
26 son.

27 212. As a direct and proximate result of DEFENDANTS' conduct set forth  
28 herein, including but not limited to prior paragraphs, PLAINTIFF EDELMIRA

1 RAMIREZ suffered a violation of her civil rights in having a relationship with her  
2 son.

3 213. As a direct and proximate result of DEFENDANTS' conduct set forth  
4 herein, including but not limited to prior paragraphs, PLAINTIFF LEONEL  
5 ORDAZ suffered a violation of his civil rights in having a relationship with his  
6 brother.

7 214. As a direct and proximate result of DEFENDANTS' conduct set forth  
8 herein, including but not limited to prior paragraphs, PLAINTIFF ROBERT  
9 ORDAZ suffered a violation of his civil rights in having a relationship with his  
10 brother.

11 215. As a direct and proximate result of DEFENDANTS' conduct set forth  
12 herein, including but not limited to prior paragraphs, PLAINTIFF HILDA  
13 PEDROZA suffered a violation of her civil rights in having a relationship with her  
14 brother.

15 216. As a direct and proximate result of DEFENDANTS' conduct set forth  
16 herein, including but not limited to prior paragraphs, PLAINTIFF GABRIELA  
17 HERNANDEZ suffered a violation of her civil rights in having a relationship with  
18 her brother.

19 217. As a direct and proximate result of DEFENDANTS' conduct set forth  
20 herein, including but not limited to prior paragraphs, PLAINTIFF JUAN PEDROZA  
21 JR., suffered a violation of his civil rights in having a relationship with his uncle.

22 218. As a legal, direct, and proximate result of the aforementioned conduct  
23 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
24 JAZMINE LUCILLE MORENO lost the life of her domestic partner and sustained  
25 damages in an amount that will be stated according to proof, pursuant to California  
26 Code of Civil Procedure section 425.10.

27 219. As a legal, direct, and proximate result of the aforementioned conduct  
28 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF EMILY

1 ALYSSA ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE  
2 LUCILLE MORENO lost the life of her father and sustained damages in an amount  
3 that will be stated according to proof, pursuant to California Code of Civil Procedure  
4 section 425.10.

5 220. As a legal, direct, and proximate result of the aforementioned conduct  
6 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF ERIAL  
7 ANDREA ORDAZ, a minor by and through her Guardian Ad Litem JAZMINE  
8 LUCILLE MORENO lost the life of her father and sustained damages in an amount  
9 that will be stated according to proof, pursuant to California Code of Civil Procedure  
10 section 425.10.

11 221. As a legal, direct, and proximate result of the aforementioned conduct  
12 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF DAVID  
13 ORDAZ III, a minor by and through his Guardian Ad Litem JAZMINE LUCILLE  
14 MORENO lost the life of his father and sustained damages in an amount that will  
15 be stated according to proof, pursuant to California Code of Civil Procedure section  
16 425.10.

17 222. As a legal, direct, and proximate result of the aforementioned conduct  
18 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF DAVID  
19 ORDAZ MORENO lost the life of his son and sustained damages in an amount that  
20 will be stated according to proof, pursuant to California Code of Civil Procedure  
21 section 425.10.

22 223. As a legal, direct, and proximate result of the aforementioned conduct  
23 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
24 EDELMIRA RAMIREZ lost the life of her son and sustained damages in an amount  
25 that will be stated according to proof, pursuant to California Code of Civil Procedure  
26 section 425.10.

27 224. As a legal, direct, and proximate result of the aforementioned conduct  
28 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF LEONEL

1 ORDAZ lost the life of his brother and sustained damages in an amount that will be  
2 stated according to proof, pursuant to California Code of Civil Procedure section  
3 425.10.

4 225. As a legal, direct, and proximate result of the aforementioned conduct  
5 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF ROBERT  
6 ORDAZ lost the life of his brother and sustained damages in an amount that will be  
7 stated according to proof, pursuant to California Code of Civil Procedure section  
8 425.10.

9 226. As a legal, direct, and proximate result of the aforementioned conduct  
10 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF HILDA  
11 PEDROZA lost the life of her brother and sustained damages in an amount that will  
12 be stated according to proof, pursuant to California Code of Civil Procedure section  
13 425.10.

14 227. As a legal, direct, and proximate result of the aforementioned conduct  
15 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF  
16 GABRIELA HERNANDEZ lost the life of her brother and sustained damages in an  
17 amount that will be stated according to proof, pursuant to California Code of Civil  
18 Procedure section 425.10.

