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5 Attorneys for Plaintiff Oscar Rendon  
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8 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**  
(Central – Hall of Justice)  
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10  
11 OSCAR RENDON,

12  
13 Plaintiff,

14 vs.

15 WILLIAM RODRIGUEZ-KENNEDY;  
16 STEPHEN WHITBURN; and DOES 1  
TO 20 ,

17 Defendants.  
18  
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20  
21

**CASE NO.:**

**COMPLAINT FOR:**

1. Rape By Force and Physical Coercion  
[Civil Code § 1708.5];
2. Rape By Restraint  
[Civ. Code § 52.4; Penal Code § 286(f)(1)(2)  
and 286(i)]
3. Rape By Intoxication  
[Civ. Code § 52.4; Penal Code § 286(f)(1)(2)  
and 286(i)];
4. Sodomy of Unconscious Person  
[Civ. Code § 52.4; Penal Code § 286(f)(1)(2)  
and 286(i)];
5. Violation of Ralph Act [Civ. Code § 51.7];
6. Violation of Civil Code § 1714; and
7. Premises Liability.

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23 Plaintiff Oscar Rendon alleges:

24 1. Plaintiff, Oscar Rendon ("Rendon" or "Plaintiff"), is a 23-year-old college student  
25 who resides in San Diego County, California.

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1           2.       Defendant, William Rodriguez-Kennedy (“Kennedy”), is a 35-year-old notorious  
2 alcoholic and sexual predator who preys on young men he believes might be impressed by his self-  
3 proclaimed power. Currently, Kennedy is the disgraced, soon-to-be former Chairman of the San  
4 Diego County Democratic Party. He is the kind of politician who willfully employs deceit and  
5 subterfuge to advance his political aspirations. A recent example of Kennedy’s lack of veracity  
6 manifested in a deceitful press release he issued September 16, 2022. Two weeks earlier, Kennedy’s  
7 criminal defense attorney had been notified by the San Diego County District Attorney that its office  
8 would not file felony sodomy charges based on Rendon’s assault. As Kennedy and his criminal  
9 defense counsel knew, the District Attorney’s Office did not--in any way--conclude that Kennedy  
10 was innocent of the charges. As Kennedy and his counsel knew, the prosecutor’s decision was based  
11 on the same principles underlying its routine, daily decisions not to file charges for countless violent  
12 felonies committed by predators like Kennedy. As Kennedy and his criminal defense lawyer knew,  
13 a prosecutor is ethically prohibited from filing criminal charges unless he or she believes that 12 out  
14 of 12 jurors will conclude that the evidence proves criminal guilt “beyond a reasonable doubt.” The  
15 burden of proof in a criminal trial is that each and every juror on the panel must be left “with an  
16 abiding conviction that the charge is true” and that “there is no other reasonable explanation that can  
17 come from the evidence presented at trial.” It is this ethical burden placed on prosecutors that results  
18 in the criminal prosecution and conviction of only 1% of the millions of sexual predators like  
19 Kennedy.

20           3.       Again, Kennedy knows this. He has published articles about reform of the court  
21 system and a variety of similar legal matters. Kennedy knew that the prosecutor’s decision not to  
22 file charges against him hardly meant that he had been cleared of any wrongdoing. Yet, this is  
23 precisely what Kennedy and crew tried to deceive the public into believing when, on September 16,  
24 2022, Kennedy took to the media with the following bare-faced lie blazoned in the title of his press  
25 release: “*Rodriguez-Kennedy cleared of wrongdoing.*” In his carefully crafted statement posted to  
26 social media, however, Kennedy steered clear of repeating this big lie, instead sticking to his  
27 attorney’s comment that “*no charges of any kind will be filed.*” It seems Kennedy’s attorney was  
28 not contemplating charges in this civil prosecution when he used the word “*of any kind.*”

1           4.       Defendant, Stephen Whitburn (“Whitburn”), is an adult resident of San Diego  
2 County, California. Whitburn is a member of the San Diego City Council and was present in the  
3 same residence he shared with Kennedy when and where the sexual assault occurred.

4           5.       At all material times, Defendants Kennedy and Whitburn occupied, leased,  
5 maintained, and controlled a residence located on 9<sup>th</sup> Avenue, in San Diego, CA, (the “Residence”).

6           6.       Plaintiff does not know the names of Does 1 through 20. The true names and  
7 capacities, whether individual or otherwise, of Does 1 through 20 are unknown to Plaintiff who,  
8 therefore, sues them by such fictitious names under CCP § 474. Plaintiff is informed and believes  
9 that each of the Doe defendants are responsible in some manner for the acts of omissions alleged in  
10 this complaint or caused him damages. Collectively, Kennedy, Whitburn and Does 1 through 20  
11 may be jointly referred to as “Defendants” or “Defendant.”

