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9 **UNITED STATES DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA

10 CHU DING, an individual,) CASE NO.
11)
12 Plaintiff,) **COMPLAINT FOR:**
13 v.)
14) 1) Wrongful Detention (42 U.S.C. §
15 CITY OF SAN DIEGO,) 1983)
16 JONATHAN FERRARO, an) 2) Excessive Force (42 U.S.C. § 1983)
17 individual, PATRICK RICHARDS) 3) False Arrest (42 U.S.C. § 1983)
18 an individual, EMILEE) 4) Failure to Supervise and Discipline
19 EMAMJOMEH, an individual,) (42 U.S.C. § 1983)
20 JAMES EALSON, an individual,) 5) Monell (42 U.S.C. § 1983)
21 SCOTT WAHL, an individual,) 6) Negligence
22 and DOES 1-25,) 7) Assault and Battery
23) 8) False Imprisonment
24 Defendants.) 9) Violation of Civil Code § 52.1 (Bane
25) Act)
26) 10) Violation of Civil Code § 51.7 (Ralph
27) Act)
28) 11) Intentional Infliction of Emotional
Distress
JURY TRIAL IS HEREBY DEMANDED
PURSUANT TO FRCP RULE 38

1 Plaintiff, Chu Ding, through his attorneys of record, alleges and complains
2 as follows:

3 **I.**
4 **INTRODUCTION**

5 Two days before the Fourth of July 2024, off duty police officer Jonathan
6 Ferraro stopped his truck, blocking 53-year-old Chu Ding in a Costco parking lot.
7 After Mr. Ding tapped on the trunk of the truck to let Ferraro know that he was
8 leaving from his parking place, Ferraro jumped out of his truck, enraged, calling Mr.
9 Ding a “Chinese piece of shit.” Ferraro shoved Mr. Ding. When Mr. Ding refused
10 to back down, Ferraro who is two decades younger, picked Mr. Ding up and
11 slammed him into the ground, causing Mr. Ding to suffer a concussion, loss of
12 consciousness and a dislocated shoulder.

13 Six of Ferraro’s fellow officers then arrived in three marked patrol cars and
14 handcuffed the injured Mr. Ding and placed him in the back of a patrol car for several
15 hours. One of them, defendant Richards, refused to loosen Mr. Ding’s handcuffs
16 had been placed so tight that they caused excruciating pain for hours. They did not
17 ask Mr. Ding a single question. Later, two detectives arrived and after reviewing
18 the footage from Costco which showed Ferraro as the aggressor, transported Mr.
19 Ding to their station to interrogate him. They did so because they knew the District
20 Attorney’s Office would not prosecute Mr. Ding given the evidence. For five hours,
21 defendants denied Mr. Ding food, water and medical care, pressuring him to sign an
22 apology letter to Ferraro. Mr. Ding, who had been placed in custody at 3 PM, was
23 finally given pain medication at the emergency room after 8 PM.

24 Defendants brought charges against Mr. Ding under Penal Code § 69(a),
25 Obstructing or Resisting an Executive Officer with Injury, a felony. That offense
26 penalizes the attempt by force or violence to prevent an officer from performing a
27 legal duty or the resistance by force or violence of an officer in the performance of
28 his or her duty. The District Attorney rejected the charges and did not prosecute.
But the damage was already done. Mr. Ding suffered significant injuries to his head

1 and shoulder and harm to his reputation. Because Mr. Ding is an agent with the
2 Department of Homeland Security, his coworkers discovered immediately that Mr.
3 Ding had been booked into the Central Jail. Mr. Ding had to suffer anxiety and fear
4 while the internal investigation of his conduct was occurring. While the Office of
5 Professional Responsibility cleared Mr. Ding of any wrongdoing, the investigation
6 of the incident took several months. Because the findings by the OPR are not public,
7 unlike the arrest itself, Mr. Ding's coworkers now look at him with suspicion. Mr.
8 Ding continues to live in the shadow of the embarrassment caused by these
9 Defendants.

10 **II.**
11 **GENERAL ALLEGATIONS**

12 1. This is an action under 42 U.S.C. § 1983 to redress the deprivation
13 under color of statute, ordinance, regulation, custom or usage of rights, privileges,
14 and immunities secured to the plaintiff by the Fourth, and Fourteenth Amendments
15 to the Constitution of the United States. This action involves state law causes of
16 action as well.

17 2. Jurisdiction is based upon the existence of a federal question, pursuant
18 to 28 U.S.C. §§ 1331, 1343(a)(3) and (a)(4).

19 3. This Court has supplemental jurisdiction over any pendent state law
20 claims under 28 U.S.C. § 1367(a).

21 4. Pursuant to 28 U.S.C. § 1391(b), venue is proper in the Southern
22 District of California because the acts or omissions which form the basis of the
23 Plaintiff's claims occurred in San Diego County, within the Southern District of
24 California.

25 5. Plaintiff complied with Cal. Gov. Code §§ 800 et seq.

26 6. Plaintiff submitted his tort claim to the City of San Diego on
27 November 11, 2024.

28 7. The City of San Diego rejected the tort claim on April 17, 2025.

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III. PARTIES

8. Plaintiff Chu Ding is a 53-year-old resident of San Diego. Mr. Ding is employed by the United States Department of Homeland Security.

9. At all times relevant to this complaint, Defendant Jonathan Ferraro was an officer with the San Diego Police Department (SDPD). Even though Ferraro was in plain clothes, he invoked his authority over citizens by announcing himself as “the police” before using force on Chu Ding. Ferraro caused Mr. Ding to be charged with Obstructing or Resisting an *Executive Officer*. Thus, he was acting under the color of law at the time of the incident.

10. At all times relevant to this complaint, Defendant Patrick Richards was an officer with SDPD.

11. At all times relevant to this complaint, Defendant Emilee Emamjomeh was a detective with SDPD.

12. At all times relevant to this complaint, Defendant James Ealson was a Sergeant with SDPD. Ealson is believed to be the supervisor of Richards, Jonathan Ferraro, Emilee Emamjomeh and/or Does 1-25.

13. At all times relevant to this complaint, Scott Wahl was the Chief of Police for the San Diego Police Department. Before being sworn in on June 7, 2024, Wahl had been with the SDPD for 26 years and previously served as an Assistant Chief from September 2023 to June 7, 2024. Wahl is the final decision and policy maker for the Department.

14. At all times relevant to this complaint, Defendants DOES 1-25 were San Diego police officials and other agents of the CITY OF SAN DIEGO. At all times relevant hereto, these defendants were acting in their professional capacity.

