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JEFFREY GOTTLIEB

FILED
Superior Court of California
County of Los Angeles

AUG 09 2016

Sherri R. Carter, Executive Officer/Clerk
By Cristina Grijalva Deputy
Cristina Grijalva

D74 Teresa Sanchez-Gordon
**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

JEFFREY GOTTLIEB,

Plaintiff,

vs.

LOS ANGELES TIMES
COMMUNICATIONS LLC, DAVAN
MAHARAJ, and DOES 1 through 100,
Inclusive,

Defendants.

Case No.:

BC 630018

**PLAINTIFF JEFFREY GOTTLIEB'S
COMPLAINT FOR DAMAGES BASED
ON:**

- (1) **DISCRIMINATION ON THE BASIS
OF AGE IN VIOLATION OF FEHA;**
- (2) **HARASSMENT ON THE BASIS OF
AGE IN VIOLATION OF FEHA;**
- (3) **RETALIATION FOR
COMPLAINING OF
DISCRIMINATION AND/OR
HARASSMENT ON THE BASIS OF
AGE IN VIOLATION OF FEHA;**
- (4) **RETALIATION FOR TAKING
CFRA LEAVE IN VIOLATION OF
FEHA;**
- (5) **FAILURE TO PREVENT
DISCRIMINATION,
HARASSMENT, AND
RETALIATION IN VIOLATION OF
FEHA;**
- (6) **VIOLATION OF LABOR CODE
SECTION 1102.5;**
- (7) **WRONGFUL CONSTRUCTIVE
TERMINATION IN VIOLATION**

CIT/CASE: BC630018
LEA/DEF#: 310
RECEIPT # CCH18570703
DATE PAID 08/16
PAYMENT: \$435.00
RECEIVED
CHECK: \$435.00
DATE: 08/16
TIME: 3:10 PM
\$0.00
\$0.00
\$0.00

OF PUBLIC POLICY;

(8) FAILURE TO PROMOTE;

(9) NEGLIGENT SUPERVISION;

(10) NEGLIGENT RETENTION;

(11) INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS;

(12) VIOLATION OF LABOR CODE
REGARDING PERSONNEL FILE
AND DOCUMENTS SIGNED.

DEMAND FOR JURY TRIAL

1 Plaintiff, Jeffrey Gottlieb, alleges:

2
3 **PARTIES**

4 1. Plaintiff, Jeffrey Gottlieb ("plaintiff" or "Gottlieb"), is, and at all times
5 mentioned in this Complaint was, a resident of Los Angeles County, in the State of
6 California.

7 2. Defendant Los Angeles Times Communications LLC ("defendant" or "LA
8 Times") is, and at all times mentioned in this Complaint was, authorized to operate by
9 the State of California and the United States government and authorized and qualified to
10 do business in the County of Los Angeles. LA Times' place of business, where the
11 following causes of action took place, was and is in the County of Los Angeles, at 202
12 West First Street, Los Angeles, California 90012.

13 3. Defendant Davan Maharaj ("defendant" or "Maharaj") is, and at all times
14 mentioned in this Complaint was, employed by LA Times and was Managing Editor and
15 later Editor for LA Times. At all times known to Plaintiff, Defendant Maharaj was a
16 resident of Orange County.

17 4. Defendants Does 1 through 100 are sued under fictitious names pursuant to
18 Code of Civil Procedure section 474. Plaintiff is informed and believes, and on that
19 basis alleges, that each of the defendants sued under fictitious names is in some manner
20 responsible for the wrongs and damages alleged below, in so acting was functioning as
21 the agent, servant, partner, and employee of the co-defendants, and in taking the actions
22 mentioned below was acting within the course and scope of his or her authority as such
23 agent, servant, partner, and employee, with the permission and consent of the co-
24 defendants.

25 5. Defendants directly and indirectly employed plaintiff Gottlieb, as defined under
26 the Fair Employment and Housing Act ("FEHA") at Government Code section
27 12926(d).

28 6. In addition, defendants compelled, coerced, aided, and abetted the

1 discrimination, which is prohibited under California Government Code section 12940(i).

2 3 INTRODUCTORY ALLEGATIONS

4 7. Plaintiff is a sixty-two year old male.

5 8. Defendants hired plaintiff on or around March 1997 as Assistant City Editor.
6 From on or around 1998 to 2006, plaintiff was a Staff Writer. From around 2006 to
7 2008, plaintiff was Assistant City Editor. From 2008 until the end of his employment
8 with defendants, plaintiff was Senior Writer. At all times during his employment,
9 plaintiff performed his job in an exemplary manner, receiving numerous accolades,
10 including a Pulitzer prize, for his work while employed by defendants.

11 9. On or around 2010, Plaintiff and co-journalist Ruben Vives ("Ruben") co-wrote
12 more than 100 stories about corruption within the City of Bell. The stories they wrote
13 received national recognition, as it helped uncover various corruption scandals within the
14 City of Bell. Ruben and plaintiff received a flood of congratulatory emails and phone
15 calls, some even asking for plaintiff and Ruben to investigate their cities. The stories
16 helped to put behind bars several Bell officials.

17 10. Following the story being published, Russ Stanton ("Stanton"), Editor for LA
18 Times, told plaintiff and Ruben that they were singlehandedly boosting morale. LA
19 Times reporters would stop plaintiff in the halls to say how proud they were of his work
20 and that this was the kind of journalism the paper should be producing.