19 228. As a legal, direct, and proximate result of the aforementioned conduct  
20 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF JUAN  
21 PEDROZA JR., lost the life of his uncle and sustained damages in an amount that  
22 will be stated according to proof, pursuant to California Code of Civil Procedure  
23 section 425.10.

24 229. As a legal, direct, and proximate result of the aforementioned conduct  
25 of the DEFENDANTS and/or DOES 1-50, and each of them, PLAINTIFF has  
26 sustained and is entitled to recover damages pursuant to California Civil Code  
27 Section 51.7, and based upon all other applicable statutes and case law, including  
28 but not limited to pecuniary losses, losses of support, services, parental and filial

1 training, education, love, assistance, protection, care, comfort, society, solace, moral  
2 support, guidance, prospective inheritance, emotional distress, grief, and sorrow.

3 230. PLAINTIFFS have been deprived of, among many others, (1) the value  
4 of lost financial and other support that DECEDENT would have contributed to his  
5 family and estate during his lifetime, (2) the value of the gifts and benefits that he  
6 would have bestowed upon her and that they reasonably expected to receive from  
7 him, (3) the value of funeral and burial expenses, and (4) the reasonable value of  
8 household services that DECEDENT would have provided.

9 231. PLAINTIFFS are entitled to an award of attorney's fees, costs, and  
10 expenses under California Civil Code Section. § 51.7, et seq., due to DEFENDANT  
11 officers and employees named as DOES violations of DECEDENT and  
12 PLAINTIFFS' civil rights.

13 232. PLAINTIFFS are informed and believe, and thereon allege,  
14 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
15 a conscious disregard of the dangers such conduct would and did create for the rights  
16 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
17 thereon alleges that DEFENDANT PINEDA who was employed, managed,  
18 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,  
19 acted with malice in that he engaged in despicable conduct and in conscious  
20 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
21 DEFENDANT PINEDA was oppressive, despicable, highly reprehensible, and done  
22 in the conscious disregard for the rights and safety of DECEDENT, and as such,  
23 warrants imposition of punitive damages against DEFENDANTS.

24 233. PLAINTIFFS are informed and believe, and thereon allege,  
25 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
26 a conscious disregard of the dangers such conduct would and did create for the rights  
27 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
28 thereon alleges that DEFENDANT NAVARRETE who was employed, managed,

1 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,  
2 acted with malice in that he engaged in despicable conduct and in conscious  
3 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
4 DEFENDANT NAVARRETE was oppressive, despicable, highly reprehensible,  
5 and done in the conscious disregard for the rights and safety of DECEDENT, and as  
6 such, warrants imposition of punitive damages against DEFENDANTS.

7 234. PLAINTIFFS are informed and believe, and thereon allege,  
8 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
9 a conscious disregard of the dangers such conduct would and did create for the rights  
10 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
11 thereon alleges that DEFENDANT ROMERO who was employed, managed,  
12 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,  
13 acted with malice in that he engaged in despicable conduct and in conscious  
14 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
15 DEFENDANT ROMERO was oppressive, despicable, highly reprehensible, and  
16 done in the conscious disregard for the rights and safety of DECEDENT, and as  
17 such, warrants imposition of punitive damages against DEFENDANTS.

18 235. PLAINTIFFS are informed and believe, and thereon allege,  
19 DEFENDANTS and/or DOES 1-50, and each of them, engaged in said conduct with  
20 a conscious disregard of the dangers such conduct would and did create for the rights  
21 and safety of DECEDENT. PLAINTIFFS are further informed and believes, and  
22 thereon alleges that DEFENDANT TRUJILLO who was employed, managed,  
23 supervised, trained, retained, and contracted by DEFENDANTS and/or DOES 1-50,  
24 acted with malice in that he engaged in despicable conduct and in conscious  
25 disregard of the rights, safety, and welfare of DECEDENT. Said conduct of  
26 DEFENDANT TRUJILLO was oppressive, despicable, highly reprehensible, and  
27 done in the conscious disregard for the rights and safety of DECEDENT, and as  
28 such, warrants imposition of punitive damages against DEFENDANTS.