15. Plaintiff is ignorant of the true names and capacities of DOES 1-25 and/or the facts giving rise to their liability and will amend this complaint once their identities as well as the facts giving rise to their liability have been ascertained.

1 25. Chu Ding walked back to his car. Just as he was about to get into the
2 driver's side, Ferraro reversed his truck, now fully blocking Mr. Ding and
3 preventing him from leaving.

4 26. Ferraro remained stationary with his truck blocking cars parked on
5 either side of Mr. Ding.

6 27. After waiting for another ten seconds or so, Mr. Ding approached
7 Ferraro's truck.

8 28. Because Ferraro's truck had fully tinted car windows, Mr. Ding could
9 not see anything or anyone inside the truck.

10 29. Because he could not see into the car, Mr. Ding tapped on the trunk of
11 Ferraro's car to get Ferraro's attention to let him know he was trying to leave.

12 30. Chu Ding then turned around to get into his car.

13 31. Ferraro sprung out of his truck and began yelling.

14 32. Ferraro screamed "why did you hit my car, you Chinese piece of shit."

15 33. At this point, Chu Ding walked towards Ferraro's truck and told him to
16 move his truck.

17 34. Ferraro screamed at Mr. Ding that he (Ferraro) was the police.

18 35. Ferraro was off-duty at the time. He was driving his personal vehicle
19 and wearing civilian clothes.

20 36. While the two men were yelling, Ferraro pushed Mr. Ding.

21 37. Within seconds of the two men facing each other and putting hands on
22 each other's arms, Ferraro picked Mr. Ding up and slammed him to the
23 ground.

24 38. Mr. Ding lost consciousness.

25 39. Upon information and belief, after knocking Mr. Ding unconscious,
26 Ferraro called SDPD to ask for assistance.

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28

1 40. SDPD police officers arrived approximately ten minutes later and
2 Defendant Patrick Richards immediately handcuffed Chu Ding while he was still
3 laying on the concrete ground of the parking lot.

4 41. Richards handcuffed Mr. Ding and propped him up to a sitting position.

5 42. An ambulance arrived approximately five minutes later. The medics
6 placed Mr. Ding on a gurney.

7 43. When the medics arrived, Mr. Ding was sitting on the ground,
8 handcuffed behind his back. Mr. Ding was unable to move.

9 44. Mr. Ding declined to go to the hospital in an ambulance because he
10 believed he would be released shortly and his wife would go with him to the
11 Emergency Room.

12 45. By this time, there were six uniformed officers in three marked police
13 vehicles.

14 46. When Mr. Ding declined to go in the ambulance, Defendant Patrick
15 Richards and/or Does 1-5 handcuffed Mr. Ding again and placed him in the
16 backseat of Richards' patrol car.

17 47. Richards and Does had asked no questions of Mr. Ding or anyone else
18 before handcuffing Mr. Ding and detaining him.

19 48. Upon information and belief, Richards and Does were advised and
20 knew before arriving at Costco that the incident involved Ferraro, a fellow officer.

21 49. These defendants kept Mr. Ding in the patrol car for hours waiting for
22 detectives to arrive.

23 50. Defendant Emamjomeh and Doe 6, a detective, eventually arrived.

24 51. These detectives went inside Costco to review and retrieve the footage
25 from the surveillance cameras.

26 52. Ferraro, Richards, Emamjomeh and Does 1-6 were all employed by the
27 San Diego Police Department.

28

1 53. Even though the relevant surveillance footage was only a few minutes
2 long and Defendants knew that they could obtain it within minutes from Costco,
3 Richards and Does 1-6 confined Mr. Ding in the backseat of a patrol car for hours.

4 54. During this time, Richards found out that Mr. Ding worked for the
5 Department of Homeland Security.

6 55. During this time, Richards was speaking to Ferraro and Does 1-25,
7 including supervisors.

8 56. For hours, these defendants were speaking to each other.

9 57. For hours, not a single defendant asked Mr. Ding what had occurred.
10 They did not ask because they did not care.

11 58. The only reason why six police officers and two detectives showed up
12 to a Costco parking lot in four separate police vehicles was to cover up for a fellow
13 officer who had just assaulted a federal agent and knocked him unconscious.

14 59. During the approximate three hours in the Costco parking lot, Mr.
15 Ding's handcuffs were so tight that it caused pain to his wrists. Richards refused to
16 loosen them.

17 60. This is a photo of Mr. Ding's wrist a full day after the incident:



1 61. Richards, Emamjomeh and Doe 6 then placed Mr. Ding under arrest for
2 a claimed violation of Penal Code § 69(a), Obstructing or Resisting an Executive
3 Officer, a felony.

4 62. Richards then drove Mr. Ding to the police station instead of Central
5 Jail for booking.

6 63. There was no legitimate basis for Richards, Emamjomeh and Doe 6 to
7 take Mr. Ding to the police station instead of the Jail where Mr. Ding would have
8 been screened by a nurse.

9 64. Had Mr. Ding been seen by a Jail nurse, he would have been rejected
10 at the gate, given his head injury and loss of consciousness, and then been taken
11 immediately to the hospital.

12 65. This was Mr. Ding's condition and physical appearance after being
13 assaulted by Ferraro:



26
27 66. Instead of getting Mr. Ding medical attention, Richards, Emamjomeh
28 and Doe 6 interrogated Mr. Ding at the station.

1 67. They knew that Mr. Ding had been slammed to the ground on his
2 shoulder and his head and that Mr. Ding was disoriented.

3 68. They knew that Mr. Ding was in excruciating pain and he was
4 experiencing dizziness and a headache.

5 69. Mr. Ding was thirsty from being left for hours in the beating July sun
6 in the back seat of the patrol car and then in the police station.

7 70. Mr. Ding told them that he was exhausted. Mr. Ding asked for water.

8 71. Officers brought him one single small paper cup of water.

9 72. They then refused to provide him with any more water. Mr. Ding asked
10 several times for water.

11 73. Instead, Emamjomeh and Doe 6 told Mr. Ding to write an apology letter
12 to Ferraro.

13 74. Instead of asking Mr. Ding what occurred, Emamjomeh and Doe 6 told
14 Mr. Ding the events and told him to sign an apology letter.

15 75. They played a short clip of the video footage and told Mr. Ding that he
16 was resisting arrest so he needed to write an apology letter.

17 76. The first time Mr. Ding attempted to write the letter, he was so
18 disoriented that he could not write sentences that made sense. It was difficult for
19 Mr. Ding to breathe because he had a fractured rib.

20 77. Mr. Ding could not think straight from the crushing headache.