21 11. During the journalism award season, Shelby Grad ("Grad"), then city-editor,
22 sent an email congratulating and thanking Ruben and plaintiff for their work that helped
23 put accountability of local government on the national agenda.

24 12. After the stories ran, plaintiff won several awards, including the Pulitzer Prize
25 for Public Service, which is given to the paper; the George Polk Award; the Investigative
26 Reporters and Editors Medal; the Selden Ring for Investigative Reporting; American
27 Society of News Editors Award for Local Accountability Reporting; the Society of
28 Professional Journalists Award for Investigative Reporting; and the Los Angeles Press

1 Club's Public Service in Journalism Award. Notably, plaintiff was the only person on
2 the staff with two George Polk Awards.

3 13. On or around February 2011, the top editors, including Marc Duvoisin
4 ("Duvoisin"), did not tell plaintiff or Ruben that the two had won the George Polk
5 Award, which is one of journalism's top honors. Almost by accident Duvoisin told
6 plaintiff, who was walking out of the building at 11 p.m.

7 14. On or around February 8, 2011, plaintiff was announced one of six finalists for
8 the Goldsmith Prize for Investigative Reporting, awarded by Harvard University.

9 15. On or around February of 2011, David Lauter ("Lauter"), then Assistant
10 Managing Editor/Metro of the LA Times, told plaintiff and Ruben that the paper would
11 pay their expenses to attend the Polk Award ceremony in New York. He also said that if
12 they won the Pulitzer Prize, the paper would pay for their expenses and those of
13 plaintiff's wife and Ruben's girlfriend.

14 16. On or around February 2011, USC awarded the Selden Ring Award for
15 Investigative Reporting to plaintiff, Ruben, and staff. The award came with \$35,000,
16 and it was to be distributed to the reporters and editors, not to the newspaper. However,
17 the check was made out to LA Times. Vicky Porter ("Porter"), the director of the Knight
18 Digital Center and the mistress of ceremony, handed plaintiff the winner's check. The
19 check was made out to the LA Times, so plaintiff passed it to Stanton. Porter told
20 Stanton, "I'm sorry, Russ. I'm going to make this clear. It's going to the reporters and
21 the editors, not the newspaper."

22 17. Following the award ceremony, plaintiff and Ruben each received about
23 \$5,000, and other reporters received a smaller amount, while the Editors decided the rest
24 of the money would be used to throw a party for the staff. The party was supposed to be
25 held at a restaurant owned by a relative of Maharaj.

26 18. The LA Times also kept \$1,000 that had been won on another award.

27 19. A few weeks after the Selden Ring ceremony, plaintiff found the foot-high
28 crystal award with plaintiff's and Ruben's names haphazardly thrown into a box above

1 some cabinets in Defendant Maharaj's office; it was chipped.

2 20. On or around April 2011, plaintiff attended the George Polk ceremony in New
3 York. The LA Times display at the Roosevelt Hotel where the ceremony was held did
4 not mention plaintiff's name or that of Ruben, even though the award was given to
5 plaintiff, Ruben, and staff. When plaintiff returned to Los Angeles, he saw that the same
6 poster had been placed on a wall at the LA Times. Plaintiff told Duvoisin that the poster
7 was inaccurate and that their names should be on there. The poster was redone. Not
8 long after, Assistant City Editor Kimi Yoshino told plaintiff, "You ought to be careful
9 because word is going to get around that you're mad that your name wasn't first on the
10 Polk award, and you wanted it changed."

11 21. On or around April 18, 2011, the LA Times won the Pulitzer Prize in Public
12 Service for the Bell stories. When reporting about the Pulitzer, the New York Times
13 stated that the public service award went to the LA Times for reporting by plaintiff and
14 Ruben. In his speech to the newsroom after the award was announced, Stanton, Editor
15 of the LA Times, stated, "When you look up 'grizzled veteran' in the AP stylebook, it
16 says 'See also Gottlieb, Jeff'." This was quoted in the LA Times profile of plaintiff and
17 Ruben that appeared the next day.

18 22. On or around April 19, 2011, plaintiff and Ruben appeared on the CBS Evening
19 News and in an 8-minute interview on the PBS News Hour. In addition, plaintiff has
20 also appeared on other major news networks in which he was interviewed for the City of
21 Bell stories he wrote.

22 23. On or around May 2011, Stanton sent out an email saying that no one should
23 make arrangements to go to New York for the Pulitzer ceremony at Columbia University
24 because Stanton wanted to see how many tickets the paper would receive.

25 24. On or around May 13, 2011, Stanton sent out a list of people who would get
26 tickets to the Pulitzer ceremony. Plaintiff's wife was on the list, but the paper reneged
27 on paying for her flight. Because of the late decision, plaintiff would have to pay \$730
28 for his wife's flight. Plaintiff sent an email to Stanton expressing his frustration that

1 Lauter had promised to pay for plaintiff's wife's flight but that promise now was broken.
2 Stanton took no action.

3 25. On or around May 20, 2011, an aide to Assemblyman Ricardo Lara sent an
4 email to Maharaj and Ashley Dunn ("Dunn"), the Assistant Managing Editor/Metro,
5 stating that the Assembly and State Senate would like to have a ceremony in Sacramento
6 to honor Ruben and plaintiff. Maharaj refused to allow it.