1           236. As a direct and proximate result of the conduct of DEFENDANTS  
2 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
3 and damages for which PLAINTIFF JAZMINE LUCILLE MORENO may recover:

- 4           a. Violation of DECEDENT’S constitutional rights under the California  
5           Civil Code Section 51.7 to be free from violent acts and death of his  
6           person, and the deprivation of life and liberty;
- 7           b. Loss of the life of her domestic partner, DAVID ORDAZ JR.,  
8           including the value of his life to himself; and
- 9           c. Conscious physical pain, suffering and emotional trauma from the  
10           time of the incident to the time of his death.

11           237. As a direct and proximate result of the conduct of DEFENDANTS  
12 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
13 and damages for which PLAINTIFF EMILY ALYSSA ORDAZ, a minor by and  
14 through her Guardian Ad Litem JAZMINE LUCILLE MORENO may recover:

- 15           a. Violation of DECEDENT’S constitutional rights under the California  
16           Civil Code Section 51.7 to be free from violent acts and death of his  
17           person, and the deprivation of life and liberty;
- 18           b. Loss of the life of her father, DAVID ORDAZ JR., including the  
19           value of his life to himself; and
- 20           c. Conscious physical pain, suffering and emotional trauma from the  
21           time of the incident to the time of his death.

22           238. As a direct and proximate result of the conduct of DEFENDANTS  
23 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
24 and damages for which PLAINTIFF ERIAL ANDREA ORDAZ, a minor by and  
25 through her Guardian Ad Litem JAZMINE LUCILLE MORENO may recover:

- 26           a. Violation of DECEDENT’S constitutional rights the California Civil  
27           Code Section 51.7 to be free from violent acts and death of his person,  
28           and the deprivation of life and liberty;

1 b. Loss of the life of her father, DAVID ORDAZ JR., including the  
2 value of his life to himself; and

3 c. Conscious physical pain, suffering and emotional trauma from the  
4 time of the incident to the time of his death.

5 239. As a direct and proximate result of the conduct of DEFENDANTS  
6 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
7 and damages for which PLAINTIFF DAVID ORDAZ III, a minor by and through  
8 his Guardian Ad Litem JAZMINE LUCILLE MORENO may recover:

9 a. Violation of DECEDENT'S constitutional rights under the California  
10 Civil Code Section 51.7 to be free from violent acts and death of his  
11 person, and the deprivation of life and liberty;

12 b. Loss of the life of his father, DAVID ORDAZ JR., including the value  
13 of his life to himself; and

14 c. Conscious physical pain, suffering and emotional trauma from the  
15 time of the incident to the time of his death.

16 240. As a direct and proximate result of the conduct of DEFENDANTS  
17 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
18 and damages for which PLAINTIFF DAVID ORDAZ MORENO may recover:

19 a. Violation of DECEDENT'S constitutional rights under the California  
20 Civil Code Section 51.7 to be free from violent acts and death of his  
21 person, and the deprivation of life and liberty;

22 b. Loss of the life of his son, DAVID ORDAZ JR., including the value  
23 of his life to himself; and

24 c. Conscious physical pain, suffering and emotional trauma from the  
25 time of the incident to the time of his death.

26 241. As a direct and proximate result of the conduct of DEFENDANTS  
27 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
28 and damages for which PLAINTIFF EDELMIRA RAMIREZ may recover:

- 1 a. Violation of DECEDENT’S constitutional rights under the California
- 2 Civil Code Section 51.7 to be free from violent acts and death of his
- 3 person, and the deprivation of life and liberty;
- 4 b. Loss of the life of her son, DAVID ORDAZ JR., including the value
- 5 of his life to himself; and
- 6 c. Conscious physical pain, suffering and emotional trauma from the
- 7 time of the incident to the time of his death.

8 242. As a direct and proximate result of the conduct of DEFENDANTS  
9 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
10 and damages for which PLAINTIFF LEONEL ORDAZ may recover:

- 11 a. Violation of DECEDENT’S constitutional rights under the California
- 12 Civil Code Section 51.7 to be free from violent acts and death of his
- 13 person, and the deprivation of life and liberty;
- 14 b. Loss of the life of his brother, DAVID ORDAZ JR., including the
- 15 value of his life to himself; and
- 16 c. Conscious physical pain, suffering and emotional trauma from the
- 17 time of the incident to the time of his death.