21 78. Defendants then provided Mr. Ding with another piece of paper. Mr.
22 Ding wrote whatever Emamjomeh and Doe 6 wanted so that he could be taken to
23 get medical attention.

24 79. There was no legitimate legal purpose for obtaining an apology letter
25 from a concussed arrestee by denying him water, food and medical attention.

26 80. The only reason Richards, Emamjomeh and Doe 6 kept Mr. Ding in
27 custody for hours after Mr. Ding suffered a concussion was to cover up Ferraro's
28 misconduct.

1 81. Richards, Emamjomeh and Doe 6 knew that the surveillance footage
2 showed Ferraro to be the aggressor and that the District Attorney would reject the
3 case against Mr. Ding.

4 82. As soon as Mr. Ding signed an apology letter, Emamjomeh told Mr.
5 Ding he was under arrest.

6 83. By this time, Mr. Ding's wife, Ms. Jiang, had located Mr. Ding at the
7 station and had spoken to the Commander of the substation.

8 84. While Mr. Ding was in the parking lot of the police station about to be
9 transported to the Jail, the Commander told Mr. Ding that his wife wanted to speak
10 to him.

11 85. Mr. Ding told Ms. Jiang that he was in great pain. Mr. Ding's voice was
12 shallow and his wife could not hear him clearly.

13 86. Ms. Jiang made a request to the Commander that Mr. Ding be taken for
14 medical care.

15 87. The commander then told Richards to take Mr. Ding to the Emergency
16 Room.

17 88. Once back in his patrol car, Richards complained that taking him to the
18 hospital would be "a waste of time" because it would be quicker for Mr. Ding to be
19 processed and released at the Jail.

20 89. Richards placed Mr. Ding back in tight handcuffs behind his back,
21 causing extreme pain to his shoulder and his wrists.

22 90. He refused to loosen them.

23 91. Mr. Ding arrived at Scripps Health San Diego Emergency Room with
24 elevated blood pressure of 164/92, and multiple abrasions to his knee, lower bilateral
25 anterior chest wall, right shoulder and on right side of his face.

26 92. Mr. Ding was not seen at the hospital until between 7:45 PM and 8:30
27 PM,-approximately five (5) hours after Richards detained and handcuffed Mr. Ding
28 at Costco.

1 93. The ER doctor noted that Mr. Ding only had partial recall of the
2 incident involving Ferraro. Mr. Ding reported head pain, neck pain, right shoulder
3 pain, right sided rib pain and left knee pain.

4 94. Mr. Ding reported that he had lost consciousness after being slammed
5 to the ground.

6 95. Imaging taken at the ER showed a “right AC Joint separation,” *i.e.*, a
7 separated shoulder.

8 96. The differential diagnosis was fracture, dislocation, contusion and
9 concussion.

10 97. Mr. Ding was finally provided pain medication at 9:45 PM.

11 98. The doctor noted, “The patient's presentation and medical history
12 required multiple tests and monitoring with moderate to complex medical decision
13 making in order to determine that the patient appears safe for Discharge.”

14 99. Mr. Ding’s right arm was placed in a sling.

15 100. As Mr. Ding was being discharged, Richards attempted to place Mr.
16 Ding back in handcuffs behind his back despite having been told Mr. Ding had a
17 dislocated shoulder and a fractured rib. The ER doctor would not permit this to
18 occur.

19 101. Richards finally agreed to handcuff Mr. Ding with his hands to the
20 front.

21 102. Mr. Ding was finally discharged from the hospital at around midnight
22 and booked at Central Jail for felony resisting arrest.

23 103. Mr. Ding was released from custody at 2 or 3 PM on July 3, 2024.

24 104. Because the criminal charge against Mr. Ding was a felony, bail was
25 set at \$20,000.

26 105. Mr. Ding paid the bail bond company a total of \$1,800.

27 106. Mr. Ding was in custody for a total of 23-24 hours.

28

1 107. On July 11, 2024, the District Attorney’s Office declined to file charges
2 against Mr. Ding.

3 108. On the day Mr. Ding was booked into jail, federal agents checked the
4 database of all people in custody in the County of San Diego. Checking the jails’
5 database occurs several times per shift throughout the day at DHS.

6 109. An agent who works with Mr. Ding saw that Mr. Ding had been arrested
7 for a felony.

8 110. Within a day or two, the agents who work with Mr. Ding knew that he
9 had been arrested and booked into the Central Jail with a felony.

10 111. This allegation that Mr. Ding assaulted an off-duty police officer was
11 forwarded to the United States Department of Homeland Security Office of
12 Professional Responsibility.

13 112. Nine months later, on April 8, 2025, after fully investigating this
14 allegation, the Deputy Assistant Director on Investigations cleared Mr. Ding of any
15 misconduct.

16 113. As a result of the misconduct of Defendants, Mr. Ding suffered physical
17 and emotional injuries.

18 114. As a result of his false arrest, Mr. Ding suffered significant reputational
19 harm and embarrassment.

20 115. X-rays taken the day after Mr. Ding’s arrest showed 1) mildly
21 displaced fracture involving the right acromion; 2) separation of the right AC joint
22 and 3) nondisplaced fracture of the right rib cage at the T4 level. This is a
23 depiction of the acromion and the AC joint:

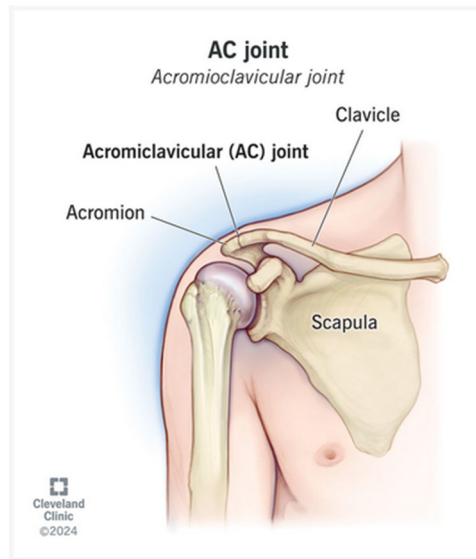
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The AC joint helps you rotate your shoulder and move it back-to-front.

<https://my.clevelandclinic.org/health/body/ac-joint-acromioclavicular-joint>

116. Mr. Ding was suffering from a headache, blurred vision, right shoulder pain and rib pain causing him to feel short of breath.

117. Two weeks later, a doctor noted unchanged fracture at the base of the right acromion.

118. By July 9, 2024, Mr. Ding was diagnosed with vertigo after suffering from dizziness with a spinning sensation when getting up or changing positions. He was continuing to suffer nausea, pain in the neck, right shoulder and right chest.