7 26. In the fall of 2011, after his various travels speaking at events and being
8 honored for his work, plaintiff approached Dunn about his next job assignment. Dunn
9 eventually told plaintiff he was not going to add anyone to the investigative team and
10 that he was assigning plaintiff to Orange County, where plaintiff had started his career at
11 the LA Times. Plaintiff told Dunn he would not go. Dunn stated that that is where his
12 office will be. Meanwhile, two other reporters were given the title of investigative
13 reporter. When plaintiff and another journalist agreed to share a desk, Dunn would not
14 allow it and told plaintiff that the desk was instead assigned to him and that the
15 assignment of the desk to him meant that the company would not cover plaintiff's home
16 office expenses any longer.

17 27. After winning the Pulitzer, plaintiff did not get asked to take on an investigative
18 project again.

19 28. A year after the Selden Ring Award was given, no party had been thrown and
20 the award money had still not been distributed. Plaintiff asked Maharaj about it.
21 Maharaj told plaintiff to speak to Dunn. On or about February 12, 2012, plaintiff
22 emailed Dunn that the money should be distributed to the reporters. Dunn responded
23 that there was going to be a party thrown by the LA Times for the Metro staff.

24 29. On or around November 2012, months after the Award, there was still no word
25 about the remainder of the award money. Plaintiff emailed Dunn, Maharaj, and
26 Duvoisin and requested that the money be distributed. Dunn responded that he had
27 checked with Maharaj, effectively stating that the paper would be keeping the money.

28 30. On or around April 2013, plaintiff was assigned to cover the Michael Jackson

1 wrongful death civil trial. Plaintiff asked Grad why he was assigned to this case, as it
2 seemed like a story that should be covered by one of the paper's court or entertainment
3 reporters. Grad responded that "we want someone high profile."

4 31. On or around May 3, 2013, more than two years after the Selden Ring
5 ceremony, plaintiff sent an email to the publisher and president of the LA Times,
6 explaining what happened with the award money. The president told plaintiff she would
7 look into what was going on with the money.

8 32. Two weeks later, Dunn called plaintiff into his office and said that his email had
9 caused quite an uproar but that Maharaj was refusing to pass out the money. Dunn stated
10 that there was no record of how much money the paper had siphoned off, but that they
11 decided it was \$5,000, even though he recalled it to be \$7,000. Dunn told plaintiff he
12 thought there should be a party to boost the low morale at the LA Times.

13 33. Plaintiff sent Dunn an email following that conversation in which he
14 complained of illegal activity by the LA Times. Plaintiff complained that the money
15 could not be accounted for and that it was ridiculous to celebrate the awards at a party
16 more than two years after they had won them.

17 34. Following these events, the Washington Post wrote a story with an interview
18 with plaintiff regarding the Selden Ring Award and distribution of money. The story
19 appeared on June 12, 2013 and quoted Washington Post and New York Times editors
20 saying that their reporters kept award money.

21 35. Following the story, Maharaj stopped speaking to plaintiff. He would pass
22 plaintiff in the hall, glance down at his cell phone, and not say a word.

23 36. On or around Labor Day weekend of 2013, two months after the Post story
24 appeared, plaintiff received an email from Grad that he thought the money should be
25 used to pay for a holiday party for the staff. Plaintiff responded that he found it
26 outrageous to use the money from the Award, more than two and a half years after it was
27 awarded, for something that had nothing to do with the Award or story. At one point,
28 Grad told plaintiff, "Frankly Jeff, I'm not sure you want to resolve this."

1 37. Finally, plaintiff and Ruben got \$1,500 each from the Award without being
2 provided an accounting of the award money.

3 38. On or around June 2014, plaintiff turned in an investigative report story that
4 was still not edited by the time of plaintiff's resignation. Plaintiff complained to several
5 different editors but the story never was completely edited.

6 39. In or around August 2014, Grad told plaintiff that for the next several weeks,
7 plaintiff would be the backup obituaries reporter, which was the equivalent of a
8 demotion for someone with plaintiff's experience level.

9 40. In or around November 2014, Grad gave plaintiff the choice of several types of
10 stories to cover, one of which was religion, a story plaintiff would have enjoyed covering
11 earlier in his career, but not at this stage. The other choices were covering the city
12 Department of Water and Power or working out of the paper's city/county bureau.

13 41. On or around March 4, 2015, plaintiff went on disability leave for seven and a
14 half weeks because of surgery for prostate cancer.

15 42. During plaintiff's leave, plaintiff received an email that it was time to submit an
16 evaluation. Plaintiff wrote his evaluation, discussing his frustration with the fact that he
17 had written a great story but it had been sitting for months. Plaintiff explained that this
18 had embarrassed him with his sources and hurt the credibility of the LA Times.
19 Plaintiff's evaluation received no response.

20 43. Also during plaintiff's leave, Steve Marble, Assistant City Editor, asked
21 plaintiff to cover a press conference. Plaintiff covered the press release despite the fact
22 that he was still on leave.

23 44. During plaintiff's leave, on or around April 15, 2015, Grad asked plaintiff to
24 cover the LA Times Book Festival. Plaintiff did not cover this festival.