12           7.       Plaintiff is informed and believes, and based thereupon alleges, that at all material  
13 times, Defendants, and each of them, were the agents, employees, managing agents, supervisors,  
14 coconspirators, parent corporation, joint employers, alter ego, and/or joint ventures of the other  
15 Defendants, and each of them, and in doing the things alleged herein, were acting within the course  
16 and scope of said agency, employment, conspiracy, joint employer, alter ego status, and/or joint  
17 venture and with the permission and consent of each of the other Defendants. At all material times,  
18 all of the Defendants conspired with, aided, incited, abetted, authorized, and ratified all of the  
19 actions of all of the other Defendants. Alternatively, in doing the things alleged in this Complaint,  
20 each Defendant was acting alone and solely to further his or her or its own interests.

21           8.       Rendon met Kennedy through the “Tinder” dating app in or around April 2020. At  
22 the time, Rendon was 20 years old and Kennedy was 32. After a few dates, Rendon decided he did  
23 not want a steady romantic relationship with Kennedy.

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1           9.       On or about August 18, 2021, Rendon made plans to celebrate his birthday with  
2 friends. Prior to that evening, Rendon and Kennedy agreed through text messages that they would  
3 be going out that night as friends only and would not be having sex. Rendon texted Kennedy, “*But*  
4 *I wanted to talk about something*”, continuing, “*Can we go out and sleep without having Sex ... Like*  
5 *go out as friends.*” Kennedy agreed: “*If we are drinking and all that I don’t want things to go that*  
6 *way if we don’t want that so . . . yeah.*”

7           10.       After dinner, the group continued the night at a couple of local bars. Throughout the  
8 night, Rendon consumed approximately eight shots of tequila in addition to continuously drinking  
9 mixed alcoholic beverages while they were out. At one point, one of Rendon’s friends wanted to  
10 leave and offered to drive Rendon home, but Kennedy insisted that Rendon stay out and continue  
11 drinking.

12           11.       At some point late in the evening, the remaining group left the bar and Kennedy  
13 drove Rendon and another friend to the friend’s house. Rendon intended to stay at the friend’s  
14 house, and helped her get into the house because she was locked out. When Rendon returned to  
15 Kennedy’s car to retrieve his belongings, Kennedy coerced the inebriated Rendon into coming back  
16 to his and Whitburn’s residence.

17           12.       Because of his state of intoxication, Rendon does not remember the drive to  
18 Kennedy’s apartment and remembers little else before awaking around 3 a.m., naked, with  
19 Kennedy’s penis inside of his rectum. Rendon was so intoxicated that he could not resist and instead  
20 lay still on his side while Kennedy penetrated him. The next thing Rendon remembered was waking  
21 up around 6 a.m., still naked, and realizing that he was in Kennedy’s and Whitburn’s apartment.  
22 Rendon confronted Kennedy and asked him what happened and asked why he penetrated him when  
23 it had been agreed that they would not have sex. Kennedy refused to answer, claiming he was too  
24 busy.

25           13.       Rendon tried to deal with the trauma on his own for several months until he sought  
26 advice from a college professor who advised Rendon that he had been raped by Kennedy and that  
27 he should report the assault to the police. On March 30, 2022, Rendon contacted the San Diego  
28 Police Department and filed the report attached as Exhibit 1.

1 **FIRST CAUSE OF ACTION**  
2 **(Rape, Civ. Code § 1708.5, Against Kennedy and Does 1-20)**

3 14. Plaintiff realleges paragraphs 1 through 13.

4 15. As alleged *supra*, Kennedy committed a sexual battery on Rendon without his  
5 consent by sodomizing him and committing other harmful and offensive touchings of his sexual  
6 organs.

7 16. As a legal result of the rape, Rendon suffered damages, and will continue to suffer  
8 damages, including but not limited to, past and future medical expenses, past and future lost earnings  
9 and earning capacity, pain, suffering, emotional distress, mental anguish, and embarrassment.

10 17. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel  
11 and unjust hardship, and was committed with willful and conscious disregard of his rights and  
12 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil  
13 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make  
14 an example of Kennedy.

15 **SECOND CAUSE OF ACTION**  
16 **(Gender Violence, Civ. Code § 52.4/Pen. Code § 286 Against Kennedy and Does 1-20)**

17 18. Plaintiff realleges paragraphs 1 through 17.

18 19. By doing the things alleged above, Kennedy committed gender violence and acts that  
19 constituted criminal offenses under Penal Code §§ 286(f)(1)(2) and 286(i), against Plaintiff, i.e. one  
20 or more acts that would constitute a criminal offense under state law that has as an element the use,  
21 attempted use, or threatened use of physical force against the person or property of another,  
22 committed at least in part based on the gender of the victim, whether or not those acts have resulted  
23 in criminal complaints, charges, prosecution, or conviction, or a physical intrusion or physical  
24 invasion of a sexual nature under coercive conditions, whether or not those acts have resulted in  
25 criminal complaints, charges, prosecution, or conviction.

26 20. Kennedy committed Gender Violence against Plaintiff because he was a man.

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1 21. As a legal result of the Gender Violence, Rendon suffered damages, and will continue  
2 to suffer damages, including but not limited to, past and future medical expenses, past and future lost  
3 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and  
4 embarrassment.

5 22. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel  
6 and unjust hardship, and was committed with willful and conscious disregard of his rights and  
7 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil  
8 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make  
9 an example of Kennedy.