119. Mr. Ding missed work for four months as a result of his injuries.

120. Mr. Ding is suffering from ongoing injuries and pain from the assault.

V.

FACTS REGARDING SUPERVISORY LIABILITY AND *MONELL*

121. The San Diego Police Department has a long history of the use of excessive and unnecessary force. It has a long history of supervisors acquiescing to the misconduct of their subordinates.

1 **A. Ariel Savage and Daniel McClain**

2 122. On March 30, 2010, Shannon Robinson and Dante Harrell drove to
3 Canada Steak Burger on 36th and University to get lunch. Officers Savage and
4 McClain misread their license plate and initiated a traffic stop based on their error.
5 By the time the officers got out of the car, they already knew from Dispatch that they
6 had made a mistake. They nevertheless detained everyone in the car and demanded
7 drivers' licenses from the passengers. When Ms. Robinson protested and called 911
8 to speak with a supervisor, Savage and McClain emptied out a can of pepper spray,
9 discharged the Taser on Mr. Harrell and dragged them out of the car.

10 123. These defendants then charged Ms. Robinson and Mr. Harrell with a
11 violation of California Penal Code §§ 148 and 243(b), resisting arrest and battery on
12 a police officer.

13 124. During an interview with Internal Affairs, the investigators accused Ms.
14 Robinson and Mr. Harrell of violating the law. IA took no action against Savage or
15 McClain.

16 125. In the order granting Plaintiffs' partial motion for summary judgment
17 on liability, taking the facts in light most favorable to the defendants, the Court found
18 that as a matter of law, Savage and McClain unlawfully detained the occupants of
19 the car. The Court also found that as a matter of law, defendants unlawfully arrested
20 Ms. Robinson without probable cause.

21 126. Even after the Court issued this opinion in *Robinson v. City of San*
22 *Diego*, 954 F. Supp. 2d 1010, 1014 (S.D. Cal. 2013), the Department failed to
23 discipline or retrain any of the officers involved in the misconduct.

24 127. While *Robinson* was pending, Savage and McClain were reported to IA
25 by another citizen who alleged that they unlawfully arrested him and that Savage
26 accelerated and braked abruptly while transporting him in what they call a "rough
27 ride."
28

1 128. One year after unlawfully detaining and arresting the plaintiffs in
2 *Robinson*, Savage and another officer falsely arrested yet another plaintiff in
3 downtown San Diego. In 2015, a federal jury in that case unanimously found that
4 Savage had falsely arrested the plaintiff without probable cause.

5 129. Ariel Savage was then promoted to Sergeant.

6 130. In 2014, Daniel McClain and other officers pointed their AR-15s at the
7 head of a black man who had committed no crimes for a period of ten minutes. The
8 victim had identified himself and it was evident he was not suspected of committing
9 a crime but they continued to point their guns at his head. By this time, McClain
10 had been made a supervisor.

11 131. Daniel McClain was then promoted to Sergeant.

12 132. As sergeants, Savage and McClain train and supervise other police
13 officers.

14 **B. Neal Browder**

15 133. On April 30, 2015, Officer Neal Browder of the San Diego Police
16 Department responded to a 911 call about a man making threats with a knife.
17 Browder arrived at the scene, where he encountered Fridoon Nehad walking at a
18 steady pace in Browder's direction. The surveillance footage showed Browder
19 exiting his vehicle and less than five seconds later, fatally shooting Nehad who had
20 been standing about seventeen feet away from him.

21 134. A few hours after the shooting, police investigators arrived at the scene.
22 They asked Browder whether he saw any weapons and where in the alley they might
23 be. Browder told the investigators that he had not seen any weapons. Browder's
24 attorney stopped the questioning and would not allow investigators to ask Browder
25 any more questions that night. The investigators did not find any weapons in the
26 alley, and determined that Nehad had been carrying a metallic blue pen when
27 Browder shot him.

1 135. On May 5, 2015, five days after the shooting, Browder and his attorney
2 met with homicide investigators at a police station. Police officials provided
3 Browder and his attorney with surveillance video of the shooting, which Browder
4 and his attorney reviewed in a police lieutenant's office for approximately twenty
5 minutes *before* the interview commenced. During the interview, Browder stated that
6 he first saw Nehad when Nehad was twenty-five to thirty feet from Browder's car
7 and that Nehad was “aggressing” the car and “walking at a fast pace ... right towards
8 [the] car.” Browder also stated, for the first time, that he had thought Nehad was
9 carrying a knife, and that he had fired on Nehad because he thought Nehad was going
10 to stab him. See *S.R. Nehad v. Browder*, 929 F.3d 1125, 1131 (9th Cir. 2019).

11 136. This has been the ongoing pattern and practice within the Department
12 in which officers who engage in misconduct are given several days to meet with their
13 lawyers, view all footage of the incident, and come up with a story to justify charging
14 the victim with resisting arrest or being a threat.

15 137. One year after killing Mr. Nehad, Browder accidentally fired his gun
16 into a baby’s crib during a probation check. There had been no reason for Browder
17 to have a gun pointed at a baby’s crib in an empty bedroom.

18 138. The Department took no action.

19 139. As of 2020, Browder was receiving a total pay of \$249,946 from the
20 San Diego Police Department, having been promoted. As of 2022, Browder was
21 receiving a total pay of \$263,043 from the San Diego Police Department.

22 140. This was and is the culture inside the San Diego Police Department.
23 When an officer engages in misconduct and the use of excessive force, the
24 Department officials and supervisors engage in a coverup instead of an independent
25 investigation.

26 141. The ongoing pattern and practice are for Department officials to review
27 the footage and to share the information with the officers who had engaged in
28 misconduct so that they can get their story straight.

1 142. The ongoing pattern and practice are to disregard the statements of the
2 victims and to discredit the victims.

3 143. The ongoing pattern and practice are to engage in retaliation.

4 144. The ongoing pattern and practice are to refuse to take corrective action
5 when officers engage in misconduct.

6 145. The ongoing pattern and practice are to cover up misconduct, shrouding
7 information in secrecy. See <https://voiceofsandiego.org/tag/Neal-Browder/> Libby,
8 Sarah, “Secrecy, Misinformation Defined Every Turn in Police Shooting Case”
9 August 17, 2021, last accessed June 12, 2025.

10 146. As outlined in Voice of San Diego, the Department withheld
11 information and documents involving the shooting of Mr. Nehad from the review
12 board.

13 147. Browder faced no consequences by IA even after the City of San Diego
14 paid 3 million dollars to Mr. Nehad’s family.