25 45. When plaintiff returned from leave on or around April 27, 2015, he was
26 assigned to write obituaries, a demotion. Rather than assign Plaintiff to work on stories
27 that were the same or similar to those on which Plaintiff worked when he left,
28 Defendants assigned him to work that was substantially inferior. When he stated that he

1 could not do it, Grad told him that he could do the 8 a.m. web shift, which meant writing
2 about traffic incidents and breaking news and was, likewise, a demotion. Plaintiff said,
3 "I quit" in response and provided a two week notice of his resignation. Grad remarked
4 that when older, experienced reporters quit, he had learned not to talk them into staying.
5 Plaintiff felt forced to resign due to his intolerable working conditions, effectively
6 constructively terminating his employment with defendants.

7 46. On or around December 2015, the LA Times had a buyout, targeting older,
8 more experienced reporters. About 90 people left.

9 47. Nobody has been assigned to cover religion since Plaintiff's resignation. No
10 reporter has been assigned to write obituaries since Plaintiff's termination. Listed on the
11 website is an obituaries editor, but no reporter.

12 48. After Plaintiff's termination, Plaintiff requested a copy of his complete
13 personnel file from Defendants on three separate occasions. Defendants neither
14 responded to Plaintiff's requests nor provided Plaintiff with his requested personnel file,
15 including copies of payroll and wage records.

16 49. Economic Damages. As a consequence of defendants' conduct, plaintiff has
17 suffered and will suffer harm, including, without limitation, lost past and future income
18 and employment benefits, and damage to career, and wages, overtime, unpaid expenses,
19 and penalties, as well as interest on unpaid wages at the legal rate from and after each
20 payday that those wages should have been paid, in a sum to be proven at trial.

21 50. Non-Economic Damages. As a consequence of defendants' conduct, plaintiff
22 has suffered and will suffer psychological and emotional distress, humiliation, and
23 mental and physical pain and anguish, in a sum to be proven at trial.

24 51. Punitive Damages. Defendants' conduct constitutes oppression, fraud or malice
25 under California Civil Code Section 3294, so as to entitle plaintiff to an award of
26 exemplary/punitive damages.

27 a. Malice. Defendants' conduct was done with malice within the meaning of
28 California Civil Code Section 3294, including that (a) defendants acted with intent to

1 cause injury to plaintiff, and/or acted with reckless disregard toward plaintiff's injury,
2 including by terminating and/or taking other adverse job action against plaintiff based on
3 plaintiff's age, medical leave, and/or good faith complaints; and/or (b) defendants'
4 conduct was despicable, with willful and conscious disregard of plaintiff's rights, health
5 and safety, including plaintiff's right to be free of discrimination, harassment, retaliation.

6 b. Oppression. In addition, and/or alternatively, defendants' conduct was done
7 with oppression within the meaning of California Civil Code Section 3294, including
8 that defendants' actions against plaintiff based on plaintiff's age, medical condition
9 and/or good faith complaints was "despicable" and subjected plaintiff to cruel and unjust
10 hardship, in knowing disregard of plaintiff's rights to a workplace free of discrimination,
11 harassment, retaliation, abuse of requirement of accommodation and engaging in the
12 interactive process, and wrongful termination.

13 c. Fraud. In addition, and/or alternatively, defendants' conduct, as alleged,
14 was fraudulent within the meaning of California Civil Code Section 3294, including that
15 defendants asserted false (pretextual) grounds for other adverse job action(s), to thereby
16 harm plaintiff and deprive plaintiff of legal rights.

17 52. Attorneys' Fees. Plaintiff has incurred and continues to incur legal expenses
18 and attorneys' fees.

19 53. Exhaustion Of Administrative Remedies. Prior to filing this action, plaintiff
20 timely exhausted administrative remedies, by timely filing an administrative complaint
21 with the Department of Fair Employment and Housing ("DFEH") and receiving a DFEH
22 right to sue letter.

23
24 **FIRST CAUSE OF ACTION**

25 **Violation of FEHA, Cal. Govt. Code Sections 12900, *et seq.***

26 **Age Discrimination—Against Defendants LA Times,**

27 **Inclusive of DOES 1 to 100**

28 54. The allegations set forth in paragraphs 1 through 53 are re-alleged and incorpo-

1 rated herein by reference.

2 55. At all times herein mentioned, FEHA, Government Code section 12940, *et seq.*,
3 was in full force and effect and was binding on defendants. This statute requires
4 defendants to refrain from discriminating against any employee because he or she is
5 more than 40 years old. Within the time provided by law, plaintiff filed a complaint with
6 the DFEH, in full compliance with administrative requirements, and received a right-to-
7 sue letter.

8 56. During plaintiff's employment with defendants, defendants, through their
9 supervisors, engaged in actions that had a negative impact on the treatment of employees
10 who were more than 40 years old. Specifically, defendants discharged older employees
11 with greater frequency than younger employees, hired fewer employees who were older
12 than 40, and gave better jobs and benefits to younger employees.

13 57. During plaintiff's employment with defendants, defendants intentionally en-
14 gaged in age discrimination by discharging employees over the age of 40 with greater
15 frequency than other employees. During plaintiff's employment with defendants, defen-
16 dants had a pattern and practice of discriminating against employees who were more
17 than 40 years old.

18 58. Defendants, through their managers and supervisors, made a number of com-
19 ments to and about plaintiff that exhibited ageist motivations, intentions, and
20 consciousness. Plaintiff was a qualified employee at the time of his constructive
21 termination. Plaintiff believes and on that basis alleges defendants' real motivation was
22 to discharge him because of his age.