10 **THIRD CAUSE OF ACTION**  
11 **(Gender Violence, Civ. Code § 52.4/Pen. Code § 286 Against Kennedy and Does 1-20)**

12 23. Plaintiff realleges paragraphs 1 through 22.

13 24. By doing the things alleged above, Kennedy committed gender violence and acts that  
14 constituted criminal offenses under Penal Code §§ 286(f)(1)(2) and 286(i), against Plaintiff, i.e. one  
15 or more acts that would constitute a criminal offense under state law that has as an element the use,  
16 attempted use, or threatened use of physical force against the person or property of another,  
17 committed at least in part based on the gender of the victim, whether or not those acts have resulted  
18 in criminal complaints, charges, prosecution, or conviction, or a physical intrusion or physical  
19 invasion of a sexual nature under coercive conditions, whether or not those acts have resulted in  
20 criminal complaints, charges, prosecution, or conviction.

21 25. Kennedy committed Gender Violence against Plaintiff because he was a man.

22 26. As a legal result of the Gender Violence, Rendon suffered damages, and will continue  
23 to suffer damages, including but not limited to, past and future medical expenses, past and future lost  
24 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and  
25 embarrassment.

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1           27.     The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel  
2 and unjust hardship, and was committed with willful and conscious disregard of his rights and  
3 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil  
4 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make  
5 an example of Kennedy.

6   **FOURTH CAUSE OF ACTION**  
7   **(Gender Violence, Civ. Code § 52.4/Pen. Code § 286 Against Kennedy and Does 1-20)**

8           28.     Plaintiff realleges paragraphs 1 through 27.

9           29.     By doing the things alleged above, Kennedy committed gender violence and acts that  
10 constituted criminal offenses under Penal Code §§ 286(f)(1)(2) and 286(i), against Plaintiff, i.e. one  
11 or more acts that would constitute a criminal offense under state law that has as an element the use,  
12 attempted use, or threatened use of physical force against the person or property of another,  
13 committed at least in part based on the gender of the victim, whether or not those acts have resulted  
14 in criminal complaints, charges, prosecution, or conviction, or a physical intrusion or physical  
15 invasion of a sexual nature under coercive conditions, whether or not those acts have resulted in  
16 criminal complaints, charges, prosecution, or conviction.

17          30.     Kennedy committed Gender Violence against Plaintiff because he was a man.

18          31.     As a legal result of the Gender Violence, Rendon suffered damages, and will continue  
19 to suffer damages, including but not limited to, past and future medical expenses, past and future lost  
20 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and  
21 embarrassment.

22          32.     The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel  
23 and unjust hardship, and was committed with willful and conscious disregard of his rights and  
24 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil  
25 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make  
26 an example of Kennedy.

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**FIFTH CAUSE OF ACTION  
(Violation of Ralph Act Against Kennedy and Does 1-20)**

33. Plaintiff realleges paragraphs 1 through 32.

34. As alleged above, Kennedy committed violent acts against Plaintiff, specifically the rape/sodomy of Rendon, and a substantial motivating reason for this conduct was because Rendon was and is a man.

35. As a legal result of the sexual assault and violation of his civil rights, Rendon suffered damages, and will continue to suffer damages, including but not limited to, past and future medical expenses, past and future lost earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and embarrassment.

36. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel and unjust hardship, and was committed with willful and conscious disregard of his rights and safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make an example of Kennedy.

**SIXTH CAUSE OF ACTION  
(Violation of Civ. Code § 1714 Against Kennedy and Does 1-20)**

37. Plaintiff realleges paragraphs 1 through 36.

38. On or about August 19, 2021, Kennedy interacted with Rendon inside the Residence in ways that violated Civil Code § 1714 and other laws, including but not limited to touching him without his consent.

39. Rendon was harmed as a legal result of this wrongful conduct.

**SEVENTH CAUSE OF ACTION  
(Premises Liability Against Whitburn and Does 1-20)**

40. Plaintiff realleges paragraphs 1 through 39.

41. Whitburn owned, leased, occupied, or controlled the Residence.

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1 42. Whitburn was negligent in his use or maintenance of the Residence, that Whitburn  
2 was leasing the Residence with Kennedy, that on the night of August 18, 2021 or the morning of  
3 August 19, 2021, Whitburn observed Rendon and Kennedy and witnessed Rendon in a state of great  
4 intoxication, that Whitburn knew, or should have known, that Kennedy was likely to assault Rendon  
5 if he did not intervene, e.g. because of past instances of sexual misconduct or domestic violence of  
6 which Whitburn was aware of, or should have been aware of, and that Whitburn left Kennedy alone  
7 with Rendon and took no steps to protect him.

8 43. As a legal result of this negligence, Rendon suffered damages, and will continue to  
9 suffer damages, including but not limited to, past and future medical expenses, past and future lost  
10 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and  
11 embarrassment.