18 243. As a direct and proximate result of the conduct of DEFENDANTS  
19 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
20 and damages for which PLAINTIFF ROBERT ORDAZ may recover:

- 21 a. Violation of DECEDENT’S constitutional rights under the California
- 22 Civil Code Section 51.7 to be free from violent acts and death of his
- 23 person, and the deprivation of life and liberty;
- 24 b. Loss of the life of his brother, DAVID ORDAZ JR., including the
- 25 value of his life to himself; and
- 26 c. Conscious physical pain, suffering and emotional trauma from the
- 27 time of the incident to the time of his death.

28 244. As a direct and proximate result of the conduct of DEFENDANTS

1 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
2 and damages for which PLAINTIFF HILDA PEDROZA may recover:

- 3 a. Violation of DECEDENT'S constitutional rights under the California  
4 Civil Code Section 51.7 to be free from violent acts and death of his  
5 person, and the deprivation of life and liberty;
- 6 b. Loss of the life of her brother, DAVID ORDAZ JR., including the  
7 value of his life to himself; and
- 8 c. Conscious physical pain, suffering and emotional trauma from the  
9 time of the incident to the time of his death.

10 245. As a direct and proximate result of the conduct of DEFENDANTS  
11 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
12 and damages for which PLAINTIFF GABRIELA HERNANDEZ may recover:

- 13 a. Violation of DECEDENT'S constitutional rights the California Civil  
14 Code Section 51.7 to be free from violent acts and death of his person,  
15 and the deprivation of life and liberty;
- 16 b. Loss of the life of her brother, DAVID ORDAZ JR., including the  
17 value of his life to himself; and
- 18 c. Conscious physical pain, suffering and emotional trauma from the  
19 time of the incident to the time of his death.

20 246. As a direct and proximate result of the conduct of DEFENDANTS  
21 and/or DOES 1-50, and each of them, DECEDENT suffered the following injuries  
22 and damages for which PLAINTIFF JUAN PEDROZA, JR., may recover:

- 23 a. Violation of DECEDENT'S constitutional rights under the California  
24 Civil Code Section 51.7 to be free from violent acts and death of his  
25 person, and the deprivation of life and liberty;
- 26 b. Loss of the life of his uncle, DAVID ORDAZ JR., including the value  
27 of his life to himself; and
- 28 c. Conscious physical pain, suffering and emotional trauma from the

1 time of the incident to the time of his death.

2 247. As a direct and proximate result of the actions of DEFENDANTS  
3 and/or DOES 1-50, and each of them, PLAINTIFF JAZMINE LUCILLE MORENO  
4 suffered the following injuries, including but not limited to:

- 5 a. Actual damages sufficient to reasonably compensate PLAINTIFF  
6 JAZMINE LUCILLE MORENO.
- 7 b. A civil penalty of \$25,000.
- 8 c. Punitive damages.

9 248. As a direct and proximate result of the actions of DEFENDANTS  
10 and/or DOES 1-50, and each of them, PLAINTIFF EMILY ALYSSA ORDAZ, a  
11 minor by and through her Guardian Ad Litem JAZMINE LUCILLE MORENO  
12 suffered the following injuries, including but not limited to:

- 13 a. Actual damages sufficient to reasonably compensate PLAINTIFF  
14 EMILY ALYSSA ORDAZ, a minor by and through her Guardian Ad  
15 Litem JAZMINE LUCILLE MORENO
- 16 b. A civil penalty of \$25,000.
- 17 c. Punitive damages.

18 249. As a direct and proximate result of the actions of DEFENDANTS  
19 and/or DOES 1-50, and each of them, PLAINTIFF EMILY ALYSSA ORDAZ, a  
20 minor by and through her Guardian Ad Litem JAZMINE LUCILLE MORENO  
21 suffered the following injuries, including but not limited to:

- 22 a. Actual damages sufficient to reasonably compensate PLAINTIFF  
23 ERIAL ANDREA ORDAZ, a minor by and through her Guardian Ad  
24 Litem JAZMINE LUCILLE MORENO
- 25 b. A civil penalty of \$25,000
- 26 c. Punitive damages.

27 250. As a direct and proximate result of the actions of DEFENDANTS  
28 and/or DOES 1-50, and each of them, PLAINTIFF DAVID ORDAZ III, a minor by

1 and through his Guardian Ad Litem JAZMINE LUCILLE MORENO suffered the  
2 following injuries, including but not limited to:

- 3 a. Actual damages sufficient to reasonably compensate PLAINTIFF  
4 DAVID ORDAZ III, a minor by and through his Guardian Ad Litem  
5 JAZMINE LUCILLE MORENO
- 6 b. A civil penalty of \$25,000.
- 7 c. Punitive damages.