23 59. Defendants' conduct, as alleged, violated the FEHA, and defendants committed
24 unlawful employment practice(s), including, without limitation, by the following,
25 separate bases for liability:

26 a. Terminating, barring, discharging, refusing to transfer, retain, hire, select,
27 and/or employ; and/or otherwise discriminating against plaintiff based, in whole or in
28 part, on plaintiff's age and/or other protected characteristic(s), in violation of Cal. Govt.

1 Code § 12940(a).

2 b. Harassing plaintiff and/or creating a hostile work environment, based, in
3 whole or in part, on plaintiff's age and/or other protected characteristic(s), in violation of
4 Cal. Govt. Code § 12940(j).

5 c. Failing to take all reasonable steps to prevent discrimination and/or
6 harassment based on age and/or other protected characteristic(s), in violation of Cal.
7 Govt. Code § 12940(k).

8 d. Retaliating against plaintiff for seeking to exercise rights guaranteed under
9 the FEHA and/or opposing defendants' failure to provide such rights, in violation of Cal.
10 Govt. Code § 12940(h).

11 60. On the basis of the above, plaintiff believes and alleges that his age was a
12 substantial motivating factor in defendants' demotion of plaintiff and refusal to address
13 plaintiff's good faith concerns. As a proximate result of defendants' willful, knowing,
14 and intentional discrimination against plaintiff, plaintiff has sustained and continues to
15 sustain substantial losses of earnings and other employment benefits.

16 61. As a proximate result of defendants' willful, knowing, and intentional discrimi-
17 nation against plaintiff, plaintiff has suffered and continues to suffer humiliation, emo-
18 tional distress, and mental and physical pain and anguish, all to his damage in a sum
19 according to proof.

20 62. Defendants' discrimination was done intentionally, in a malicious, oppressive,
21 fraudulent manner, entitling plaintiff to punitive damages.

22 63. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
23 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
24 seek leave of court to amend this Complaint when the amounts are fully known.

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SECOND CAUSE OF ACTION

Violation of FEHA, Cal. Govt. Code Sections 12900, et seq.

Age Harassment—Against All Defendants, Inclusive of

DOES 1 to 100

64. The allegations set forth in paragraphs 1 through 63 are re-alleged and incorporated herein by reference.

65. Defendants' conduct, as alleged, violated the FEHA, Cal. Govt. Code Sections 12900 *et seq.*, and defendants committed unlawful employment practice(s), including, without limitation, by the following, separate bases for liability:

a. Harassing plaintiff and/or creating a hostile work environment, based, in whole or in part, on plaintiff's age, and/or other protected characteristic(s), in violation of Cal. Govt. Code Section 12940(j).

b. Failing to take all reasonable steps to prevent discrimination, harassment, and/or retaliation based on age, in violation of Cal. Govt. Code Section 12940(k).

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

67. As a proximate result of defendants' willful, knowing, and intentional discrimination against plaintiff, plaintiff has suffered and continues to suffer humiliation, emotional distress, and physical and mental pain and anguish, all to his damage in a sum according to proof.

68. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees. plaintiff is at present unaware of the precise amounts of these expenses and fees and will seek leave of court to amend this Complaint when the amounts are fully known.

69. Defendants' misconduct was committed intentionally, in a malicious, oppressive, fraudulent manner, entitling plaintiff to punitive damages against defendants.

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THIRD CAUSE OF ACTION

Violation of FEHA, Cal. Govt. Code Sections 12900, *et seq.*
Retaliation for Complaining of Age Discrimination and/or
Harassment—Against Defendants LA Times, Inclusive of
DOES 1 to 100

70. The allegations set forth in paragraphs 1 through 69 are re-alleged and incorporated herein by reference.

71. Plaintiff's age and/or other characteristic(s) protected by the FEHA, Cal. Govt. Code Sections 12900 *et seq.*, were motivating factors in Defendants' decision to treat him poorly despite his success as a journalist following the City of Bell stories, to not retain, hire or otherwise employ plaintiff in any position, to harass plaintiff while he was on his leave, and/or take other adverse job action(s) against plaintiff.

72. Defendants' conduct, as alleged, violated the FEHA, Cal. Govt. Code Sections 12900 *et seq.* and Defendants committed unlawful employment practice(s), including, without limitation, by the following, separate bases for liability:

a. Terminating, barring, discharging, refusing to transfer, retain, hire, select, and/or employ; and/or otherwise discriminating against plaintiff, based, in whole or in part, on plaintiff's age, and/or other protected characteristic(s), in violation of Cal. Govt. Code Section 12940(a).

b. Harassing plaintiff and/or creating a hostile work environment, based, in whole or in part, on plaintiff's age, and/or other protected characteristic(s), in violation of Cal. Govt. Code Section 12940(j).

c. Failing to take all reasonable steps to prevent discrimination, harassment, and/or retaliation based on age, in violation of Cal. Govt. Code Section 12940(k).

d. Retaliating against plaintiff for seeking to exercise rights guaranteed under the FEHA and/or opposing defendants' failure to provide such rights, including, without limitation, rights of reasonable accommodation, interactive process, leave rights, and/or the right to be free of discrimination, in violation of Cal. Govt. Code Section 12940(h).

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

4 74. As a proximate result of Defendants' willful, knowing, and intentional discrimi-
5 nation against plaintiff, plaintiff has suffered and continues to suffer humiliation, emo-
6 tional distress, and physical and mental pain and anguish, all to his damage in a sum
7 according to proof.