12 **REQUEST FOR RELIEF**

13 Therefore, Plaintiff Oscar Rendon requests judgment against defendants William Rodriguez-  
14 Kennedy, Stephen Whitburn; and Does 1 to 20, as follows:

- 15 a. Special and general damages according to proof;  
16 b. Punitive damages;  
17 c. Civil penalties allowable by law;  
18 d. Attorney's fees allowable by law, including but not limited to under Civil  
19 Code §52;  
20 e. Costs of court; and  
21 f. Other further relief.

22  
23 Date: September 22, 2022

Gilleon Law Firm, APC

24  
25 

26 Daniel M. Gilleon  
27 Attorneys for Plaintiff Oscar Rendon

# **EXHIBIT 1**



# San Diego Police Dept Crime/Incident Report

Case No. **22013894**

CAD Event No.: **E22030046190**

Case Disposition: **Active**

Primary Victim: **Rendon, Oscar David**

Report No. **22013894.1**

**1**

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## GENERAL CASE INFORMATION

Primary Charge: <b>286 (f) - PC - SODOMY:VIC UNCONSCIOUS OF THE NATURE OF THE ACT (F)</b>			
Special Studies:		Related Cases:	
[REDACTED]		Occurred On: <b>08/19/2021 01:00:00 (Thursday)</b>	
Core-Columbia - Central		524	Call Source: <b>OFFICER</b>
Means:		Motives: <b>08/19/2021 06:00:00 (Thursday)</b>	

## VICTIM/S

### Victim #1

Person Code:	<input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input type="checkbox"/> Law Enforcement Officer
Name:	<b>Rendon, Oscar David</b>			Victim Type: <b>I - Individual</b>
				Interpreter Language:

ALIAS / AKA / NICKNAME / MONIKER:				
Name Type:	First:	Middle:	Last:	Suffix:

Victim Of: <b>286 (f) - PC - SODOMY:VIC UNCONSCIOUS OF THE NATURE OF THE ACT (F)</b>				County Residence: <b>R - Resident</b>	
Home Address, City, State, ZIP: [REDACTED]			Res. Country: <b>US</b>	Place of Birth: <b>Baja California (Northern Section)</b>	
Race: <b>H</b>	Sex: <b>M</b>	Date of Birth / Age: [REDACTED]	Height: <b>5' 3"</b>	Weight: <b>120</b>	Facial Hair: <b>05 - Goatee and Mustache</b>
Employment Status: <b>S - Student</b>		Occupation/Grade: [REDACTED]	Employer/School: [REDACTED]	Employer Address, City, State, ZIP: [REDACTED]	
		Complexion: <b>MBR - Medium Brown</b>		Undocumented:	

CONTACT INFORMATION:					
Type: <b>MP - Mobile Phone</b>	[REDACTED]				
IDENTIFICATION:					
Type: <b>CI - California ID</b>	[REDACTED]	State: <b>CA</b>	Country: <b>US</b>		
Attire: <b>grey pants/white shirt/black jacket</b>	Jury: <b>N - None</b>	Extent of Treatment: <b>01 - None</b>	Violent Crime Circumstances:		
LAW ENFORCEMENT OFFICER KILLED OR ASSAULTED INFORMATION	Type:	Type Activity:	Type Assignment:		
VICTIM OFFENDER RELATIONSHIPS		Offender: <b>Rodriguez-Kennedy, William</b>	Relationship: <b>XBYF - Victim Was Ex-boyfriend</b>		

## IBR/UCR OFFENSE/S

Offense Description: <b>286 (f) - PC - SODOMY:VIC UNCONSCIOUS OF THE NATURE OF THE ACT (F)</b>		Level: <b>F</b>	Against: <b>PE</b>	Completed?: <b>Yes</b>	Counts:	Using: <b>A - Alcohol</b>
Location Type: <b>201 - Apartment/Condo</b>		Hate/Bias: <b>88 - None (no bias) (mutually exclusive)</b>			Domestic Violence: <b>Yes</b>	
Criminal Activity:	Type Security:	Gang Related: <b>No</b>	Entry:	Point of Entry:		
Weapons/Force: <b>40 - Personal Weapons (Threats, Hands, Fists, Feet, etc.)</b>	Tools:		Targets:			

I certify that the information requested will be used solely for the limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

Reporting Officer: <b>SD1660 - STENBERG, TIMOTHY</b>	Division / Organization: <b>Southeastern Patrol (Southeastern)</b>	Reviewed By: <b>SD6982 - WHITE, JOHN</b>
Report Date: <b>3/30/2022 4:57:30 PM</b>	Detective Assigned: <b>SD6973 - TENNEBAUM, CASEY</b>	Reviewed Date: <b>03/30/2022 21:48:13</b>