8 251. As a direct and proximate result of the actions of DEFENDANTS  
9 and/or DOES 1-50, and each of them, PLAINTIFF DAVID ORDAZ MORENO  
10 suffered the following injuries, including but not limited to:

- 11 a. Actual damages sufficient to reasonably compensate PLAINTIFF  
12 DAVID ORDAZ MORENO.
- 13 b. A civil penalty of \$25,000.
- 14 c. Punitive damages.

15 252. As a direct and proximate result of the actions of DEFENDANTS  
16 and/or DOES 1-50, and each of them, PLAINTIFF EDELMIRA RAMIREZ  
17 suffered the following injuries, including but not limited to:

- 18 a. Actual damages sufficient to reasonably compensate PLAINTIFF  
19 EDELMIRA RAMIREZ.
- 20 b. A civil penalty of \$25,000.
- 21 c. Punitive damages.

22 253. The conduct of DEFENDANT'S officers and employees, names as  
23 DOES 1 through 50, was reckless and they acted with callous indifference to the  
24 federally protected rights of DECEDENT and PLAINTIFFS'. DEFENDANTS, its  
25 officers, and employees, and DOES 1 through 50, and each of them, engaged in  
26 despicable conduct by deliberate indifference and were malicious in their reckless  
27 and conscious disregard for the civil rights and individual safety of DECEDENT  
28 and PLAINTIFFS.

1 254. PLAINTIFFS are entitled to punitive damages in accord with  
2 statutorily permitted limits to punish and make an example of the individual  
3 DEFENDANT officers and employees.

4 255. PLAINTIFFS are entitled to an award of attorneys' fees, costs, and  
5 expense under California Civil Code Section 51.7, and 52 et seq., due to  
6 DEFENDANTS' officer's and employee's, named as DOES 1 through 50,  
7 violations of DECEDENT'S and PLAINTIFFS' Civil Rights.

8 **PRAYER FOR DAMAGES**

9 WHEREFORE, PLAINTIFFS as the successor in interest of DECEDENT,  
10 hereby prays for judgment against DEFENDANTS and/or DOES 1-50, and each of  
11 them, as follows:

12 1. General damages for PLAINTIFFS, for conscious physical pain,  
13 suffering and emotional trauma during the incident of March 14, 2021, through  
14 DECEDENT'S death in an amount according to proof;

15 2. The loss of the value of DECEDENT'S life to himself, recoverable by  
16 PLAINTIFFS;

17 3. For PLAINTIFFS, Loss of love, aid, comfort, and society due to the  
18 death of DECEDENT, according to proof;

19 4. For PLAINTIFFS, Loss of economic support from DECEDENT in an  
20 amount according to proof at the time of trial;

21 5. For PLAINTIFFS, Funeral, and burial expenses according to proof;

22 6. For PLAINTIFFS, DECEDENT'S medical bills incurred attempting to  
23 save his life;

24 7. Punitive damages to punish and make an example of the DOE officers  
25 and employees, in an amount according to proof at the time of trial;

26 8. For other general damages in an amount according to proof at trial;

27 9. For other special damages in an amount according to proof at trial;

28 10. For pre-judgment and post-judgment interest;

1 11. For legal/attorneys, expenses, and costs under 42 U.S.C. section 1988;

2 12. For injunctive relief;

3 13. For actual damages;

4 14. A civil penalty of \$25,000 to all PLAINTIFFS under California Civil  
5 Code Section 51.7 and 52, et seq.;

6 15. For Punitive damages, and

7 16. For such other and further relief as the Court may deem just proper.

8 Dated: July 27, 2021

9 ADAMSON AHDOOT LLP

10  
11 By: /s/ CHRISTOPHER B. ADAMSON  
CHRISTOPHER B. ADAMSON, Esq.  
12 Attorneys for Plaintiffs

13  
14 **DEMAND FOR TRIAL BY JURY**

15 PLAINTIFFS hereby demand a trial by jury as to all causes of action.

16  
17 Dated: July 27, 2021

18 ADAMSON AHDOOT LLP

19 By: /s/ CHRISTOPHER B. ADAMSON  
CHRISTOPHER B. ADAMSON, Esq.  
20 Attorneys for Plaintiffs