8 75. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
9 plaintiff is at present unaware of the precise amounts of these expenses and fees and will
10 seek leave of court to amend this Complaint when the amounts are fully known.

11 76. Defendants' misconduct was committed intentionally, in a malicious,
12 fraudulent, oppressive manner, entitling plaintiff to punitive damages against
13 Defendants.

14
15 **FOURTH CAUSE OF ACTION**

16 **Violation of FEHA, Government Code § 12900, *et seq.***

17 **(Retaliation for Taking Protected CFRA Leave)—Against**

18 **Defendants LA Times, Inclusive of DOES 1 to 100**

19 77. The allegations set forth in paragraphs 1 through 76 are re-alleged and incorpo-
20 rated herein by reference.

21 78. Defendants' conduct, as alleged, violated the FEHA, Cal. Govt. Code Sections
22 12900 *et seq.*, and defendant committed unlawful employment practice(s), including,
23 without limitation, by the following, separate bases for liability:

24 a. Terminating, barring, discharging, refusing to transfer, retain, hire, select,
25 and/or employ; and/or otherwise discriminating against plaintiff, based, in whole or in
26 part, on plaintiff's taking medical leave, in violation of Cal. Govt. Code Section
27 12940(a). Defendants also gave plaintiff various work assignments while he was on
28 leave.

1 b. Retaliating against plaintiff for seeking to exercise guaranteed rights and/or
2 opposing defendants' failure to provide such rights, including, without limitation, rights
3 of reasonable accommodation, interactive process, leave rights, and/or the right to be
4 free of discrimination, in violation of Cal. Govt. Code Section 12940(h).

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

8 80. As a proximate result of defendants' willful, knowing, and intentional discrimi-
9 nation against plaintiff, plaintiff has suffered and continues to suffer humiliation, emo-
10 tional distress, and physical and mental pain and anguish, all to his damage in a sum
11 according to proof.

12 81. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
13 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
14 seek leave of court to amend this Complaint when the amounts are fully known.

15 82. Defendants' misconduct was committed intentionally, in a fraudulent,
16 malicious, despicable, oppressive manner, entitling plaintiff to punitive damages against
17 defendant.

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19 **FIFTH CAUSE OF ACTION**

20 **Violation of FEHA, Government Code § 12940(k) (Failure**
21 **to Prevent Discrimination, Harassment, and Retaliation)—**
22 **Against Defendants LA Times, Inclusive of DOES 1 to 100**

23 83. The allegations set forth in paragraphs 1 through 82 are re-alleged and incorpo-
24 rated herein by reference.

25 84. At all times herein mentioned, FEHA, Government Code section 12940(k), was
26 in full force and effect and was binding on defendants. This statute states that it is an
27 unlawful employment practice in California for an employer "to fail to take all rea-
28 sonable steps necessary to prevent discrimination and harassment from occurring." Prior

1 to filing the instant Complaint, plaintiff filed a timely administrative charge with the
2 DFEH and received a right-to-sue notice.

3 85. During the course of plaintiff's employment, defendants failed to prevent their
4 employees from engaging in intentional actions that resulted in plaintiff's being treated
5 less favorably because of plaintiff's protected status (i.e., his age, CFRA leave, and/or
6 good faith complaints). During the course of plaintiff's employment, defendants failed
7 to prevent their employees from engaging in unjustified employment practices against
8 employees in such protected classes. During the course of plaintiff's employment,
9 defendants failed to prevent a pattern and practice by its employees of intentional
10 discrimination and harassment on the basis of age, medical leave, and/or other protected
11 status and/or protected activity.

12 86. Plaintiff believes and on that basis alleges that his age, CFRA leave, good faith
13 complaints, and/or other protected status and/or protected activity was a substantial
14 motivating factor in defendants' employees' discrimination and retaliation against him.

15 87. As a proximate result of defendants' willful, knowing, and intentional miscon-
16 duct, plaintiff has sustained and continues to sustain substantial losses of earnings and
17 other employment benefits.

18 88. As a proximate result of defendants' willful, knowing, and intentional miscon-
19 duct, plaintiff has suffered and continues to suffer humiliation, emotional distress, and
20 physical and mental pain and anguish, all to his damage in a sum according to proof.

21 89. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
22 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
23 seek leave of court to amend this Complaint when the amounts are fully known.

24 90. Defendants' misconduct was committed intentionally, in a malicious,
25 fraudulent, oppressive manner, entitling plaintiff to punitive damages against defendant.

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SIXTH CAUSE OF ACTION

**Violations of Labor Code § 1102.5, *et seq.*—Against
Defendants LA Times, Inclusive of DOES 1 to 100**

91. The allegations set forth in paragraphs 1 through 90 are re-alleged and incorporated herein by reference.

92. At all relevant times, Labor Code section 1102.5 was in effect and was binding on defendants. This statute prohibits defendants from retaliating against any employee, including plaintiff, for raising complaints of illegality regarding the LA Times' refusal to properly account for the money from the Selden Ring Award.

93. While he worked for Defendants, Plaintiff raised complaints of illegal activity, including defendants' failure to account for and wrongful withholding of awards money, and defendants retaliated against him by discriminating against him, harassing him, and taking adverse employment actions, including demoting him and ignoring his good faith complaints, against him.

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

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

96. Defendants' misconduct was done intentionally, in a malicious, fraudulent, oppressive manner, entitling plaintiff to punitive damages against defendants.