# San Diego Police Dept Crime/Incident Report

Case No. **22013894**

CAD Event No.: **E22030046190**

Case Disposition: **Active**

Primary Victim: **Rendon, Oscar David**

Report No. **22013894.1**

**2**

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## ARRESTEE/S

## SUSPECT/S (Not Yet Arrested)

### Suspect #1

Name: <b>Rodriguez-Kennedy, William</b>	County Residence: <b>R - Resident</b>	Interpreter Language:
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ALIAS / AKA / NICKNAME / MONIKER:									
Name Type:	First:	Middle:	Last:	Suffix:					
Home Address, City, State, ZIP:				Res. Country:	Place of Birth:		Undocumented:		
[REDACTED]				US	United States of America (USA)				
Race:	Sex:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:		
H	M	5' 6"	220	BLK	BRO	03 - Full Beard and Mustache	MBR - Medium Brown		
Hair Style:	Hair Length:	Build:	Teeth:		Suspected User:				
C - Curly	L - Shoulder	FAT - Heavy			No				
Employment Status:	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:						
E - Employed	[REDACTED]	[REDACTED]							

### CONTACT INFORMATION:

Type:	Number/Address:
MP - Mobile Phone	[REDACTED]

### IDENTIFICATION:

Type:	Number:	State:	Country:

### SCARS, MARKS, TATTOOS, ODDITIES:

Attire:	Suspect Actions:

## WITNESSES

## OTHER ENTITIES

## PROPERTY

### Property Item #1.000 - CD with photos

Derivative No.: <b>0</b>	Property Category: <b>1311 - Recording - Interview or Case related - Video/Photo CD, DVD, Tape, Film, Digital storage, Negative</b>		
Status: <b>I - Information Only</b>	Count: <b>1</b>	Value:	
Manufacturer:	Model:		
Serial No.:	Model Year:	OAN:	
Color:	Caliber:		
Body Style:	Recovered/ Seized Date:	<b>03/30/2022</b>	
Owner:	Disposition:		
Evidence Tag:	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes:			

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## REPORT NARRATIVE

### SYNOPSIS:

Reporting Officer <b>SD1660 - STENBERG, TIMOTHY</b>	Division / Organization <b>Southeastern Patrol (Southeastern)</b>	Reviewed By <b>SD6982 - WHITE, JOHN</b>
Report Date <b>3/30/2022 4:57:30 PM</b>	Detective Assigned <b>SD6973 - TENNEBAUM, CASEY</b>	Reviewed Date <b>03/30/2022 21:48:13</b>



# San Diego Police Dept Crime/Incident Report

CAD Event No.: **E22030046190**  
Primary Victim: **Rendon, Oscar David**

Case No. **22013894**  
Case Disposition: **Active**  
Report No **22013894.1**

August 19, 2021, at approximately 0300 hours, Oscar RENDON was sodomized by his ex-boyfriend, William RODRIGUEZ-KENNEDY. RENDON was incapacitated due to his alcohol consumption and he did not consent to the sodomy.

The incident took place in RODRIGUEZ-KENNEDY's apartment located at [REDACTED], San Diego (B/524).

RENDON did not sustain any injuries during the incident.

RODRIGUEZ-KENNEDY is not currently in custody.

### ORIGIN:

On March 30, 2022, at approximately 1438 hours, Officer Ayala #7158 and I were on duty, in full police uniform, and in a marked police vehicle. We responded to the front parking of the Southeastern substation, 7222 Skyline Road, San Diego, to assist Sgt. White with flag down regarding a rape investigation.

### INVESTIGATION:

Upon our arrival, we contacted Oscar RENDON, who I identified via his California driver's license. RENDON provided me with his statement, regarding the incident (See statement section).

RENDON told me that the suspect, William RODRIGUEZ-KENNEDY, is the "[REDACTED] for San Diego".

RENDON also showed me text messages between him and RODRIGUEZ-KENNEDY as well as an email that RODRIGUEZ-KENNEDY had sent.

After gathering all the information and evidence, I provided RENDON with a case number, Marcy's Card, DV/Sexual Assault information sheet, and the location of the courthouse and the process for obtaining a restraining order.

During my investigation, I noticed that RENDON was visibly shaken when he talked about the incident. At times during my interview, RENDON's eyes began to well with tears. When asked to describe RODRIGUEZ-KENNEDY and his relationship, RENDON seemed disgusted when talking about it.

While providing RENDON with the DV/ Sexual Assault information sheet, I asked him if he would like his information to be withheld from public records, RENDON took a long pause and said "No, I want this public. It's an election year and I want this out there."

Reporting Officer <b>SD1660 - STENBERG, TIMOTHY</b>	Division / Organization <b>Southeastern Patrol (Southeastern)</b>	Reviewed By <b>SD6982 - WHITE, JOHN</b>
Report Date <b>3/30/2022 4:57:30 PM</b>	Detective Assigned <b>SD6973 - TENNEBAUM, CASEY</b>	Reviewed Date <b>03/30/2022 21:48:13</b>

Notice that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.



# San Diego Police Dept Crime/Incident Report

Case No. **22013894**

CAD Event No.: **E22030046190**

Case Disposition: **Active**

Primary Victim: **Rendon, Oscar David**

Report No. **22013894.1**

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I took photos of the text messages between RODRIGUEZ-KENNEDY and RENDON, the email that RODRIGUEZ-KENNEDY sent RENDON on March 28th. RENDON has Instagram videos saved from the night of the incident while they were at Rich's. The photos of the text messages show communication between RODRIGUEZ-KENNEDY and RENDON, discussing their relationship, the incident and trying to re-establish their relationship after the incident. The email that was photographed is from RODRIGUEZ-KENNEDY and talks about his struggles through life and reflects on their relationship together.