15 **C. Code of Silence**

16 148. Defendant City of San Diego was well aware of the Department’s
17 conspiracy of silence among its officers. See, e.g., *Agent Anonymous v. Gonzalez*,
18 No. 16-CV-0374-W, 2016 WL 8999471, at *5 (S.D. Cal. Dec. 14, 2016); *Lobaton*
19 *v. City of San Diego*, No. 15-CV-1416-GPC, 2015 WL 7864186, at *3 (S.D. Cal.
20 Dec. 2, 2015); *Baker v. Ensign*, No. 11-CV-2060-JAH, 2013 WL 1183323, at *7
21 (S.D. Cal. Mar. 21, 2013).¹

22
23
24 ¹ See *Bagos v. Vallejo*, No. 2:20-cv-00185-KJM-AC, 2020 WL 6043949, at *5-6
25 (E.D. Cal. Oct. 13, 2020) (Prior incidents involving lawsuits alone, even those
26 which do not result in a finding or admission of wrongdoing, can be sufficient for
27 Monell liability purposes); *Villa v. Cnty. of San Diego*, Case No.: 20-CV-537-
28 CAB-NLS, 2020 WL 5535384, at *3-4 (S.D. Cal. Sept. 15, 2020) (denying motion
to dismiss Monell claim of policy and custom and failure to train claim as the
plaintiff referenced federal investigations, citizen complaints and lawsuits against
the County that include similar allegations of misconduct).

1 149. The City was presented with objective, admissible evidence of that
2 code. See, e.g., *Doe*, 35 F. Supp. 3d 1233, 1244 (S.D. Cal. 2014) (discussing expert
3 reports alleging an existing code of silence among San Diego officers).

4 150. In *Doe*, expert Jeffrey Noble reviewed the Department’s written
5 policies and procedures regarding officer misconduct. He found that the Department
6 has no mandatory reporting policy nor a retaliation policy protecting those who
7 report misconduct.

8 151. Mr. Noble found:

9 Mandated reporting policies are one method to address the
10 code of silence. These policies make clear that the control
11 of serious misconduct by employees is not just the
12 responsibility of supervisors and managers rather, it is a
13 shared responsibility among all officers, supervisors, and
14 managers. A reasonable policy would clearly state that an
15 officer has an affirmative duty to report serious
16 wrongdoing and that officers who fail to report serious acts
17 of misconduct may themselves be subject to disciplinary
18 or other corrective action. By developing a policy of this
19 manner, it removes the stigma from reporting misconduct
20 by making it an affirmative obligation of all employees.

21 152. *Doe* involved the misconduct of officer Anthony Arevallos, who had
22 been sexually assaulting women while on duty for years. In that case, Plaintiff
23 provided testimonial evidence from former SDPD police officers regarding the
24 existence of a “code of silence” within the SDPD.

25 153. Arevallos had built a reputation on the police force for his suspect
26 behavior towards female arrestees. He was known as the “Las Colinas Transport
27 Unit” because of the number of runs he would take to Las Colinas Women's
28 Detention Facility. Arevallos consistently bragged about stopping “beautiful girls.”
In the words of one police officer, Arevallos “appeared to be a profiler of hot
women.” “At the end of the shift, [Arevallos] would show other officers the driver's
license photo[s] of women he arrested. It pumped him up.” “[Arevallos] is the only
guy in Traffic Division that had a nude magazine in his locker.” “[Arevallos] would

1 come in and tell stories about women and what they would do.... Tony had more
2 stories than anybody.” “I think he enjoyed having a reputation.” One officer told
3 Arevalos he was “playing with fire” and that if he was purposefully seeking to arrest
4 good looking females he should “knock it off.” Arevalos referred to himself as the
5 “Teflon Don” because no allegations could ever stick to him.

6 154. Arevalos was Teflon Don because there had been a long standing
7 custom of the Department looking the other way when its officers were engaging in
8 serious misconduct.

9 155. Former SDPD Officer Arthur Perea testified to observing a code of
10 silence within the SDPD. He stated that “a lot of misconduct” is “kept within the
11 department, and many times swept under the rug, depending on who you are and
12 what your position is on the police department.”

13 156. Defendant Arevalos testified that he had seen the code of silence “with
14 [his] own eyes.” He testified that he saw “captains get stopped for DUIs,” only to be
15 “driven home” for fear of retaliation.

16 157. Former SDPD Officer Francisco Torres noted the unwritten rule that
17 “what happens in the field stays in the field, and it's never brought up or—you know,
18 you don't bring charges up against a fellow officer.”

19 158. Arevalos was able to get away with sexually assaulting women for so
20 long because there had been no accountability within the Department.

21 159. If SDPD had not been aware of the culture of silence before the
22 Arevalos case, it was certainly made aware of it during the civil litigation and when
23 the City paid 6 million dollars ten years ago to settle claims by 13 victims.

24 **D. Reporting by the Voice of San Diego**

25 160. On June 3, 2020, the Voice of San Diego published an article titled
26 “SDPD Reforms Have Come in Stops and Starts, Without Much Follow-Up.”²
27

28 ² Jesse Marx, *SDPDD Reforms Have Come in Stops and Starts, Without Much Follow-Up*, Voice of San Diego (June 3, 2020), available at

1 According to article, the Department had told the City Council in 2017 that it had
2 implemented 40 recommendations after Police Executive Research Forum (PERF)
3 conducted a review.³ And yet, court cases revealed those reforms had not worked
4 as planned and that the Council had done little to follow up.

5 161. Voice of San Diego reported that a memo signed by then-Police Chief
6 Zimmerman stated that all 40 of the proposed changes had been put in place. But
7 behind closed doors, according to one elected official, Zimmerman dragged her feet
8 on implementation and resisted the reforms.

9 162. For example, PERF suggested that the entire chain of command have
10 access to negative performance reviews and civil lawsuits against individual officers
11 as a part of an early intervention system. Supervisors would be required to review
12 their employees on a monthly basis and look for signs of problematic behavior
13 before it manifested into something more severe.

14 163. The Voice of San Diego found that case after case demonstrated that
15 supervisors routinely missed red flags and even if they took a closer look at an
16 officer's history and found something concerning, they were not required to follow
17 up or provide a written record.

18 164. The article highlighted the fact that Internal Affairs never even
19 interviewed Officer Neal Browder after he killed a man. The shooting did not even
20 come up during his performance reviews.

21
22
23
24 <https://voiceofsandiego.org/2020/06/03/sdpd-reforms-have-come-in-stops-and-starts-without-much-follow-up/>

25
26 ³ Founded in 1976 as a nonprofit organization, the Police Executive Research
27 Forum (PERF) is a police research and policy organization and a provider of
28 management services, technical assistance, and executive-level education to
support law enforcement agencies. PERF helps to improve the delivery of police
services through the exercise of strong national leadership; public debate of police
and criminal justice issues; and research and policy development.

1 165. When a legislator questioned why the recommendations were taking so
2 long to implement, then-Chief Zimmerman would accuse her of being “against the
3 cops.”

4 **E. Reporting by *inewsourc*e**

5 166. On March 8, 2023, *inewsourc*e and KPBS published an article titled
6 “These Officers Committed Misconduct. But What Were the Consequences?”⁴

7 167. California’s Senate Bill 16, which went into effect in 2022, requires
8 California police agencies to publish records on several categories of misconduct,
9 including discrimination, excessive force and unlawful searches and arrests.

10 168. SB 16 only covers cases where findings were sustained — if Internal
11 Affairs exonerates an officer or refuses to conduct an investigation, the records do
12 not have to be disclosed.

13 169. When the San Diego Police released the records as required by law, a
14 third of the reports were missing disciplinary records, as the article reported:



26 ⁴ Jill Castellano and Gustavo Solis, *These officers committed misconduct. But what*
27 *were the consequences?*, INEWSSOURCE and KPBS (Mar. 8, 2023), available at
28 <https://inewsourc.e.org/2023/03/08/sb16-police-transparency-misconduct-discipline-san-diego/>

1 170. Out of the total 93 cases of sustained misconduct released in 2023, a
2 third were for officers causing physical harm to citizens, with excessive force
3 ranging from punching to hitting with a flashlight to using carotid restraints for too
4 long. Six of those excessive force cases were missing disciplinary records, including:

- 5 • An officer who pressed his elbow into a suspect’s head for 40 seconds
6 and failed to document it;
- 7 • An officer who released a police dog on a man with his hands in the air;
8 and
- 9 • An officer who hit a man with a flashlight who was running away, then
10 shoved him after he was in handcuffed

11 171. A quarter of the total cases were for discrimination, with officers
12 making racist, homophobic or sexually suggestive comments to members of the
13 public and other sworn personnel. Half of those cases were lacking disciplinary
14 records, including:

- 15 • An officer who used a racial slur while saying he killed Black people
16 for a living;
- 17 • An officer who had sexual photos of women in his cubicle and sent an
18 email using a homophobic slur; and
- 19 • An officer who told a prisoner to “walk to the back of the bus like Rosa
20 Parks”

21 172. A captain overseeing police records stated that one reason for the
22 missing disciplinary action was due to the officer’s not receiving formal discipline,
23 but rather only a verbal warning, that does not stay in the officer’s employment files.

24 173. One such case with missing disciplinary action was Officer Timothy
25 Romberger. In 2017, a simple call to the police about three young people being
26 drunk in public ended with one young man bleeding from his face after being
27 smashed into a police vehicle and another young man covered in pepper spray, in
28 the back of a police car. IA found Romberger violated policy by using excessive
force five times during the arrest of the three young Black males and refusing to
provide the arrestee medical care.

1 174. There is no record of Romberger being disciplined. As *inewsourc*
2 reported, Romberger was not fired over this incident, but went on to face two
3 additional IA investigations the following two years. Romberger was only fired after
4 he held a gun to his fiancé’s head, pled guilty to felony assault and was sentenced to
5 six months in jail.

6 **F. Allegations of Retaliation Brought by Officer Allyson Ford**

7 175. According to a lawsuit filed by retired officer Allyson Ford, a Captain
8 of the Mid-City division accidentally chose another officer over her in the “horse
9 trade” of officers. In a group meeting, Captain Bell asked a group of officers
10 “Where’s the hot young blonde that I picked?” One of the new recruits explained
11 that Captain Ball had inadvertently chosen a different name starting with the same
12 letter placed next to Plaintiff’s on the horse trade list. Captain Ball stated: “You mean
13 I accidentally picked a short, fat, Asian guy?” According to the Mid-City officer, all
14 the new recruits laughed at Captain Ball’s pejorative and harassing statements.

15 176. In 2020, when Officer Ford reported the misconduct of her then-
16 husband and fellow officer who had threatened physical violence, she faced serious
17 retaliation by fellow officers.

18 177. Officer Ford alleged that when she reported the retaliation to IA, they
19 chose to take no action.

20 **G. Allegations of Corruption, Cover Up and Retaliation Brought by**
21 **Captain Leos**

22 178. Alberto Leos, a Captain with the San Diego Police Department,
23 discovered documents were illegally forged under his name by other officers within
24 the Department in order to cover up or to reduce punishment for officer misconduct.

25 179. On or about June 8, 2021, official city documents were prepared for
26 Officer Katherine Lonhair with findings of a Cat-III collision (punishment for a
27 Category III finding is 240 hours of suspension (24 workdays) and an 8-hour traffic
28 class). Officer Lonhair, with the assistance of her attorney, appealed the collision

1 findings. On August 6, 2021, Lieutenant Duane Voss upheld the Cat-III findings.
2 Captain Leos was not part of the original findings nor the appeal process. So Captain
3 Leos was surprised when on December 16, 2021, Captain Jeffery Peterson called
4 him into his office thanking him for changing Officer Lonthair's Cat-III findings, to
5 a Cat-II (reprimand with 8-hour traffic class). Captain Leos reviewed the documents
6 and discovered that they were in fact changed from Cat-III to Cat-II without his
7 knowledge or permission, and the documents were fraudulently prepared with his
8 name on the documents. Captain Leos called his subordinate Sergeant Brandy Sorbie
9 to inquire further. Sorbie informed him that Leos' direct supervisor, Chief Terrence
10 Charlot had instructed Sorbie to change Officer Lonthair's collision from a Cat-III
11 to a Cat-II and to forge Captain Leos' signature.

12 180. Captain Leos, shocked at this admission, inquired whether there were
13 other, similar situations. Sorbie advised him there had been another case involving
14 Officer Victoria Hickman in which Chief Charlot instructed Sorbie to reduce
15 Hickman's report from a Cat-III to a Cat-II. Captain Leos requested Sorbie resubmit
16 Lonthair's documents with Chief Charlot's name instead of his.

17 181. On January 12, 2022, Executive Chief Chris McGrath and Chief
18 Charlot emailed Leos inviting him to a meeting the following day. Captain Leos
19 inquired about the reason for the meeting and asked if he was in trouble. Chief
20 Charlot responded "Maybe yes, maybe no." The next day, McGrath and Charlot
21 met with Leos and began berating Leos, accusing him of being unsupportive of "Unit
22 #1", a reference to Chief Dave Nisleit ("Chief D. Nisleit"). Chief McGrath referred
23 to the Cat-III documents and demanded that Captain Leos "go along with the
24 program."

25 182. Captain Leos told Chief McGrath that the documents were changed by
26 Chief Charlot without his permission after being upheld on appeal, and that this was
27 illegal. Chief McGrath told Leos to "go along with the program." Captain Leos
28

1 requested Chief McGrath investigate Chief Charlot's illegal acts. Chief McGrath
2 responded, "No, we are just having a conversation here."

3 183. Officer Ryan Nisleit ("Officer R. Nisleit") is the son of Police Chief
4 Nisleit, who was the immediate predecessor of Chief Wahl.

5 184. R. Nisleit was involved in a collision on April 3, 2020 and was never
6 disciplined.

7 185. Chief Nisleit's friend, Captain Danny Grubbs, was the Captain at the
8 Central Division where Officer R. Nisleit was assigned at the time of the collision.
9 After Captain Leos gave Grubbs the documents recording a Cat-III collision finding,
10 Captain Grubbs called Captain Leos stating that he disagreed with the findings.
11 Captain Leos informed Captain Grubbs he should not get personally involved and
12 there was an appeal process Officer R. Nisleit could follow.

13 186. Two years later, on February 14, 2022, several community members
14 went to the media and social media and demanded an investigation into Chief Nisleit
15 for changing his son's collision from Cat-III to Cat-II. They demanded a formal
16 investigation into Chief Nisleit's son.

17 187. On February 15, 2022, Chief Nisleit called Captain Leos regarding the
18 community activists. Chief Nisleit requested to meet at a Starbucks in La Mesa to
19 discuss the community activist and insinuated that Captain Leos had leaked the
20 information. Chief Nisleit asked about Officer R. Nisleit's collision and why Captain
21 Leos disagreed about the Cat-III collision, making Captain Leos feel uncomfortable.
22 Captain Leos provided Chief Nisleit with the background of his issues with Chief
23 Charlot, the fraudulent collision reports, and his pushback on the issues, creating a
24 stressful, hostile work environment at the Traffic Division. Captain Leos also
25 advised him that Chief Charlot had threatened Captain Leos on many occasions for
26 not being "loyal" to him and the 7th floor.

1 188. In response, Chief D. Nisleit admitted to Captain Leos that he directed
2 Chief Charlot to change the discipline on Cat-III documents, but not to change them
3 to Cat-II's.

4 189. On March 8, 2022, Captain Leos received a call from David McKean,
5 Supervising Investigator with City Attorney's Office, Fraud/Criminal Division
6 requesting to ask a few questions in a confidential investigation regarding the
7 allegations involving R. Nisleit. Captain Leos told McKean that to his knowledge,
8 many of the allegations made by community members had truth to them, and that he
9 had evidence and witnesses to back the allegations against Chief Nisleit and the other
10 Chiefs.

11 190. Several months passed with no feedback from McKean. Captain Leos
12 emailed him requesting an update on his investigation. Investigator McKean
13 responded that did not find any substantiation to the allegations. Captain Leos
14 reiterated that he had evidence which was never reviewed and witnesses who were
15 never interviewed. In response, McKean, who was supposed to be conducting an
16 independent investigation on behalf of the City Attorney, stated he was "looking out
17 for the department heads and the city."

18 191. On January 13, 2022, a White police officer named Christopher Pate
19 was in the station break room with an Acting Sergeant and other police officers.
20 Officer Pate showed a video that depicted a white man on a motorcycle and a
21 chimpanzee getting upset after being removed from the motorcycle. Pate pointed to
22 the chimpanzee and referred the animal to a Black officer. A publicly available
23 reprimand was issued by Captain Leos, transferring Pate from the Traffic Division,
24 which was led by Captain Leos at the time. There is no indication that after being
25 transferred out of Captain Leo's division Pate received any discipline. Public
26 records show that Pate continued to receive approximately 250,000 in 2022 and 2023
27 in total pay and benefits.

28

1 192. Racism and misconduct was so rampant within the SDPD that officers
2 openly compared Black officers with primates in front of fellow officers and
3 supervisors.

4 193. Less than one week after being sworn in as the Chief, Wahl announced
5 a significant restructuring plan on how tax payer money would be spent. Chief Wahl
6 had been preparing for his leadership and policy changes.

7 194. The plan called for the creation of three new positions. First was a
8 Communications Manager who would focus on communicating with the media. A
9 second position was a Community Liaison Officer who would help “coordinate our
10 messaging.” A third new position was a Government Affairs Advisor, who would
11 help the Police Department engage with state and federal elected officials and their
12 staffers, to make sure they were meeting the police officers’ needs when there are
13 legislative changes.

14 195. Nowhere in this plan did Chief Wahl discuss professional standards,
15 accountability, or building public trust by dealing with training and discipline.
16 Wahl’s focus from the beginning was PR.

17 196. As the Assistant Chief, Wahl oversaw the Northern Patrol Branch,
18 Southern Patrol Branch, the Investigative Branch, Special Operations Branch and
19 Neighborhood Services Branch. He was intimately familiar with the multiple
20 allegations by his own employees that there had been a long tradition of covering up
21 misconduct only to promote the bad actors. Yet, he did nothing.

22 **H. The Existing Culture Within the Department**

23 197. The lengthy history of supervisors refusing to investigate and discipline
24 officer misconduct ranging from excessive force, sexual harassment and racism
25 created a culture in which officers believe they are above the law.

26 198. There has been a long tradition of looking the other way and retaliating
27 against officers who come forward to report misconduct.

28 199. There exists a culture and a code of silence.

1 228. Defendant Ferraro conspired to have Mr. Ding charged with felony
2 resisting an officer by fabricating a story that he was placing Mr. Ding under arrest.

3 229. There was no legal basis to detain or arrest Mr. Ding who had
4 committed no crimes.

5 230. Defendants Richards, Emamjomeh and Doe 6 saw the footage from
6 Costco and knew that Ferraro was the aggressor who assaulted and battered Mr.
7 Ding.

8 231. They knew that the District Attorney would not bring charges against
9 Mr. Ding who was the victim.

10 232. In order to make sure that Mr. Ding would be charged with a crime,
11 they brought the battered and injured Mr. Ding into their station for interrogation.

12 233. They knew that Mr. Ding was suffering from a concussion and serious
13 injuries.

14 234. They told Mr. Ding that he had to write an apology letter.

15 235. They knew that Mr. Ding was dazed and not fully appreciating what
16 was occurring as a result of his head injury.

17 236. These defendants denied Mr. Ding rest or any food into the evening.

18 237. They repeatedly denied Mr. Ding any water.

19 238. They knew that Mr. Ding had been sitting in the back of a patrol car for
20 hours in the sun before being brought to the interrogation room.

21 239. They saw that Mr. Ding could not even write a few sentences.

22 240. They then gave Mr. Ding a fresh sheet of paper so that he could tell
23 them what they wanted to hear.

24 241. They knew that there was no basis and no probable cause to arrest Mr.
25 Ding.

26 242. They knew that Ferraro had committed a crime by assaulting and
27 battering Mr. Ding but decided to bring false charges in order to cover up Ferraro's
28 misconduct.

1 **FOURTH CAUSE OF ACTION**

2 **Failure to Supervise and Discipline (42 U.S.C. § 1983)**
3 **(Against Defendants Wahl, Ealson, and Supervisory Does 7-12)**

4 243. Plaintiff realleges all prior paragraphs of this complaint and
5 incorporates the same herein by this reference.

6 244. Chief Wahl, as a matter of custom, practice and policy, failed to
7 supervise police officers to prevent, deter and punish the unconstitutional and
8 excessive use of force.

9 245. Defendant Ealson reviewed the evidence against Mr. Ding and knew
10 that his arrest was baseless and without probable cause. He took no action to prevent
11 the case from being presented to the Office of the District Attorney.

12 246. Upon information and belief, the supervisory defendants Ealson and
13 Does 7-12 knew or should have known of the dangerous and racist propensities of
14 defendant Ferraro from their personal experience with Ferraro but took no steps to
15 supervise him, correct his abuse of authority, or discourage his unlawful use of
16 authority.

17 247. Wahl, Ealson and Does knew that their subordinates were routinely
18 covering up for fellow officers' misconduct and engaging in retaliatory action
19 against innocent citizens.

20 248. They were personally aware of the pattern of the code of silence among
21 their employees.

22 249. They were personally aware of the pattern of charging innocent people
23 with resisting arrest in order to cover up the misconduct of police officers.

24 250. Despite this knowledge, these supervisory defendants condoned and
25 acquiesced in the abusive behavior of police officers by refusing to retrain them,
26 discipline them, or correct their abusive behavior.

27 251. Instead, officers who engaged in misconduct and dishonesty were
28 consistently promoted to supervisory roles in which they would train and supervise
the newer officers entering the police force.

1 261. Defendant San Diego promulgated and maintained an unconstitutional
2 policy, ordinance or regulation which allowed its police officers to use excessive
3 force in violation of the rights of citizens and engage in retaliatory arrests.

4 262. Defendant was deliberately indifferent to the widespread misconduct
5 on the part of San Diego police officers in detaining citizens who had committed no
6 crimes.

7 263. Defendant was deliberately indifferent to the widespread misconduct
8 on the part of San Diego police officers in the application of unnecessary and
9 excessive use of force.

10 264. There existed a pattern and practice for officers who use excessive force
11 to retaliate and charge the victims with a crime of resisting arrest.

12 265. As reported in several newspaper articles, reports by PERF and lawsuits
13 brought by their own employees, the City was well aware of the longstanding
14 problems of the culture of violence and the institutional failure to investigate and
15 discipline officers who engage in serious misconduct.

16 266. During the relevant period, defendant police officers were acting
17 pursuant to the long standing policies of defendant San Diego which was to permit
18 and encourage lawless conduct and dishonesty.

19 267. When the leadership at the top of the Department are themselves
20 engaging in dishonest conduct and covering up for the misconduct of their
21 employees, the result is a culture in which no officer thinks they will be held
22 accountable.

23 268. The individual defendant officers in this case acted pursuant to the
24 existing de facto policy and culture in which they believed they could mistreat people
25 and charge them with crimes they did not commit. These officers knew they would
26 not be held accountable and that no other officer would report their misconduct.

27
28

1 318. Ferraro intentionally blocked Mr. Ding's car in the first instance
2 because of his racist attitude towards Asians.

3 319. Ferraro engaged in the passive aggressive move with his truck, moving
4 it forward, waiting for Mr. Ding to get in his car only to reverse his truck back to
5 fully block Mr. Ding. The motivation in doing so was to harass and torment someone
6 he perceived as being Chinese.

7 320. The substantial motivating reason for his conduct in blocking his car
8 then slamming Mr. Ding to the ground was Ferraro's perception of Mr. Ding's race
9 or national origin.

10 321. As a result of Ferraro's conduct, Mr. Ding suffered harm and Ferraro's
11 conduct was a substantial factor in causing Mr. Ding's physical and emotional
12 injuries.

13 **ELEVENTH CAUSE OF ACTION**
14 **Intentional Infliction of Emotional Distress**
15 **(Against Defendants Ferraro, Richards, Emamjomeh, Doe 6 and County)**

16 322. Plaintiff realleges all prior paragraphs of this complaint and
17 incorporates the same herein by this reference.

18 323. By engaging in the acts alleged herein, Defendants Ferraro, Richards,
19 Emamjomeh and Doe 6 engaged in outrageous conduct with an intent to or a reckless
20 disregard of the probability of causing Plaintiff to suffer emotional distress.

21 324. Because Plaintiff's claims against the County arise from the false arrest
22 claim, employee would not be immune from the IIED and negligence claims, and
23 the City can be held vicariously liable.

24 325. As a direct, proximate and foreseeable result, Plaintiff suffered severe
25 emotional distress and the outrageous conduct was the cause of the emotional
26 distress suffered by Plaintiff.

27 326. The conduct of Defendants also amounts to oppression, fraud or malice
28 and punitive damages should be assessed against Defendants for the purpose of
punishment and for the sake of example.

1 **PRAYER FOR RELIEF**

2 Plaintiff pray for judgment as follows:

- 3 1) For compensatory general and special damages in an amount in
4 accordance with proof.
5 2) For punitive damages against the individual defendants.
6 3) Treble damages as allowed by law.
7 4) For reasonable attorneys' fees, expenses and costs of suit.
8 5) For any other relief that is just and proper.

9 **JURY DEMAND**

10 Pursuant to the Seventh Amendment of the U.S. Constitution and Rule 38 of
11 the Federal Rules of Civil Procedure, Plaintiff demand a jury trial.

12 DATED: July 1, 2025

Respectfully submitted,
IREDALE AND YOO, APC

13
14 s/ Julia Yoo
15 Eugene G. Iredale
16 Julia Yoo
17 Attorney for Plaintiff
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