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1 **SEVENTH CAUSE OF ACTION**

2 **Wrongful Constructive Termination in Violation of Public**
3 **Policy in Violation of Labor Code § 1102.5, FEHA, Cal.**

4 **Govt. Code Sections 12900, *et seq.***

5 **Against Defendants LA Times, Inclusive of DOES 1 to 100**

6 97. The allegations set forth in paragraphs 1 through 96 are re-alleged and incorpo-
7 rated herein by reference.

8 98. Defendants constructively terminated plaintiff's employment in violation of
9 various fundamental public policies underlying both state and federal laws. Specifically,
10 plaintiff was constructively terminated in part because of plaintiff's protected status (i.e.
11 age, CFRA leave, and/or good faith complaints), and for engaging in protected activities.
12 These actions were in violation of FEHA and the California Constitution and California
13 Labor Code § 1102.5.

14 99. As a proximate result of defendants' wrongful termination of plaintiff's
15 employment in violation of fundamental public policies, plaintiff has suffered and
16 continues to suffer humiliation, emotional distress, and mental and physical pain and
17 anguish, all to his damage in a sum according to proof.

18 100. As a result of defendants' wrongful termination of plaintiff's employment,
19 plaintiff has suffered general and special damages in sums according to proof.

20 101. Defendants' wrongful termination of plaintiff's employment was done
21 intentionally, in a malicious, oppressive, fraudulent manner, entitling plaintiff to punitive
22 damages.

23 102. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
24 Pursuant to Code of Civil Procedure sections 1021.5 and 1032, *et seq.*, plaintiff is
25 entitled to recover reasonable attorneys' fees and costs in an amount according to proof.

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1 **EIGHTH CAUSE OF ACTION**

2 **Violation of FEHA, Cal. Govt. Code Sections 12900, *et seq.***

3 **Failure to Promote Because of Discrimination on the Bases**

4 **of Age, CFRA Leave—Against Defendants LA Times,**

5 **Inclusive of DOES 1 to 100**

6 103. The allegations set forth in paragraphs 1 through 102 are re-alleged and
7 incorporated herein by reference.

8 104. At all times herein mentioned, FEHA, California Government Code section
9 12900, *et. seq.*, was in full force and effect and was binding on defendants. These
10 statutes require defendants to refrain from discriminating against any employee on the
11 basis of age and CFRA leave, among other things. Prior to filing the instant Complaint,
12 plaintiff filed a timely administrative charge with the DFEH and received a right-to-sue
13 notice.

14 105. After eighteen years of dedicated and exemplary service to defendants,
15 including receiving numerous accolades as a journalist and specifically for his work on
16 the City of Bell stories, defendants demoted plaintiff, refusing to give him assignments
17 that corresponded to his level of experience and instead giving him assignments fitting
18 someone with little experience or someone at the beginning of his or her career. All this
19 happened despite plaintiff's receiving praise from journalists and supervisors for his
20 performance as a journalist while with defendants and plaintiff receiving various
21 accolades for his journalistic work.

22 106. During the course of plaintiff's employment, defendants and their supervisors
23 intentionally engaged in actions that resulted in plaintiff being treated less favorably
24 because of age, CFRA leave, and/or good faith complaints. Specifically, defendant
25 refused to promote plaintiff because he is over 40, took a leave of absence for his
26 medical condition of cancer, and made good faith complaints to defendants. Defendants
27 and their supervisors took these actions intentionally. During the course of plaintiff's
28 employment, defendants and their supervisors also engaged in employment practices that

1 had an unfavorable impact on employees who were older.

2 107. Plaintiff believes and on that basis alleges that his age, medical leave, and/or
3 good faith complaints were factors in defendants' failure to promote him.

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

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

10 110. Defendants' misconduct was committed intentionally, in a malicious,
11 fraudulent, oppressive manner, entitling plaintiff to punitive damages.

12 111. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees
13 in a sum according to proof.

14
15 **NINTH CAUSE OF ACTION**

16 **Negligent Supervision—Defendant LA Times, Inclusive of**

17 **Does 1 through 100**

18 112. The allegations set forth in paragraphs 1 through 111 are re-alleged and
19 incorporated herein by reference.

20 113. At all times herein mention, defendants had a duty to supervise its employees in
21 a non-fraudulent, non-negligent, non-harassing manner.

22 114. Defendants breached that duty in supervising Maharaj.

23 115. As a result of defendants' breach, plaintiff has been damaged in a sum accord-
24 ing to proof.

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TENTH CAUSE OF ACTION

Negligent Retention—Against Defendants LA Times,

Inclusive of DOES 1 to 100

116. The allegations set forth in paragraphs 1 through 115 are re-alleged and incorporated herein by reference.

117. At all times herein mention, defendants had a duty not to retain any supervisor, including defendant Davan Maharaj, who was incapable of properly supervising employees, but who instead would berate, harass, and retaliate against plaintiff.

118. Defendants breached that duty in retaining defendant Davan Maharaj.

119. As a result of defendants' breach, plaintiff has been damaged in a sum according to proof.

ELEVENTH CAUSE OF ACTION

Intentional Infliction of Emotional Distress—Against All

Defendants, Inclusive of DOES 1 to 100

120. The allegations set forth in paragraphs 1 through 119 are re-alleged and incorporated herein by reference.

121. Defendants' discriminatory, harassing, and retaliatory actions against plaintiff constituted severe and outrageous misconduct and caused plaintiff extreme emotional distress.

122. Defendants were aware that treating plaintiff in the manner alleged above, including depriving Plaintiff of livelihood would devastate plaintiff and cause plaintiff extreme hardship.

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

124. As a proximate result of Defendants' extreme and outrageous conduct, plaintiff

1 has suffered and continues to suffer humiliation, emotional distress, and mental and
2 physical pain and anguish, all to his damage in a sum according to proof.

3 125. Defendants' misconduct was done intentionally, in a malicious, fraudulent, op-
4 pressive manner, entitling plaintiff to punitive damages.

5
6 **TWELFTH CAUSE OF ACTION**

7 **Violation of Labor Code Section 432; 1198.5; and 226(b)**
8 **and (c)—Against Defendants LA Times, Inclusive of DOES**

9 **1 to 100**

10 126. The allegations set forth in paragraphs 1 through 125 are re-alleged and incor-
11 porated herein by reference.

12 127. At all relevant times, Labor Code section 432 provided that, "If an employee or
13 applicant signs any instrument relating to the obtaining or holding of employment, he
14 shall be given a copy of the instrument upon request."

15 128. At all relevant times, Labor Code section 1198.5 provided that every California
16 employee has a right to inspect the personnel file an employer maintains for him or her.
17 This requirement applies to records related to an employee's performance and to any
18 grievance concerning the employee, including any reason an employee's employment
19 has been terminated.

20 129. At all relevant times, Labor Code section 226(b) provided that an employer
21 shall afford current and former employees the right to inspect or copy records pertaining
22 to their employment, upon reasonable request to the employer.

23 130. At all relevant times, Labor Code section 226(c) provided that an employer who
24 receives a written or oral request to inspect or copy records pursuant to subdivision (b)
25 pertaining to a current or former employee shall comply with the request as soon as
26 practicable, but no later than 21 calendar days from the date of the request.

27 131. On three separate occasions – December 1, 2015, February 2, 2016, and April
28 15, 2016 – Plaintiff made requests for his complete personnel file from Defendants.

1 Despite repeated requests by Plaintiff, Defendants have not provided the requested file to
2 Plaintiff.

3 132. As a result, Plaintiff seeks damages, attorneys' fees, and costs for having to re-
4 sort to legal action to obtain compliance with these laws.

5
6 WHEREFORE, plaintiff, Jeffrey Gottlieb, prays for judgment against defendants as
7 follows:

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

15
16 ADDITIONALLY, plaintiff, Jeffrey Gottlieb, demands trial of this matter by jury.
17 The amount demanded exceeds \$25,000.00 (Government Code § 72055).

18
19 Dated: August 9, 2016

SHEGERIAN & ASSOCIATES, INC.

20
21 By: Carney R. Shegerian
22 Carney R. Shegerian, Esq.

23 Attorneys for Plaintiff,
24 JEFFREY GOTTLIEB

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Carney R. Shegerian, Esq. (SBN 150461) Shegerian & Associates, Inc. 225 Santa Monica Boulevard, Suite 700, Santa Monica, CA 90401 TELEPHONE NO.: (310)860-0770 FAX NO.: (310)860-0771 ATTORNEY FOR (Name): Plaintiff, Jeffrey Gottlieb		FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 150px;"> FILED Superior Court of California County of Los Angeles AUG 09 2016 </div> Sherr R. Carter, Executive Officer/Clerk By <u>Cristina Grijalva</u> Deputy Cristina Grijalva
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles BRANCH NAME: Stanley Mosk Courthouse		CASE NUMBER: <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 150px;"> BC 630018 </div> JUDGE: DEPT:
CASE NAME: Gottlieb v. Los Angeles Times et. al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

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

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

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): **Twelve (12) causes of action**
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: August 9, 2016

Carney R. Shegerian, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

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

Page 1 of 2

SHORT TITLE:

Gottlieb v. Los Angeles Times et. al.

CASE NUMBER

BC 630018

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 15 ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above:
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 3. 1., 4.

SHORT TITLE:

CASE NUMBER

Gottlieb v. Los Angeles Times et. al.

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above	
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07) <input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.	
	Civil Rights (08) <input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.	
	Defamation (13) <input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.	
	Fraud (16) <input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.	
	Professional Negligence (25) <input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.	
		1., 2., 3.	
Employment	Other (35) <input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.	
	Wrongful Termination (36) <input checked="" type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.	
	Other Employment (15) <input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3.	
Contract		10.	
Breach of Contract/ Warranty (06) (not insurance) <input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5.		
	2., 5.		
	1., 2., 5.		
	1., 2., 5.		
Real Property	Collections (09) <input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6.	
		2., 5.	
	Insurance Coverage (18) <input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.	
	Other Contract (37) <input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5.	
Unlawful Detainer		1., 2., 3., 5.	
		1., 2., 3., 8.	
Eminent Domain/Inverse Condemnation (14) <input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.		
Wrongful Eviction (33) <input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.		
Unlawful Detainer	Other Real Property (26) <input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.	
		2., 6.	
		2., 6.	
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.	
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.	
Unlawful Detainer-Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.	
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.	

SHORT TITLE: Gottlieb v. Los Angeles Times et. al.	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ/Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.


SHORT TITLE: Gottlieb v. Los Angeles Times et. al.	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.			ADDRESS: 202 West 1st Street
CITY: Los Angeles	STATE: CA	ZIP CODE: 90012	

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: August 9, 2016


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

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