RENDON sent the videos to Officer Ayala's ARJIS phone and they were saved to a CD with the pictures. The CD was impounded at the Southeastern sub under barcode number 11360537 (also uploaded to NetRMS).

At 1730 hours I called back to obtain details about RODRIGUEZ-KENNEDY's description. During my phone call, RENDON provided me with further detail about the morning after the incident. (see statement below). My BWC was used during the phone call.

Used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

BWC USED

BACKGROUND:

RENDON and RODRIGUEZ-KENNEDY met in April of 2020 on Tinder and began a romantic relationship in May of 2020.

The relationship continued, on and off, until December of 2021.

Prior to the relationship becoming romantic, RENDON used RODRIGUEZ-KENNEDY as a source of knowledge and networking, due to RODRIGUEZ-KENNEDY being the [REDACTED] for the San Diego [REDACTED].

During their relationship, RENDON resided at RODRIGUEZ-KENNEDY's apartment, for a period. RENDON could not provide exact dates.

From May of 2020 to December of 2021, RENDON ended the relationship several times with RODRIGUEZ-KENNEDY but continued to stay in contact.

After the incident occurred on August 19, 2021, RENDON saw RODRIGUEZ-KENNEDY one more time to discuss the incident, and then ended all contact.

STATEMENTS:

Statement of Oscar RENDON (VICTIM):

(Paraphrased - see BWC for verbatim interview)

Reporting Officer <b>SD1660 - STENBERG, TIMOTHY</b>	Division / Organization <b>Southeastern Patrol (Southeastern)</b>	Reviewed By <b>SD6982 - WHITE, JOHN</b>
Report Date <b>3/30/2022 4:57:30 PM</b>	Detective Assigned <b>SD6973 - TENNEBAUM, CASEY</b>	Reviewed Date <b>03/30/2022 21:48:13</b>



# San Diego Police Dept Crime/Incident Report

Case No. **22013894**

CAD Event No.: **E22030046190**

Case Disposition: **Active**

Primary Victim: **Rendon, Oscar David**

Report No. **22013894.1**

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We met back in April of 2020, right after the pandemic hit. We matched on Tinder and went on a few dates. After those few dates, I realized I wasn't sexually attracted to him and just wanted to continue a friendship but nothing else. We would occasionally go out together or with friends but that was it. The reason I wanted to keep the friendship going was because of his job and I knew he could help me get my career going in politics. During this time, we would go to dinner or fundraiser events, but it wasn't a relationship. We did engage in romantic acts, like holding hands and kissing, we even engaged in sexual acts like oral sex and anal sex.

On August 18, 2021 I went to dinner with four of my friends, to celebrate my birthday, and I invited RODRIGUEZ-KENNEDY to come as well. We started at dinner downtown, and got Pho on 5th Ave. After dinner we went to Flicks to get some drinks and planned to end the night at Rich's. Between Flicks and Rich's, I probably had about 8 shots of Tequila and was sipping on one mixed drink throughout the night. At Rich's I remember my friend, Freddy, saying he was going to leave and take me home too. Then RODRIGUEZ-KENNEDY stopped me and pulled me away from the group by my arm, saying not to leave and that he was going to take me home later, but it was too early to leave. I did not feel as though I could leave and felt pressured to stay with RODRIGUEZ-KENNEDY.

I don't remember what time we finally left, but when we did, RODRIGUEZ-KENNEDY, my friend Diana GONZALEZ and I got into RODRIGUEZ-KENNEDY car and left. RODRIGUEZ-KENNEDY drove to GONZALEZ's house at [REDACTED] to drop us off. When we got to GONZALEZ's house she had locked herself out, but I remember jumping a fence and helping her get back into her house. I was going to stay there that night, but for some reason RODRIGUEZ-KENNEDY had my Passport card and phone in his car. When I went back to get my things RODRIGUEZ-KENNEDY kept trying to get me to go home with him. I told him I didn't want to have sex with him but that I would go. I do not remember the drive from GONZALEZ's house or anything after that until about 3am.

Around 3am, I remember waking up with no clothes on, and just a blanket over me. When I woke up, RODRIGUEZ-KENNEDY had his penis inside of my rectum. I did not tell him to stop and I didn't try to stop him. I was still so drunk that I just laid there, on my side.

When I woke up again it was about 6am. I remember opening my eyes, and looking at the ceiling, very confused as to where I was or how I had gotten there. When I sat up from the couch I was sleeping on, I realized I was in RODRIGUEZ-KENNEDY's apartment. I was still completely naked, and RODRIGUEZ-KENNEDY was lying next to me in his underwear.

I asked RODRIGUEZ-KENNEDY what happened the night before and why he had sex with me because he knew I didn't want to. RODRIGUEZ-KENNEDY responded with "You wanted to go home with me. You were so drunk when we got here and started ripping your clothes off as soon as we walked. While I was inside of you, you didn't stop me, and you seemed like you were enjoying it."

Reporting Officer <b>SD1660 - STENBERG, TIMOTHY</b>	Division / Organization <b>Southeastern Patrol (Southeastern)</b>	Reviewed By <b>SD6982 - WHITE, JOHN</b>
Report Date <b>3/30/2022 4:57:30 PM</b>	Detective Assigned <b>SD6973 - TENNEBAUM, CASEY</b>	Reviewed Date <b>03/30/2022 21:48:13</b>



# San Diego Police Dept Crime/Incident Report

CAD Event No.: **E22030046190**

Primary Victim: **Rendon, Oscar David**

I certify that the information requested will be used solely for the limited purposes stated and will not be used to harass, degrade or humiliate any person. The releasing agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of this report.

Case No. **22013894**  
Case Disposition: **Active**  
Report No. **22013894.1**

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I got up and went to the bathroom. While in the bathroom, I wiped myself and there was semen on the toilet paper. After coming out of the bathroom I got dressed and immediately left RODRIGUEZ-KENNEDY's apartment. After leaving I went down to my mom's house, who lives in Tijuana. When I got down there, I took a shower and washed all the sticky stuff off me because I don't like that feeling.

On August 30, 2021, I reached out to RODRIGUEZ-KENNEDY and told him I wanted to talk. RODRIGUEZ-KENNEDY stated he was in Seattle with his family but would be back on the 31st. RODRIGUEZ-KENNEDY asked what I wanted to talk about and I just told him I didn't understand why he would have sex with me when I told him I didn't want to have sex with him prior to going home with him. RODRIGUEZ-KENNEDY made the same statement as the morning after it happened.

On August 31, 2021, I met with RODRIGUEZ-KENNEDY at the VR room at Mission Valley mall and we talked again. I don't remember what was said during that conversation though.

During the next three months I saw RODRIGUEZ-KENNEDY a few times and for a short period I stayed at RODRIGUEZ-KENNEDY's apartment with him, I even received mail there. During the time I lived with RODRIGUEZ-KENNEDY, I felt like RODRIGUEZ-KENNEDY controlled me.

RODRIGUEZ-KENNEDY wouldn't let me see certain friends, wouldn't let me leave the apartment at times. RODRIGUEZ-KENNEDY never physically forced me to stay but would make me feel bad for trying to leave. At times RODRIGUEZ-KENNEDY would block the door to prevent me from walking out. I remember a couple times where RODRIGUEZ-KENNEDY made statements about turning me in for voter fraud because I didn't have a physical address in the city.

On December 21st of 2021, I finally had enough of RODRIGUEZ-KENNEDY controlling me and I gathered all my belongings and left his apartment and haven't seen RODRIGUEZ-KENNEDY since then. RODRIGUEZ-KENNEDY has texted me several times trying to reconnect, but I just leave him on read and don't respond. I feel like RODRIGUEZ-KENNEDY is just trying to reel me back in to a relationship.

On March 26th, 2022, he sent me a long text message about missing me and how he wants me back around but I didn't respond. Then on March 28, 2022 he sent me a long email, that I didn't respond to either.

The reason I am finally filing a report is because I am majoring in criminal justice and I took a class about "crimes against persons". During that class, I realized what RODRIGUEZ-KENNEDY did to me was in fact a crime and I want to report it.

(END STATEMENT)

Statement of Oscar RENDON (VICTIM) during phone call:

(Paraphrased - see BWC for verbatim interview)

Reporting Officer <b>SD1660 - STENBERG, TIMOTHY</b>	Division / Organization <b>Southeastern Patrol (Southeastern)</b>	Reviewed By <b>SD6982 - WHITE, JOHN</b>
Report Date <b>3/30/2022 4:57:30 PM</b>	Detective Assigned <b>SD6973 - TENNEBAUM, CASEY</b>	Reviewed Date <b>03/30/2022 21:48:13</b>





# San Diego Police Dept Crime/Incident Report

Case No. **22013894**

CAD Event No.: **E22030046190**

Case Disposition: **Active**

Primary Victim: **Rendon, Oscar David**

Report No. **22013894.1**

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After watching more of my Instagram videos, I saw some that I saved, and it reminded me of something else. The morning after the incident, after we both woke up, I guess we went to his office, because I have videos from there too. That is where RODRIGUEZ-KENNEDY told me "I have work to do." And, I left from there to go to my mom's house.

(END STATEMENT)

### EVIDENCE:

I took photos of the text messages between RODRIGUEZ-KENNEDY and RENDON, the email that RODRIGUEZ-KENNEDY sent RENDON on March 28th. RENDON has Instagram videos saved from the night of the incident, RENDON has sent the videos and they were saved to a CD with the pictures. The CD was impounded at the Southeastern sub under barcode number 11360537. The photos and videos were also uploaded into NetRMS.

### INJURIES:

None.

### PROPERTY DAMAGE:

None.

### FOLLOW-UP:

Due to the suspect, RODRIGUEZ-KENNEDY (being a political figure), I did not run him or verify any of his information. All RODRIGUEZ-KENNEDY's information was provided by RENDON.

### RELATED REPORTS:

None.

REVIEWED BY: FTO AYALA #7158

*I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.*

Reporting Officer <b>SD1660 - STENBERG, TIMOTHY</b>	Division / Organization <b>Southeastern Patrol (Southeastern)</b>	Reviewed By <b>SD6982 - WHITE, JOHN</b>
Report Date <b>3/30/2022 4:57:30 PM</b>	Detective Assigned <b>SD6973 - TENNEBAUM, CASEY</b>	Reviewed Date <b>03/30/2022 21:48:13</b>

**SUMMONS  
(CITACION JUDICIAL)**

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

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

WILLIAM RODRIGUEZ-KENNEDY; STEPHEN WHITBURN; and DOES 1 TO 20

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

OSCAR RENDON

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

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

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

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

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

The name and address of the court is:

(El nombre y dirección de la corte es):

Superior Court of California, County of San Diego  
330 West Broadway, San Diego, CA 92101, Central-Hall of Justice

CASE NUMBER: (Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Daniel M. Gilleon (SBN 195200), Gilleon Law Firm, APC, 1320 Columbia Street, Suite 200, San Diego, CA 92101, 619.702.8623

DATE:

(Fecha)

Clerk, by

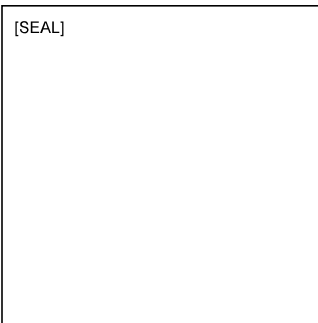
(Secretario)

, Deputy

(Adjunto)

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

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



**NOTICE TO THE PERSON SERVED: You are served**

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify):  
 under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):
4.  by personal delivery on (date)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
 Daniel M. Gilleon (SBN 195200), Samuel A. Clemens (SBN 285919)  
 Gilleon Law Firm, APC  
 1320 Columbia Street, Suite 200, San Diego, CA 92101

TELEPHONE NO.: 619.702.8623 FAX NO. (Optional): 619.374.7040

ATTORNEY FOR (Name): Plaintiff Oscar Rendon

**FOR COURT USE ONLY**

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

STREET ADDRESS: 330 West Broadway  
 MAILING ADDRESS: 330 West Broadway  
 CITY AND ZIP CODE: San Diego, 92101  
 BRANCH NAME: Central-Hall of Justice

CASE NAME:  
 Rendon v. William Rodriguez-Kennedy, et al.

<p><b>CIVIL CASE COVER SHEET</b></p> <p><input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000)</p> <p><input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000)</p>	<p><b>Complex Case Designation</b></p> <p><input type="checkbox"/> Counter <input type="checkbox"/> Joinder</p> <p>Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)</p>	<p>CASE NUMBER:</p> <p>JUDGE:</p> <p>DEPT.:</p>
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*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:

<p><b>Auto Tort</b></p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b></p> <p><input type="checkbox"/> Asbestos (04)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input checked="" type="checkbox"/> Other PI/PD/WD (23)</p> <p><b>Non-PI/PD/WD (Other) Tort</b></p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-PI/PD/WD tort (35)</p> <p><b>Employment</b></p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input type="checkbox"/> Other employment (15)</p>	<p><b>Contract</b></p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p><b>Real Property</b></p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p><b>Unlawful Detainer</b></p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p><b>Judicial Review</b></p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p>	<p><b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</b></p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p><b>Enforcement of Judgment</b></p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p><b>Miscellaneous Civil Complaint</b></p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p><b>Miscellaneous Civil Petition</b></p> <p><input type="checkbox"/> Partnership and corporate governance (21)</p> <p><input type="checkbox"/> Other petition (not specified above) (43)</p>
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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): 7

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: September 22, 2022  
 Daniel M. Gilleon

  
 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

(TYPE OR PRINT NAME)

**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.

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

**Auto Tort**

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

**Other P/DPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (*not asbestos or toxic/environmental*) (24)  
Medical Malpractice (45)  
Medical Malpractice—Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (*not medical or legal*)  
Other Non-PI/PD/WD Tort (35)

**Employment**

Wrongful Termination (36)  
Other Employment (15)

**Contract**

Breach of Contract/Warranty (06)  
Breach of Rental/Lease  
Contract (*not unlawful detainer or wrongful eviction*)  
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (*not provisionally complex*) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

**Real Property**

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

**Unlawful Detainer**

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

**Judicial Review**

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor Commissioner Appeals

**Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

**Enforcement of Judgment**

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (*non-domestic relations*)  
Sister State Judgment  
Administrative Agency Award (*not unpaid taxes*)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

RICO (27)  
Other Complaint (*not specified above*) (42)  
Declaratory Relief Only  
Injunctive Relief Only (*non-harassment*)  
Mechanics Lien  
Other Commercial Complaint Case (*non-tort/non-complex*)  
Other Civil Complaint (*non-tort/non-complex*)

**Miscellaneous Civil Petition**

Partnership and Corporate Governance (21)  
Other Petition (*not specified above*) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition