

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

RODNEY GLENN KING

DEFENDANTS

PLEASE SEE ATTACHED

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF LOS ANGELES COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT LOS ANGELES
(EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

STEVEN A. LERMAN, ESQ.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd., #250-West
Beverly Hills, Ca. 90212

ATTORNEYS (IF KNOWN)

91 2497

II. BASIS OF JURISDICTION

(PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY

42 U.S.C., SECTIONS 1981, 1983, 1985

V. NATURE OF SUIT

(PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Mole Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input checked="" type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Other		

VI. ORIGIN

(PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐

DEMAND \$

Check YES only if demanded in complaint:
JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DAVIES

DOCKET NUMBER 91 1543 JDG(TX)

DATE
May 7, 1991

SIGNATURE OF ATTORNEY OF RECORD

Steven A. Lerman

UNITED STATES DISTRICT COURT
CV-71 (07/89)

(CONTINUED ON REVERSE SIDE)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING PLAINTIFF(S) vs. PLEASE SEE ATTACHED DEFENDANTS(S)	CASE NUMBER CV- 91 2497 WDK (Kx) S U M M O N S
--------------------------------------------------------------------------------------------------	----------------------------------------------------------

TO THE ABOVE-NAMED DEFENDANT(S), You are hereby summoned and required to file with this court and serve upon

STEVEN A. LERMAN, ESQ.
STEVEN A. LERMAN & ASSOCIATES

Plaintiff's attorney, whose address is:

9100 Wilshire Boulevard
Suite 250 - West Tower
Beverly Hills, California 90212

an answer to the complaint which is herewith served upon you within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

DATE: _____

MAY 8 1991

CLERK, U.S. DISTRICT COURT

DENISE COHEN HARRELL

By _____
Deputy Clerk

(SEAL OF THE COURT)

S U M M O N S

CV-1A (1/87)

*Official
use
only*

1 STEVEN A. LERMAN & ASSOCIATES
2 9100 Wilshire Blvd, Suite 250 West
3 Beverly Hills, California 90212
4 Tel: (213) 659-8166

5
6 Attorney for Plaintiff,
7 RODNEY GLENN KING

8
9 UNITED STATES DISTRICT COURT
10
11 CENTRAL DISTRICT OF CALIFORNIA

12 RODNEY GLENN KING,

13 Plaintiff,

14 v.

15 CITY OF LOS ANGELES, MAYOR TOM
16 BRADLEY, CHIEF OF POLICE DARYL F.
17 GATES, LOS ANGELES POLICE CAPT.
18 JOHN MUTZ, LAPD LIEUTENANT P.J.
19 CONMAY, LAPD SERGEANTS STACY
20 KOON, LAPD SERGEANT TROUT,
21 LOS ANGELES POLICE OFFICERS
22 LAURENCE M. POWELL, TIMOTHY WIND,
23 TED BRISENO, DAVID O. AVILA, TIM
24 E. BLAKE, SUSAN J. CLEMMER, PAUL
25 R. GEBHARDT, CHRISTOPHER J.
26 HAJDUK, INGRID LARSON, DAVID A.
27 LOVE, JOSEPH F. NAPOLITANO,
28 KENNETH A. PHILLIPPE, DANNY SHRY,
ROBERT J. SIMPACH, ROLANDO SOLANO
LOUIS M. TURRIAGA, OFFICER AMOTT
CALIFORNIA HIGHWAY PATROL OFFICERS
LIEUTENANT JOHN KILBASA, CAPT.
DENNIS TRUMAN, SERGEANT ROMAN
VONDRISKI, TIMOTHY SINGER, MELANIE
SINGER, GABRIEL AID and FRANK SCHULTZ
LOS ANGELES UNIFIED SCHOOL DISTRICT
OFFICER PAUL BEAUREGARD and
MARK DIAMOND and DOES 1 TO 200,

Defendants.

) Case No

) SUMMONS

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE

Pursuant to the Local Rules Governing Duties of
Magistrates, Magistrate John R. Kronenberg
has been designated to hear discovery motions in
the within action at the discretion of the assigned
Judge.

Upon the filing of a discovery motion, the motion
will be presented to the United States District Judge
for consideration and may hereafter be referred to the
Magistrate for hearing and determination.

The Magistrate's initial should be used on all documents
filed with the Court so that the case number reads as
follows:

CV -

91 2497

WDR

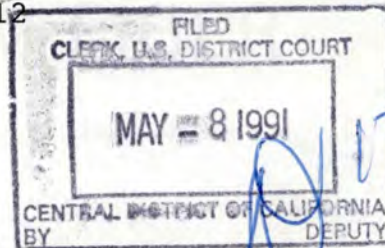
(Kx)

NOTE: A COPY OF THIS NOTICE MUST BE SERVED WITH THE
SUMMONS AND COMPLAINT ON ALL DEFENDANTS.

ORIGINAL

STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorney for Plaintiff,
RODNEY GLENN KING



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,
Plaintiff,

v.

CITY OF LOS ANGELES, MAYOR TOM
BRADLEY, CHIEF OF POLICE DARYL F.
GATES, LOS ANGELES POLICE CAPT.
JOHN MUTZ, LAPD LIEUTENANT P.J.
CONMAY, LAPD SERGEANTS STACY
KOON, LAPD SERGEANT TROUT,
LOS ANGELES POLICE OFFICERS
LAURENCE M. POWELL, TIMOTHY WIND,
TED BRISENO, DAVID O. AVILA, TIM
E. BLAKE, SUSAN J. CLEMMER, PAUL
R. GEBHARDT, CHRISTOPHER J.
HAJDUK, INGRID LARSON, DAVID A.
LOVE, JOSEPH F. NAPOLITANO,
KENNETH A. PHILLIPPE, DANNY SHRY,
ROBERT J. SIMPACH, ROLANDO SOLANO
LOUIS M. TURRIAGA, OFFICER AMOTT
CALIFORNIA HIGHWAY PATROL OFFICERS
LIEUTENANT JOHN KILBASA, CAPT.
DENNIS TRUMAN, SERGEANT ROMAN
VONDRISKI, TIMOTHY SINGER, MELANIE
SINGER, GABRIEL AID and FRANK SCHULTZ
LOS ANGELES UNIFIED SCHOOL DISTRICT,
LOS ANGELES UNIFIED SCHOOL DISTRICT
OFFICER PAUL BEAUREGARD and
MARK DIAMOND and DOES 1 TO 200,

Defendants.

Case No

91 2497 WDK (K)

COMPLAINT FOR VIOLATIONS
OF CIVIL RIGHTS UNDER
COLOR OF STATE LAW
(42 U.S.C. SECTIONS
1981, 1983, 1985);
DEMAND FOR JURY TRIAL

c/r

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10 Plaintiff, Rodney Glenn King, was tortured and beaten by
11 defendants herein, through the use of excessive, unjustified and
12 illegal force, following a traffic stop of the vehicle plaintiff
13 was driving in Lakeview Terrace, California on March 2-3, 1991 at
14 0300 hours.

22 The so-called "King Beating" was not an aberration, a singular
23 incident, but rather the latest in a long series of excessive use
24 of force incidents involving local law enforcement.

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1 5. Plaintiff sues defendants Does 1 to 200 pursuant to C.D.
2 Cal. R. 3.7.2.2 by such fictitious names because their true
3 identities have yet to be ascertained.

4 FACTS

5 6. On March 2, 1991 - March 3, 1991 at approximately 0030
6 hrs., Plaintiff Rodney Glenn King was operating a 1988 Hyundai
7 motor vehicle on the 11700 block of Foothill Boulevard in Lakeview
8 Terrace, California. At said time and place the vehicle was being
9 followed by various law enforcement officers, as set forth in the
10 complaint herein, and employed by the defendants herein as more
11 particularly set forth in this complaint. Following Mr. King
12 pulling his vehicle over, in response to the law enforcement
13 officers presence and direction, Mr. King was given a series of
14 verbal commands by said officers. Mr. King complied with all of
15 the officer's commands and without objection.

16 Notwithstanding Rodney Glen King's compliance, he was brutally
17 attacked by first Los Angeles Police Officer Laurence Powell using
18 a police baton, and then in turn Los Angeles Police Sergeant Stacy
19 Koon using a Taser stun gun, and thereafter Los Angeles Police
20 Officers Timothy Wind and Los Angeles Police Officer Ted Briseno
21 and Los Angeles Police Officer David A. Love. The involved
22 officers used out of policy head stokes with batons, boot stomping,
23 kicking, punching and taser gun shocks. The violent attack was
24 accomplished by the officers acting in concert and in full view of
25 some 25 or so other officers from various law enforcement agencies
26 that did nothing to prevent the beating, and thereafter nothing to

1 limit or curtail the beating. The vicious attack was also
2 accompanied by certain officers taunting the plaintiff Rodney Glenn
3 King with racial slurs and obscenities.

4 Finally, Rodney Glenn King was hogtied and handcuffed, to be
5 taken away to the hospital by paramedics.

6 As a result of the aforementioned torture-beating plaintiff
7 suffered great bodily injury, both physically and mental, causing
8 permanent damages to his body and emotional well being.

9 7. After the torture-beating of Mr. King defendants, and
10 each of them, defamed Mr. King by characterizing him in the media
11 as being a "PCP user" and "unemployed", thus disparaging him.

12 8. Defendants acted and conspired together in order to cover
13 up the true facts and events surrounding their unconstitutional
14 conduct, and this was accomplished by the creation of false and
15 intentionally misleading reports with regards to the above
16 mentioned incident. In addition, defendants concocted and
17 fabricated other evidence so as to further conceal evidence of
18 wrongdoing.

19 9. Plaintiff is informed and believes and thereon alleges that
20 in doing the foregoing acts, each defendant was the agent and
21 employee of each other defendant and was acting within such agency
22 and employment and that each defendant was acting under color of
23 state law.

24 10. At all times herein mentioned, the City of Los Angeles,
25 defendant Bradley and defendant Gates authorized and ratified the
26 wrongful acts of the other individual defendants. Defendants'

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1 wrongful conduct was the result of policies, practices and customs
2 of the City of Los Angeles and its police department to use
3 excessive force and intimidation against the citizenry, to subject
4 persons to outrageous and unreasonable seizures and dehumanizing
5 abuse and to cover up incidents of excessive force and false
6 arrest/imprisonment by police officers. The aforementioned
7 defendants foster and tolerate an atmosphere of overt and tacit
8 anti-black racism within the LAPD and, particularly, within the
9 Foothill Division. Furthermore, plaintiff's constitutional rights
10 were violated as a proximate result of the aforementioned
11 defendants' deliberate indifference in the training and supervision
12 of police officers.

13 11. Plaintiff alleges further that the City of Los Angeles is
14 liable for all plaintiff's injuries sustained as alleged herein by
15 virtue of Calif. Government Code Section 815.2 (a), which makes
16 public entities in California vicariously liable under 42 U.S.C.
17 Section 1983 for violations of civil rights by their employees
18 while acting within the course and scope of their employment.

19 12. As a proximate result of the foregoing wrongful acts of
20 defendants, and each of them, plaintiff has been hurt and injured
21 in his health, strength and activity, sustaining injury to his
22 nervous system and person, all of which injuries have caused and
23 continue to cause plaintiff great mental, physical and nervous pain
24 and suffering, humiliation, shock, distress and anguish.

25 13. The foregoing injuries caused plaintiff to accrue medical
26 and related expenses and have lost wages and earning capacity in
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1 amounts accordance with proof.

2 14. In doing the foregoing wrongful acts, defendants, and each
3 of them, were motivated by invidious, anti-black resentment and
4 hostility (i.e. class based animus), and they acted in intentional,
5 reckless and/or callous disregard for the constitutional rights of
6 plaintiff. The wrongful acts, each of them, were willful,
7 oppressive, fraudulent and malicious.

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CLAIMS FOR RELIEF

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FIRST CLAIM FOR RELIEF

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12 15. 42 U.S.C. SECTION 1981. Defendants deliberately or
13 recklessly denied plaintiff full and equal benefit of all laws and
14 proceedings for the security of person and property as is enjoyed
15 by white citizens, all to plaintiff's damage as hereinabove
16 alleged.

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SECOND CLAIM FOR RELIEF

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18 16. 42 U.S.C. SECTION 1983. Defendants, acting under color of
19 state law, deprived plaintiff of rights, privileges, and immunities
20 secured by the Constitution and laws of the United States,
21 including the Fourth and Fourteenth Amendments, by, inter alia,

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22 (a) Subjecting plaintiff to excessive force and threats of
23 great bodily injury and death;

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24 (b) Arresting plaintiff without probable cause and in an
25 unreasonable manner;

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(c) Falsely imprisoning plaintiff; and

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(d) Interfering with plaintiff's right to seek redress for

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1 his injuries by covering up for officer misconduct.

2 THIRD CLAIM FOR RELIEF

3 17. 42 U.S.C. SECTION 1985 (3). Defendant, and two or more of
4 them, conspired for the purpose of:

- 5 (a) depriving plaintiff of equal protection of the law,
6 (b) depriving plaintiff of due process of law, and
7 (c) hindering, the constituted authorities from giving or
8 securing equal protection and due process of law to all
9 persons, all to plaintiffs' damage as hereinabove alleged.

10 PRAYER

11 WHEREFORE, plaintiff seeks judgment as follows:

12 (a) Compensatory general and special damages in an amount in
13 accordance with proof;

14 (b) Exemplary damages (against each of the individual
15 defendants) in an amount sufficient to deter and to make an example
16 of those defendants;

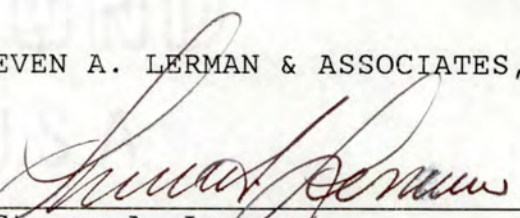
17 (c) Reasonable attorney's fees and expenses of litigation;

18 (d) Costs of suit necessarily incurred herein; and

19 (e) Such further relief as the Court deems just or proper.

20 DATED: May 7, 1991

21 STEVEN A. LERMAN & ASSOCIATES,

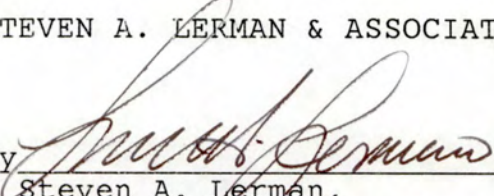
22
23 By 
24 Steven A. Lerman,
25 Attorney for Plaintiff
26 Rodney Glenn King
27
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury pursuant to Fed. R.
Civ. P. 38 (b) and C.D. Cal. R. 3.4.10.1.

DATED: May 7, 1991

STEVEN A. LERMAN & ASSOCIATES,

By 
Steven A. Lerman,
Attorney for Plaintiff
Rodney Glenn King

1 unnecessary violence;

2 (c) Failing to conduct adequate investigations of reported
3 police officer misconduct and to maintain an organized and
4 effective system for reporting and investigating incidents of
5 alleged police officer brutality and abuse;

6 (d) Discouraging the public from reporting police officer
7 misconduct and otherwise acting to conceal or cover-up police
8 culpability;

9 (e) Improperly training police officers with respect to,
10 inter alia, proper self-defense techniques, proper use of police
11 batons, "Taser" guns and other equipment, and the proper handling
12 of situations where use of excessive or unreasonable force by
13 police officers could reasonably be expected to occur;

14 (f) Fostering a code of silence among the ranks of the LAPD
15 to such extent that police officer misconduct was not reported by
16 other officers.

17 14. The Rodney King beating was the reasonably foreseeable
18 result of each of the deficient policies, practices and customs
19 alleged in Paragraph 13, hereinabove.

20 15. Defendants Bradley, Gates, Vernon, Mutz and Conmay,
21 together with various other unnamed officials and supervisory
22 personnel of the City of Los Angeles, the LAPD and the School
23 District, had either actual or constructive knowledge of the
24 deficient policies, practices and customs alleged in Paragraphs 12
25 and/or 13, hereinabove; acquiesced in and condoned such policies,
26 practices and customs; and were deliberately indifferent to their

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1 foreseeable effects and consequences with respect to the
2 Constitutional rights of Plaintiff and others similarly situated.

3 16. In perpetrating, sanctioning, tolerating and/or ratifying
4 the outrageous conduct and other wrongful acts described herein,
5 defendants, and each of them, were motivated by class-based animus,
6 characterized by invidious anti-Black hatred, resentment and
7 hostility. Defendants acted with an intentional, reckless and/or
8 callous disregard for and deliberate indifference toward the life
9 of Rodney King and his human and Constitutional rights. Defendants
10 actions, and each of them, shocked the conscience, and were
11 willful, oppressive, malicious, fraudulent, and highly offensive
12 to any person of normal sensibilities.

13 17. As a direct and immediate result of the aforementioned
14 beating and terrorization, Rodney King sustained grave bodily and
15 emotional injuries, causing permanent harm to both his person and
16 psyche. Plaintiff has been hurt and injured in his health,
17 strength, mental stability and activity, all of which injuries have
18 caused and continue to cause Plaintiff great physical and emotional
19 pain and suffering, shock, distress, anxiety, humiliation and
20 anguish. Further, the policies, practices and customs implemented,
21 maintained and tolerated by the City of Los Angeles, the LAPD, the
22 School District, and various officials and supervisory personnel
23 of these entities, were affirmatively linked to and the moving
24 force behind the injuries and other damages sustained by the
25 Plaintiff herein.

26 18. The foregoing injuries caused Plaintiff to accrue medical
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1 However, I advised Mr. Neubauer that I would consult with the
2 Attorney General's office with regard to his proposal.

3 Subsequently, on June 26, I did consult with the Attorney
4 General's office and it was decided that the appropriate course
5 would be to request ex parte relief from the Court.

6 On June 26, 1991, at 3:20 P.M., I again contacted Mr.
7 Neubauer to advise him pursuant to Local Rule 7.18 that on the
8 morning of June 27, 1991, I would be submitting the within Ex Parte
9 Application to the Court seeking the relief described above. Mr.
10 Neubauer reiterated his position that he does not object to the
11 extension of time to respond, but that he wants to condition such
12 an extension on keeping the early meeting as scheduled on July 24,
13 1991, and further upon an agreement that all "CHP counsel" would be
14 present. I advised Mr. Neubauer that I could not agree to his
15 proposal and of my intentions with regard to this Ex Parte
16 Application.

17 I declare under penalty of perjury that the foregoing is
18 true and correct.

19 Executed this 27TH day of June, 1991, at Los Angeles,
20 California.

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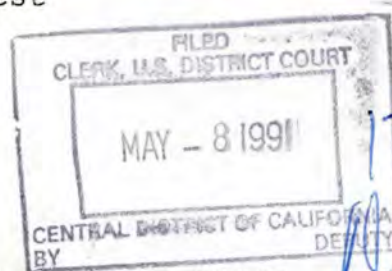
23 MARK A. WEINSTEIN
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COMPLAINT FOR VIOLATIONS OF CIVIL RIGHTS
UNDDER COLOR OF STATE LAW (42 U.S.C.,
SECTIONS 1981, 1983, 1985) DEMAND FOR
JURY TRIAL

ORIGINAL

STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorney for Plaintiff,
RODNEY GLENN KING



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,
Plaintiff,

v.

CITY OF LOS ANGELES, MAYOR TOM
BRADLEY, CHIEF OF POLICE DARYL F.
GATES, LOS ANGELES POLICE CAPT.
JOHN MUTZ, LAPD LIEUTENANT P.J.
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VONDRISKI, TIMOTHY SINGER, MELANIE
SINGER, GABRIEL AID and FRANK SCHULTZ
LOS ANGELES UNIFIED SCHOOL DISTRICT
OFFICER PAUL BEAUREGARD and
MARK DIAMOND and DOES 1 TO 200,

Defendants.

Case No 91 2497

NOTICE OF RELATED
CASE PURSUANT TO
LOCAL RULE 4.3.1.

WDK(Kx)

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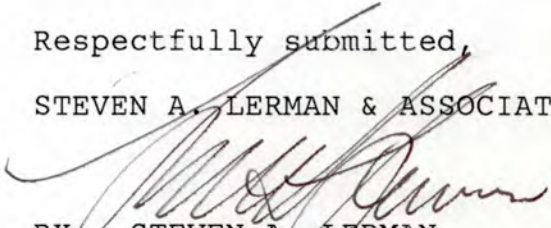
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TO THE CLERK OF THE ABOVE-ENTITLED COURT:

NOTICE IS HEREBY GIVEN pursuant to Local Rule 4.3.1. of the United States District Court for the Central District of California that the above-entitled action arises from the same or substantially identical transactions, happening or events as that in Bryant Allen v. City of Los Angeles, et al., Case No. 91 1543 JDG (TX) and Freddie G. Helms v. City of Los Angeles, et al., Case No. 1 91 1966 DWW which is currently pending in the Central District before the Honorable John G. Davies, United States District Judge.

In addition, counsel for plaintiff Rodney Glenn King further alleges that his action would call for a determination of the same substantially identical questions of law and fact and would entail substantial duplication of labor if heard by different judges. As such, plaintiff Rodney Glenn King would have no objection to having his case heard before the Honorable John G. Davies.

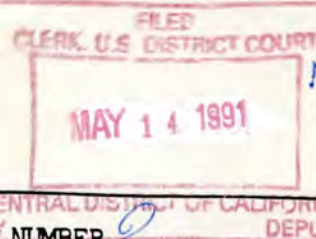
DATED: April 7, 1991

Respectfully submitted,
STEVEN A. LERMAN & ASSOCIATES

BY: STEVEN A. LERMAN
Attorney for Plaintiff
Rodney Glen King

NOTICE OF RELATED CASE PURSUANT TO
LOCAL RULE 4.3.1.

ORIGINAL

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA



RODNEY GLENN KING,

Plaintiff,

vs.

CITY OF LOS ANGELES, MAYOR TOM BRADLEY
CHIEF OF POLICE DARYL F. GATES,
et al.,

Defendant.

CASE NUMBER
CV 91-2497 WDK (Kx)

ORDER RE TRANSFER PURSUANT
TO GENERAL ORDER 224
(Related Case)

CONSENT

I hereby consent to the transfer of the above-entitled case to my calendar, pursuant to General Order 224.

DATED: May 10, 1991

John G. Davies
JOHN G. DAVIES

UNITED STATES DISTRICT JUDGE

It appearing that the above-entitled case is properly transferable in accordance with the provisions of General Order 224, IT IS HEREBY ORDERED that this case is transferred to the calendar of Judge DAVIES for all further proceedings.

DATED: 5/10/91

William D. Keller
WILLIAM D. KELLER

UNITED STATES DISTRICT JUDGE

DECLINATION

I hereby decline to transfer the above-entitled case to/from my calendar for the reasons set forth below.

DATED: _____

UNITED STATES DISTRICT JUDGE

Pursuant to the above transfer, any discovery matters that are or may be referred to a Magistrate are hereby transferred from Magistrate Judge KRONENBERG to Magistrate Judge TASSOPULOS.

REASON FOR TRANSFER AS INDICATED BY COUNSEL:

- CASE CV91-1543 JGD (Tx) and the present case
- ☒ A. appear to arise from the same or substantially identical transactions, happenings or events.
 - ☐ B. involve the same or substantially the same parties or property.
 - ☐ C. involve the same patent, trademark or copyright.
 - ☐ D. call for determination of the same or substantially identical questions of law.
 - ☐ E. likely for other reasons may entail unnecessary duplication of labor if heard by different judges.

NOTICE TO COUNSEL FROM CLERK:

ON ALL DOCUMENTS SUBSEQUENTLY FILED IN THIS CASE, PLEASE SUBSTITUTE THE INITIALS JGD AFTER THE CASE NUMBER IN PLACE OF THE INITIALS OF THE PRIOR JUDGE, SO THAT THE CASE NUMBER WILL READ CV 91-2497 JGD (Tx). THIS IS VERY IMPORTANT BECAUSE DOCUMENTS ARE ROUTED TO THE ASSIGNED JUDGES BY MEANS OF THESE INITIALS.

CV-34 (2/88)

ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Cases)

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MAY 14 1991

3

1 STEVEN A. LERMAN & ASSOCIATES
2 9100 Wilshire Blvd, Suite 250 West
3 Beverly Hills, California 90212
4 Tel: (213) 659-8166

5 Attorneys for Plaintiff,
6 RODNEY GLENN KING

7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

9 RODNEY GLENN KING,
10 Plaintiff,

11 v.

12 THE CITY OF LOS ANGELES and THE LOS
13 ANGELES POLICE DEPARTMENT; THE LOS
14 ANGELES UNIFIED SCHOOL DISTRICT;
15 MAYOR TOM BRADLEY; CHIEF OF POLICE
16 DARYL F. GATES; ASSISTANT CHIEF OF
17 POLICE ROBERT VERNON; LOS ANGELES
18 POLICE OFFICERS CAPTAIN JOHN MUTZ,
19 LIEUTENANT P.J. CONMAY, SERGEANT
20 JOHN DOE FLORES, SERGEANT STACY KOON,
21 SERGEANT ROBERT TROUTT, DAVID O.
22 AVILA, TIMOTHY E. BLAKE, THEODORE
23 BRISENO, SUSAN J. CLEMMER, PAUL R.
24 GEBHARDT, CHRISTOPHER J. HADJI,
25 GLEN KING, INGRID LARSON, DAVID A.
26 LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
27 KENNETH A. PHILLIPPE, LAURENCE M.
28 POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,
Defendants.

ORIGINAL



) Case No: 91 2497(JGD)(TX)

) **FIRST AMENDED COMPLAINT**
) **FOR VIOLATION OF CIVIL**
) **RIGHTS UNDER COLOR OF**
) **STATE LAW (42 U.S.C.**
) **SECTIONS 1981, 1983,**
) **1985); DEMAND FOR**
) **JURY TRIAL**

INTRODUCTION

1. This is a civil rights action for compensatory and punitive damages brought against the City of Los Angeles, the Los Angeles Police Department (hereinafter the "LAPD"), the Los Angeles Unified School District, Mayor of Los Angeles Tom Bradley, Los Angeles Chief of Police Daryl F. Gates, and numerous other individual supervisors and officers serving with the LAPD, the California Highway Patrol and the Los Angeles Unified School District, as well as related defendants more particularly set forth hereinbelow.

Plaintiff, Rodney Glenn King, was brutally and unjustifiably beaten and terrorized by the combined and concerted activity of the police officer defendants named herein following a traffic stop of the vehicle he was driving in the Lake View Terrace section of Los Angeles, California, shortly after midnight on March 3, 1991. (The incident is popularly known and hereinafter referred to as "the Rodney King beating".) In a scene reminiscent of Buchenwald, Soweto and Tien An Men Square, Rodney King was intentionally and unnecessarily subjected to the excessive and illegal use of deadly force by at least five of the defendants named herein, while numerous other named and unnamed defendants looked on supportively or, at best, impassively. Further, defendants attempted to cover-up their culpability by concealing the facts surrounding the incident and defaming the Plaintiff. As a result of the defendants' willful and malicious actions, Plaintiff suffered severe and lasting physical injuries, profound emotional and

1 psychic trauma, humiliation and embarrassment, injury to his
2 reputation, and a fundamental affront to his human dignity.

3 The Rodney King beating, although accomplished by the
4 individual police officers present, was also a direct product of
5 certain Constitutionally deficient policies, practices and customs
6 implemented, maintained and tolerated by the LAPD and the City of
7 Los Angeles with respect to police force tactics and the hiring,
8 training, supervising and disciplining of police force personnel.
9 Such de facto policies and pervasive practices and customs were the
10 proximate cause of Plaintiff's injuries, are conjunctive with an
11 atmosphere of racial bias prevalent in the LAPD, and represent the
12 deliberate indifference of the City of Los Angeles and its police
13 department to the physical safety and Constitutional rights of its
14 inhabitants.

15 The Rodney King beating was not a singular event or an
16 aberration, but rather the latest in a long series of incidents of
17 excessive use of force involving local law enforcement agencies
18 with jurisdiction over the City of Los Angeles.

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JURISDICTION AND VENUE

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2. The Court has jurisdiction over this action pursuant to
28 U.S.C. Section 1331 (federal question) and 28 U.S.C. Section
1343 (3) (civil rights). Venue lies in the Central District of
California, the judicial district in which the claim arose,
pursuant to 28 U.S.C. Section 1391 (b).

PARTIES

3. Plaintiff Rodney Glenn King is a competent adult, a citizen of the United States and a resident of Los Angeles County, California.

4. Defendant City of Los Angeles is a municipality operating pursuant to its Charter and organized and incorporated under and the laws of the State of California. Defendant LAPD is an independent operating department of the City of Los Angeles. Defendant Los Angeles Unified School District (hereinafter "School District") is a public school system organized and operating under the laws of the State of California. Defendant Tom Bradley ("Bradley") is the Mayor and chief executive officer of Los Angeles. Defendant Daryl F. Gates ("Gates") is the Chief of Police of Los Angeles and the commander and head of the LAPD. Defendant Robert Vernon ("Vernon") is Assistant Police Chief of Los Angeles, head of the LAPD's Office of Operations and commander of its patrol units. Defendant Police Captain John Mutz ("Mutz") is captain of the LAPD's Foothill Division, located in the San Fernando Valley of Los Angeles.

Defendants Lieutenant P.J. Conmay ("Conmay"), Sergeant Stacy Koon, Sergeant Robert Troutt, Sergeant John Doe Flores, and LAPD officers Laurence Powell, Timothy Wind, Ted Briseno, David A. Love, Tim E. Blake, Susan J. Clemmer, Paul R. Gebhardt, Christopher J. Hadji, Glen King, Ingrid Larson, Joseph F. Napolitano, Paul Nelson, Danny Shry, Robert J. Simpach, Rolando Solano and Louis M. Turriaga are employees of the LAPD who were assigned to the Foothill

1 Division on the night of the Rodney King beating. Defendant police
2 officers David O. Avila and Kenneth A. Phillipe are assigned to the
3 LAPD's Air Support Division. Lieutenant John Kielbasa, Captain
4 Dennis Truman, Sergeant Roman Vondriska and police officers Melanie
5 Singer, Timothy Singer, Gabriel Aid and Frank Schultz are employees
6 of the California Highway Patrol. Police officers Paul Beauregard
7 and Mark Diamond are employees of the School District. All the
8 foregoing individuals are residents of this judicial district,
9 acted under color of state law and municipal authority, and were
10 involved in one capacity or another in the brutal detention and
11 arrest of the Plaintiff and/or in the attempted concealment and
12 cover-up of the Rodney King beating.

13 5. Plaintiff sues defendants Does 1 to 200 by such
14 fictitious names pursuant to C.D. Cal. R. 3.7.2.2., because their
15 true identities have yet to be ascertained.

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FACTS

18 6. At a time shortly after midnight on March 3, 1991,
19 Plaintiff Rodney Glenn King was operating a 1988 Hyundai motor
20 vehicle on the 11700 block of Foothill Boulevard in the Lake View
21 Terrace section of Los Angeles, California. At said time and place
22 the vehicle and its occupants were the objects of a stop for
23 routine traffic violations by various law enforcement officers
24 named in the complaint herein.

25 7. Plaintiff pulled his vehicle over in response to the
26 presence and direction of certain of the police officer defendants,

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1 whereupon he received a series of verbal commands from said
2 officers. Plaintiff complied with all of the officers' commands
3 without objection or delay.

4 8. Notwithstanding Rodney King's willingness to comply with
5 the police officers' directives, he was brutally attacked and
6 terrorized with deadly force by several of the defendants,
7 including among others, LAPD Sergeant Stacy Koon and LAPD officers
8 Laurence Powell, Timothy Wind, Ted Briseno and David A. Love.
9 Without cause or provocation, said police officers repeatedly beat
10 Rodney King about the head and body with police batons, shot him
11 with a "Taser" gun, stomped on him and kicked him with their feet,
12 and punched him with their fists. The foregoing tactics were
13 entirely out of proportion to the force necessary to subdue the
14 Plaintiff, and were applied maliciously and sadistically for the
15 purpose of causing harm to the Plaintiff. Such police tactics not
16 only contravened LAPD policy with respect to the arrest of a
17 compliant suspect, but also were of such strenuous and prolonged
18 application as to outrage and offend a person of normal
19 sensibilities. The violent attack was accomplished by the officers
20 acting in concert and in full view of approximately twenty other
21 officers from the LAPD and various other law enforcement agencies
22 who did nothing whatsoever to prevent, curtail or limit the
23 beating. Moreover, the vicious physical attack was accompanied by
24 certain of the officers' taunting and castigating the Plaintiff
25 with racial slurs and obscenities. Finally, Plaintiff was hog-
26 tied and handcuffed before being rushed to Pacifica Hospital by
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1 paramedics, where he was initially treated for his injuries.

2 9. The individual defendants acted and conspired together
3 to conceal the true facts and events surrounding their
4 unconscionably violent conduct. On or about March 3, 1991, Rodney
5 King's brother, Paul King, attempted to lodge a complaint
6 concerning the Rodney King beating with LAPD's Foothill Division.
7 Sergeant John Doe Flores thereupon discouraged Paul King from
8 filing a written complaint and refused to cooperate with him in
9 processing Rodney King's grievance. This attempted cover-up was
10 further effected by defendants' intentional creation of false and
11 misleading reports with respect to the Rodney King beating. In
12 addition, defendants fabricated evidence in order to conceal their
13 wrong-doing.

14 10. After the beating and terrorization of Rodney King,
15 certain of the defendants defamed Plaintiff by falsely and publicly
16 characterizing him as a "PCP user". As a result of such
17 defamation, Plaintiff suffered injury to his reputation.

18 11. Plaintiff is informed and believes, and thereupon
19 alleges, that in perpetrating the foregoing acts, each individual
20 defendant was the agent or employee of each other defendant, was
21 acting within the course and scope of such agency or employment,
22 and was acting under color of state law and municipal authority.

23 12. The City of Los Angeles and the LAPD either explicitly
24 or implicitly authorized and ratified the outrageous conduct and
25 wrongful acts perpetrated by certain of the individual defendants
26 herein. The Rodney King beating was the foreseeable result of the
27

1 de facto policies and pervasive practices and customs of the City
2 of Los Angeles and the LAPD routinely to use excessive force and
3 intimidation against members of the public, particularly minority
4 individuals; to subject police suspects and detainees to
5 unreasonable and inherently dangerous seizures and dehumanizing
6 brutality and verbal abuse; and to conceal and otherwise cover-up
7 incidents of excessive force and false arrest and imprisonment.
8 In particular, Rodney King's injuries were the reasonably
9 foreseeable product of the LAPD's establishment, maintenance and
10 enforcement of a widespread and enduring custom of beating and
11 terrorizing suspects who had been arrested after vehicular pursuits
12 by police officers. Further, an atmosphere of overt and passive
13 racism, which was fostered and tolerated throughout the LAPD, and
14 within the Foothill Division in particular, contributed
15 substantially to the nature and severity of the Plaintiff's
16 injuries.

17 13. For a substantial period of time prior to,
18 contemporaneous with, and subsequent to the Rodney King beating,
19 the City of Los Angeles, the LAPD and the School District
20 implemented, maintained and tolerated the following deficient
21 policies, practices and customs:

22 (a) Hiring and/or failing properly to assign, supervise and
23 control police officers known, or who reasonably should have been
24 known to have used excessive or unreasonable force in the past;

25 (b) Failing properly to discipline police officers who had
26 engaged in the use of excessive or unreasonable force or
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1 unnecessary violence;

2 (c) Failing to conduct adequate investigations of reported
3 police officer misconduct and to maintain an organized and
4 effective system for reporting and investigating incidents of
5 alleged police officer brutality and abuse;

6 (d) Discouraging the public from reporting police officer
7 misconduct and otherwise acting to conceal or cover-up police
8 culpability;

9 (e) Improperly training police officers with respect to,
10 inter alia, proper self-defense techniques, proper use of police
11 batons, "Taser" guns and other equipment, and the proper handling
12 of situations where use of excessive or unreasonable force by
13 police officers could reasonably be expected to occur;

14 (f) Fostering a code of silence among the ranks of the LAPD
15 to such extent that police officer misconduct was not reported by
16 other officers.

17 14. The Rodney King beating was the reasonably foreseeable
18 result of each of the deficient policies, practices and customs
19 alleged in Paragraph 13, hereinabove.

20 15. Defendants Bradley, Gates, Vernon, Mutz and Conmay,
21 together with various other unnamed officials and supervisory
22 personnel of the City of Los Angeles, the LAPD and the School
23 District, had either actual or constructive knowledge of the
24 deficient policies, practices and customs alleged in Paragraphs 12
25 and/or 13, hereinabove; acquiesced in and condoned such policies,
26 practices and customs; and were deliberately indifferent to their

1 foreseeable effects and consequences with respect to the
2 Constitutional rights of Plaintiff and others similarly situated.

3 16. In perpetrating, sanctioning, tolerating and/or ratifying
4 the outrageous conduct and other wrongful acts described herein,
5 defendants, and each of them, were motivated by class-based animus,
6 characterized by invidious anti-Black hatred, resentment and
7 hostility. Defendants acted with an intentional, reckless and/or
8 callous disregard for and deliberate indifference toward the life
9 of Rodney King and his human and Constitutional rights. Defendants
10 actions, and each of them, shocked the conscience, and were
11 willful, oppressive, malicious, fraudulent, and highly offensive
12 to any person of normal sensibilities.

13 17. As a direct and immediate result of the aforementioned
14 beating and terrorization, Rodney King sustained grave bodily and
15 emotional injuries, causing permanent harm to both his person and
16 psyche. Plaintiff has been hurt and injured in his health,
17 strength, mental stability and activity, all of which injuries have
18 caused and continue to cause Plaintiff great physical and emotional
19 pain and suffering, shock, distress, anxiety, humiliation and
20 anguish. Further, the policies, practices and customs implemented,
21 maintained and tolerated by the City of Los Angeles, the LAPD, the
22 School District, and various officials and supervisory personnel
23 of these entities, were affirmatively linked to and the moving
24 force behind the injuries and other damages sustained by the
25 Plaintiff herein.

26 18. The foregoing injuries caused Plaintiff to accrue medical
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1 and related expenses and lost wages and earning capacity in amounts
2 in accordance with proof.

3
4 **CLAIMS FOR RELIEF**

5 **FIRST CLAIM FOR RELIEF**

6 19. 42 U.S.C. SECTION 1981. Defendants deliberately or
7 recklessly denied Plaintiff equal benefit of all laws and
8 proceedings for the security of his person and property as is
9 enjoyed by White citizens, all to Plaintiff's damage as hereinabove
10 alleged.

11
12 **SECOND CLAIM FOR RELIEF**

13 20. 42 U.S.C. SECTION 1983. Defendants, acting under color
14 of state law, willfully, intentionally, knowingly, maliciously and
15 concertedly deprived Plaintiff of rights and privileges and
16 immunities secured by the Constitution and laws of the United
17 States, including the Fourth and Fourteenth Amendments, by, inter
18 alia,

19 (a) Needlessly and unreasonably subjecting Plaintiff to the
20 use of excessive and deadly force and threats of great bodily
21 injury and death;

22 (b) Seizing and arresting Plaintiff in a brutal, terroristic,
23 verbally abusive and otherwise unreasonable manner;

24 (c) Deliberately, knowingly and/or negligently failing to
25 come to Plaintiff's aid and assistance in contravention of rules
26 and regulations applicable to on-duty police officers;

1 (d) Interfering with Plaintiff's right to seek redress for
2 his injuries by attempting to conceal and cover-up for defendant
3 police officers' misconduct;

4 (e) Combining and conspiring to deprive Plaintiff of his
5 Constitutionally protected rights;

6 (f) Denying Plaintiff due process of law;

7 (g) Implementing, maintaining and tolerating policies,
8 practices and customs which resulted in the illegal actions and
9 proximately caused Plaintiff's injuries as hereinabove alleged.

10
11 **THIRD CLAIM FOR RELIEF**

12 21. 42 U.S.C. SECTION 1985 (3). Defendants, and two or more
13 of them, conspired for the purpose of:

14 (a) Depriving Plaintiff of equal protection of the law;

15 (b) Depriving Plaintiff of due process of law; and

16 (c) Hindering the constituted authorities from giving or
17 securing equal protection and due process of law to all persons,
18 all to Plaintiff's damage as hereinabove alleged.

19
20 **FOURTH CLAIM FOR RELIEF**

21 22. 42 U.S.C. Section 1988. To the extent that the personal
22 resources of the individual defendants herein are deficient in the
23 amounts necessary to furnish a suitable remedy to Plaintiff,
24 Defendants City of Los Angeles, LAPD and School District are liable
25 for such deficiency pursuant to California Government Code Section
26 815.2 (a).

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2 **PRAYER**

3 WHEREFORE, Plaintiff seeks judgment as follows:

4 (a) Compensatory general and special damages in an amount in
5 accordance with proof;

6 (b) Exemplary damages (against each of the individual
7 Defendants) in an amount sufficient to make an example of those
8 defendants and to deter them and all others who would behave as
9 have defendants herein;

10 (c) Reasonable attorney's fees and expenses of litigation;

11 (d) Costs of suit necessarily incurred; and

12 (e) Such further relief as the Court deems just or proper.

13 DATED: JUNE 3, 1991

14 STEVEN A. LERMAN & ASSOCIATES

15
16 By: 

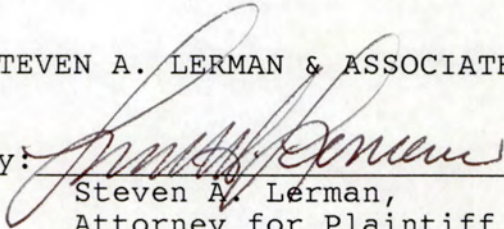
17 Steven A. Lerman,
18 Attorney for Plaintiff
19 RODNEY GLENN KING
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2 DEMAND FOR JURY TRIAL
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4 Plaintiff hereby demands trial by jury pursuant to Fed. R.
5 Civ. P. 38 (b) and C.D. Cal. R. 3.4.10.1.
6

7 DATED: JUNE 3, 1991
8

STEVEN A. LERMAN & ASSOCIATES

9
10 By: 
11 Steven A. Lerman,
12 Attorney for Plaintiff
13 RODNEY GLENN KING
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FILED

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U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.

Theodore Briseno
c/o Petersen & Trott
1428 East Chapman Avenue
Orange, California 92666-2205
(714) 938-1700

Defendant In Pro Per

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

vs.

CITY OF LOS ANGELES, MAYOR TOM
BRADLEY, CHIEF OF POLICE DARYL
F. GATES, LOS ANGELES POLICE
CAPT. JOHN MUTZ, LAPD
LIEUTENANT P.J. CONMAY, LAPD
SERGEANT STACY KOON, LAPD
SERGEANT TROUT, LOS ANGELES
POLICE OFFICERS LAURENCE M.
POWELL, TIMOTHY WIND, TED
BRISENO, DAVID O. AVILA, TIM
E. BLAKE, SUSAN J. CLEMMER,
PAUL EAJDUK, INGRID LARSON,
DAVID A. LOVE, JOSEPH F.
NAPOLITANO, KENNETH A.
PHILLIPPE, DANNY SHRY, ROBERT
J. SIMPACH, ROLANDO SOLANO,
LOUIS M. TURRIAGA, OFFICER
AMOTT, CALIFORNIA HIGHWAY
PATROL OFFICERS LIEUTENANT
JOHN KILBASA, CAPT. DENNIS
TRUMAN, SERGEANT ROMAN
VONDRISKI, TIMOTHY SINGER,
MELANIE SINGER, GABRIEL AID
and FRANK SCHULTZ LOS ANGELES
UNIFIED SCHOOL DISTRICT, LOS
ANGELES UNIFIED SCHOOL
DISTRICT OFFICER PAUL
BEAUREGARD and MARK DIAMOND
and DOES 1 TO 200,
Defendants.

) CASE NO. 91 2497 WDK

)
) NOTICE OF DEFENDANT THEODORE
) BRISENO'S APPEARANCE

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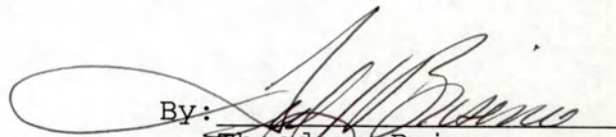
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TO RODNEY GLENN KING AND HIS ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE, and notice is hereby given, that effective
June 19, 1990 defendant Theodore Briseno, in pro per, hereby
appears in this action and submits himself to the jurisdiction of
the above referenced court for purposes of this litigation.

DATED: June 19, 1991

By:


Theodore Briseno
Defendant In Pro Per

NOTICE OF APPEARANCE

VEATCH, CARLSON, GROGAN & NELSON

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

3926 WILSHIRE BOULEVARD

SUITE 200

LOS ANGELES, CALIFORNIA 90010

TELEPHONE (213) 381-2861

Attorneys for Specially Appearing for Defendants,
CALIFORNIA HIGHWAY PATROL EMPLOYEES CAPTAIN TRUMAN DENNIS,
erroneously sued and served as CAPTAIN DENNIS TRUMAN, LIEUTENANT
JOHN KIELBASA, SERGEANT ROMAN VONDRISKA, GABRIEL AID,
FRANK SCHULTZ and TIMOTHY SINGER

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FILED
JUL 28 PM '91
CLERK OF COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.

RODNEY GLENN KING,	)	CASE NO. 91 2497 (JGD) (Tx)
)	
Plaintiff,	)	EX PARTE APPLICATION FOR
	)	EXTENSION OF TIME TO RESPOND
v.	)	TO PLAINTIFF'S COMPLAINT ON
	)	BEHALF OF THE VARIOUS CALIFORNIA
THE CITY OF LOS ANGELES and	)	HIGHWAY PATROL EMPLOYEES
THE LOS ANGELES POLICE)	
DEPARTMENT, et al.,)	
)	
Defendants.)	

Defendants, California Highway Patrol Employees Captain Truman Dennis, erroneously sued and served as Captain Dennis Truman, Lieutenant John Kielbasa, Sergeant Roman Vondrisk, Gabriel Aid, Frank Schultz and Timothy Singer, through counsel, Thomas A. Blake, Deputy Attorney General, specially appearing for said defendants, hereby make this Ex Parte Application for an extension of time to and including August 1, 1991, for all of said defendants except Timothy Singer, who requests an extension to and including August 8, 1991, to respond to plaintiff's complaint.

The reasons for this request are set forth in the Declaration of Deputy Attorney General Thomas A. Blake, attached

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1 hereto. As detailed in said Declaration, as a result of various
2 procedural and administrative problems with regard to this high-
3 profile, complex case, as well as the need to obtain separate
4 representation for various California Highway Patrol employees,
5 said extension is necessary. Plaintiff's counsel has been
6 contacted pursuant to Local Rule 7.18, as will be detailed below.

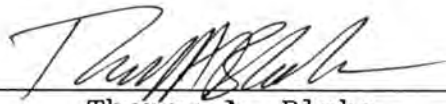
7 Defense counsel would also like to point out that the
8 Application and Order mirror an Application and Order filed in
9 Freddie George Helms v. City of Los Angeles, et al., Case No. CV
10 91-1966 DWW, which arises out of the same facts.

11 Therefore, it is respectfully requested that the above-
12 named defendants be given an additional 30 days to and including
13 August 1, 1991, (and August 8, 1991, for Timothy Singer) to respond
14 to plaintiff's complaint.

15 DATED: June 27, 1991

16 DANIEL E. LUNGREN, Attorney General
17 of the State of California
18 THOMAS A. BLAKE,
19 Deputy Attorney General

20 By

21 
22 Thomas A. Blake
23 Attorneys Specially Appearing for
24 Defendants, CALIFORNIA HIGHWAY PATROL
25 EMPLOYEES, CAPTAIN TRUMAN DENNIS,
26 erroneously sued and served as
27 Captain Dennis Truman, LIEUTENANT
28 JOHN KIELBASA, SERGEANT ROMAN
VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, and TIMOTHY SINGER

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1 DECLARATION OF THOMAS A. BLAKE

2 I, Thomas A. Blake, declare that I am an attorney at law
3 duly licensed to practice before this Court and am the Deputy
4 Attorney General for the State of California, who has been
5 monitoring the the Rodney King matter on behalf of the California
6 Highway Patrol, including the criminal litigation pending in state
7 court. I am therefore familiar with the facts and circumstances
8 surrounding these matters and have personal knowledge of the facts
9 contained herein so that if called upon to testify, I could
10 competently do so.

11 On June 11, 1991, the Verdugo Hills area office of the
12 California Highway Patrol received service of summonses and
13 complaints directed California Highway Patrol employees Captain
14 Truman Dennis, who was erroneously named in said complaint as
15 Captain Dennis Truman, Lieutenant John Kielbasa, Sergeant Roman
16 Vondriska, Officer Frank Schultz and Officer Gabriel Aid. The
17 twenty day period specified in the papers received expires on July
18 1, 1991.

19 Subsequently, on June 18, 1991, a summons and complaint
20 was received, directed to Officer Timothy Singer at the Mojave area
21 office. The twenty day period expires on July 18, 1991.

22 To my knowledge, the remaining named California Highway
23 Patrol officer, Melanie Singer, has not been served as of this
24 time. It is my understanding that as of 3:20 P.M. on June 26,
25 1991, plaintiff's counsel indicated to my co-worker that he
26 believed Officer Melanie Singer had not been served, but that she
27 would be served by the end of this week.

28 . . .

1 The first group of complaints was forwarded to the
2 Administrative Services Division of the California Highway Patrol
3 in Sacramento on June 18, and the subsequently received complaint
4 was forwarded on June 20, 1991.

5 The first group of complaints was thereafter forwarded to
6 the Attorney General's office on or about June 20, 1991, with the
7 second packet being received a day or so later.

8 Prior to June 20, 1991, the Attorney General's office was
9 aware that requests for representation of the California Highway
10 Patrol employees would be reaching the office within days.
11 Additionally, we were aware that because of possible conflicts
12 between the various California Highway Patrol employees, it would
13 be necessary to hire several outside law firms to represent some or
14 all of the California Highway Patrol employees.

15 On or about June 21 and 24, I met with the Senior
16 Assistant Attorney General in charge of the tort section statewide,
17 Marvin Goldsmith, and with the supervising Deputy Attorney General
18 for the tort section in Los Angeles, Robert H. Francis, in order to
19 discuss this matter and to make recommendations to the California
20 Highway Patrol with regard to whether outside counsel would be
21 necessary, how many outside attorneys would be required, and
22 generally how best to proceed.

23 Subsequently, I consulted with the Administrative
24 Services personnel for the California Highway Patrol in Sacramento
25 regarding this matter. On June 24, 1991, it was decided that four
26 outside law firms should be retained to represent the defendant
27 California Highway Patrol employees. The California Highway Patrol
28 authorized retention of Gregory M. Bergman, Esq. of Bergman &

1 Wedner, located 10880 Wilshire Boulevard, Suite 1812, Los Angeles,
2 California 90024, to represent Captain T. A. Dennis.

3 The Patrol authorized retention of George T. MacDonald,
4 Esq., 1318 Fair Oaks Avenue, P. O. Box 1507, South Pasadena,
5 California 91030-1507, on behalf of Lieutenant John Kielbasa.

6 The Patrol authorized retention of Michael B. Lawler,
7 Esq. of Murchison & Cumming, 680 Wilshire Place, #200, Los Angeles,
8 California 90005, on behalf of Sergeant Roman Vondriska.

9 The Patrol authorized retention of Mark A. Weinstein,
10 Esq., of Veatch, Carlson, Grogan & Nelson, 3926 Wilshire Boulevard,
11 Suite 200, Los Angeles, California 90010, on behalf of Officers
12 Melanie and Timothy Singer.

13 After the above discussions, it was also decided, that
14 the Attorney General's office will represent Officers Gabriel Aid
15 and Frank Schultz. It is my intention to represent these two named
16 defendant Highway Patrol officers. Because I have been in trial,
17 I have not had the opportunity to discuss this matter with either
18 officer.

19 Initial contacts were made with these outside law firms
20 on or about June 24, 1991, and June 25, 1991. By June 25, 1991,
21 all four law firms had agreed to handle this matter, subject to
22 discussion of representation with their prospective clients.

23 In order to hire outside attorneys to represent state
24 employees, contracts must be prepared on behalf of the California
25 Highway Patrol and executed by the contractors. It is my
26 information, based upon discussions with the California Highway
27 Patrol that the contracts will be completed within approximately
28 ten working days of June 27, 1991.

1 As of today, June 27, 1991, no documents relative to this
2 case have been provided to outside counsel, other than the
3 summonses and complaints which were messengered to the respective
4 attorneys on June 25, 1991.

5 On June 21, 1991, I was unexpectedly assigned to a jury
6 trial in the courtroom of the Honorable Judge William D. Keller.
7 Final arguments in the liability phase took place on June 26, and
8 as of the morning of June 27, 1991, the jury is in deliberations.

9 I intend to arrange, as soon as reasonably possible, to
10 meet with my prospective clients and with all of the defense
11 attorneys recently hired for the California Highway Patrol
12 employees, and will, at that time, arrange to provide them with
13 whatever documents are available relative to this matter.
14 Additionally, as of June 27, 1991, none of the defense attorneys
15 have met with or spoken to their respective clients. However, the
16 Administrative Services Division is, as of today, instructing the
17 named employees to contact their prospective attorneys.

18 For these reasons, we respectfully request an extension
19 of time of 30 days to respond to the complaint, on behalf of the
20 first group of served defendants, or until August 1, 1991. We
21 would further request a similar 30 day extension to respond to the
22 complaint on behalf of Timothy Singer or until August 8, 1991. We
23 request the additional time on behalf of Timothy Singer in that
24 Melanie Singer, his wife, has not yet been served and we anticipate
25 that August 8 may be an appropriate date for a response on behalf
26 of both of the Singers. However, since Officer Melanie Singer has
27 not yet been served, we will defer other comments with regard
28 thereto.

1 I declare under penalty of perjury that the foregoing is
2 true and correct and if called upon to do so, I could competently
3 testify thereto.

4 Executed this 27 day of June, 1991, at Los Angeles,
5 California.

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7 _____
8 THOMAS A. BLAKE
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1 DECLARATION OF MARK A. WEINSTEIN

2 I, Mark A. Weinstein, declare as follows:

3 I am an attorney at law duly licensed to practice in all
4 Courts of the State of California including this Court.

5 That on or about June 24, 1991, I was advised of the
6 California Highway Patrol's intent to retain my services on behalf
7 of California Highway Patrol Officers Melanie and Timothy Singer
8 with regard to the above-entitled case. I have personal knowledge
9 of the matters contained herein and if called upon, I could and
10 would competently testify thereto.

11 That on or about June 25, 1991, I was contacted by Robert
12 H. Francis, the supervising Deputy Attorney General for the Tort
13 and Condemnation Section for the Attorney General's office located
14 in Los Angeles. Mr. Francis advised me that Mr. Blake had been
15 unexpectedly called to trial in Federal Court and requested that I
16 attempt to obtain a stipulation from plaintiff's counsel, allowing
17 additional time within which to file responsive pleadings on behalf
18 of various Highway Patrol employees.

19 Thereafter, on or about June 24, 1991, I contacted the
20 law offices of Steven A. Lerman, to request an extension. I was
21 advised that Mr. Lerman would return my call. I heard nothing on
22 the 24th and again called the office on June 25. Eventually, I was
23 told that Robert Neubauer would be working on the case with Mr.
24 Lerman and that I could speak to him (Mr. Neubauer) about the
25 requested extension. Mr. Neubauer indicated, during a protracted
26 initial conversation that although in principle he was not against
27 the concept of allowing some additional time to respond, he was
28 extremely concerned about delaying the early meeting of counsel and

1 therefore wanted to discuss this matter with some other individuals
2 on the evening of June 25, 1991. Mr. Neubauer advised that a
3 tentative date of July 24, 1991, for the early meeting, pursuant to
4 Rule 6.1 had been selected after discussions with the City
5 Attorney's office. He further indicated that the City had been
6 served well before the California Highway Patrol defendants. I
7 told Mr. Neubauer that I did not believe this date was appropriate
8 based upon the complexity of this matter, the fact that none of the
9 attorneys had spoken with their clients and that representation of
10 the California Highway Patrol employees was not yet settled. Mr.
11 Neubauer indicated that he would meet with the other individuals
12 representing plaintiff, on the evening of June 25, and that he
13 would have an answer for me by June 26, 1991.

14 On the morning of June 26, 1991, I again contacted Mr.
15 Neubauer to further discuss this matter. He advised me that
16 although he would be willing to stipulate to some additional time
17 within which to respond to the complaint, said stipulation would
18 have to be conditional upon an agreement from me or from the
19 Attorney General's office, that the outside attorneys who were
20 contemplated would be present at the early meeting of counsel as
21 scheduled on July 24, 1991. I reiterated my position to Mr.
22 Neubauer that because none of the attorneys had spoken with their
23 clients and that neither I, nor the Attorney General's office, was
24 in a position to enter stipulations for other parties, I did not
25 think such an arrangement was possible. Furthermore, I indicated
26 to Mr. Neubauer that, in my view, the early meeting made little
27 sense if the potential outside attorneys had not had an opportunity
28 to become familiar with the case and to consult with their clients.

JAMES K. HAHN, City Attorney
THOMAS C. HOKINSON, Senior Assistant City Attorney
MICHAEL K. FOX, Assistant City Attorney
1700 City Hall East
200 North Main Street
Los Angeles, California 90012
Telephone: (213) 485-0733

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CLERK OF COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.

Attorneys for Defendants

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

vs.

THE CITY OF LOS ANGELES and THE
LOS ANGELES POLICE DEPARTMENT;
THE LOS ANGELES UNIFIED SCHOOL
DISTRICT; MAYOR TOM BRADLEY;
CHIEF OF POLICE DARYL F. GATES;
ASSISTANT CHIEF OF POLICE ROBERT
VERNON; LOS ANGELES POLICE
OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY
KON, SERGEANT ROBERT TROUTT,
DAVID O. AVILA, TIMOTHY E. BLAKE,
THEODORE BRISENO, SUSAN J.
CLEMMER, PAUL R. GEBHARDT,
CHRISTOPHER J. HADJI, GLEN KING,
INGRID LARSON, DAVID A. LOVE,
JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J.
SIMPACH, ROLANDO SOLANO, LOUIS M.
TURRIAGA and TIMOTHY WIND;
CALIFORNIA HIGHWAY PATROL
OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA,
SERGEANT ROMAN VONDRISKA, GABRIEL
AID, FRANK SCHULTZ, MELANIE
SINGER and TIMOTHY SINGER; LOS
ANGELES UNIFIED SCHOOL DISTRICT
OFFICERS PAUL BEAUREGARD and MARK
DIAMOND; and DOES 1 through 200,

Case No. CV 91-2497 (JGD)
(Tx)

ANSWER OF DEFENDANTS, CITY OF
LOS ANGELES, INCLUDING THE
LOS ANGELES POLICE
DEPARTMENT, ERRONEOUSLY
SERVED AS A SEPARATE ENTITY,
DARYL F. GATES, TOM BRADLEY,
ROBERT VERNON, TIMOTHY E.
BLAKE, SUSAN J. CLEMMER, P.J.
CONMAY, STEVEN J. FLORES,
CHRIS HADJI, GLEN KING,
INGRID LARSON, JOHN MUTZ,
JOSEPH NAPOLITANO, PAUL
NELSON, DANNY SHRY, ROBERT J.
SIMPACH, ROLANDO SOLANO,
ROBERT TROUTT, LOUIS M.
TURRIAGA TO PLAINTIFF, RODNEY
GLENN KING'S FIRST AMENDED
COMPLAINT; DEMAND FOR JURY
TRIAL

7

1 ANGELES UNIFIED SCHOOL DISTRICT)
2 OFFICERS PAUL BEAUREGARD and MARK)
3 DIAMOND; and DOES 1 through 200,)
4 Defendants.)

5 In answer to Plaintiff, RODNEY GLENN KING's First Amended
6 Complaint, Defendants CITY OF LOS ANGELES including the LOS ANGLEES
7 POLICE DEPARTMENT, erroneously served as a separate entity, DARYL
8 F. GATES, TOM BRADLEY, ROBERT VERNON, TIMOTHY E. BLAKE, SUSAN J.
9 CLEMMER, P.J. CONMAY, STEVEN J. FLORES, CHRIS HADJI, GLEN KING,
10 INGRID LARSON, JOHN MUTZ, JOSEPH NAPOLITANO, PAUL NELSON, DANNY
11 SHRY, ROBERT J. SIMPACH, ROLANDO SOLANO, ROBERT TROUTT, LOUIS M.
12 TURRIAGA, for themselves alone and for no other Defendants herein
13 admit, deny and allege as follows:

14 1. Answering paragraph 1, these Defendants deny
15 generally and specifically each and every allegation therein.

16 2. Answering paragraph 4, these Defendants admit the
17 allegations of paragraph 4, except:

18 a) Deny that the Los Angeles Police Department is
19 an independent operating department of the City of Los Angeles;

20 b) Deny that the individual City Defendants
21 participated in the activities alleged.

22 3. Answering paragraph 7, these Defendants deny
23 generally and specifically each and every allegation therein.

24 4. Answering paragraph 8, these answering Defendants
25 deny that they participated in any such behavior.

26 5. Answering paragraphs 9, 10, 11, 12, 13, 14, 15, 16,
27 19, 20, 21 and 22, these Defendants deny generally and specifically
28 each and every allegation therein.

1 6. Answering paragraphs 17, 18, these Defendants do not
2 have sufficient information or belief to enable them to answer said
3 paragraphs and on that ground deny each and every allegation
4 therein, but specifically denies that policies, customs and
5 practices caused the injuries to Plaintiff.

6 FIRST AFFIRMATIVE DEFENSE

7 7. That the alleged police officer Defendants were at
8 all times mentioned in Plaintiff's Complaint, and now are, duly
9 qualified, appointed and acting police officers of the City of Los
10 Angeles and peace officers of the State of California; and that at
11 all times mentioned herein, said police officers were engaged in
12 the performance of their regularly assigned duties as such police
13 officers.

14 8. That the alleged police officer Defendants were at
15 all times herein mentioned, acted in good faith, without malice and
16 within the scope of their duties as police officers of the City of
17 Los Angeles.

18 SECOND AFFIRMATIVE DEFENSE

19 9. That the acts of the answering Defendant police
20 officers were lawful and proper and in all respects were reasonable
21 and legal.

22 10. That in this connection, there existed probable cause
23 to arrest and/or detain the Plaintiff.


24 THIRD AFFIRMATIVE DEFENSE

25 11. That these Defendants alleges that if any force was
26 used upon the Plaintiff by them, said force was that which was
27 caused and necessitated by the act or acts of the Plaintiff and was
28

1 that which was necessary and reasonable in self-defense.

2 DATED: July 1, 1991

3 JAMES K. HAHN, City Attorney
4 THOMAS C. HOKINSON, Senior Asst. City Attorney
5 BLANCA Z. HADAR, Assistant City Attorney

6 By 
7 MICHAEL K. FOX
8 Assistant City Attorney

9 Attorneys for Defendants

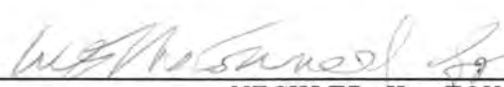
10 DEMAND FOR JURY TRIAL

11 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

12 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE, that the
13 Defendants demand a jury trial of the within action.

14 DATED: July 1, 1991

15 JAMES K. HAHN, City Attorney
16 THOMAS C. HOKINSON, Senior Asst. City Attorney
17 MICHAEL K. FOX, Assistant City Attorney

18 By 
19 MICHAEL K. FOX
20 Assistant City Attorney

21 Attorneys for Defendants
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PROOF OF SERVICE

I, the undersigned, say: I am over the age of 18 years and not a party to the within action or proceeding. My business address is 1700 City Hall East, 200 North Main Street, Los Angeles, California 90012.

On July 1, 1991, I served the within ANSWER OF DEFENDANTS CITY OF LOS ANGELES INCLUDING THE LOS ANGELES POLICE DEPARTMENT ERRONEOUSLY SERVED AS A SEPARATE ENTITY, DARYL F. GATES, TOM BRADLEY, ROBERT VERNON, TIMOTHY E. BLAKE, SUSAN J. CLEMMER, P.J. CONMAY, STEVEN J. FLORES, CHRIS HADJI, GLEN KING, INGRID LARSON, JOHN MUTZ, JOSEPH NAPOLITANO, PAUL NELSON, DANNY SHRY, ROBERT J. SIMPACH, ROLANDO SOLANO, ROBERT TROUTT, AND LOUIS M. TURRIAGA TO PLAINTIFF, RODNEY GLENN KING'S FIRST AMENDED COMPLAINT on the person(s) indicated below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California, addressed as follows:

STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Boulevard
Suite 250 West Tower
Beverly Hills, California 90212

JOHN C. BURTON ESQ.
BURTON & NORRIS
301 North Lake Ave., 8th Fl.
Pasadena, California 91101

I, declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 1, 1991 at Los Angeles, California.


MELINDA J. CROWE

ORIGINAL

ANSWER OF DEFENDANTS, CITY OF LOS ANGELES INCLUDING THE LOS ANGELES
POLICE DEPARTMENT ERRONEOUSLY SERVED AS A SEPARATE ENTITY, DARYL F.
GATES, TOM BRADLEY, ROBERT VERNON, TIMOTHY E. BLAKE, SUSAN J. CLEMMER,
P. J. CONMAY, STEVEN J. FLORES, CHRIS HADJI, GLEN KING, INGRID LARSON,
JOHN MUTZ, JOSEPH NAPOLITANO, PAUL NELSON, DANNY SHRY, ROBERT J.
SIMPACH, ROLANDO SOLANO, ROBERT TROUTT, LOUIS M. TURRIAGA TO
PLAINTIFF, RODNEY GLENN KING'S FIRST AM. COMPLT; DEMAND FOR JURY TR

1 W. KEITH WYATT (#80859) & RICKEY IVIE (#76864)
2 IVIE AND McNEILL, INC.

3 A Professional Law Corporation
4 5443 W. Washington Blvd.

5 Los Angeles, CA 90016
6 (213) 938-9177

7 FAX NO. (213) 938-4621

8 Attorneys for Defendant/Cross-Claimant,
9 LOS ANGELES UNIFIED SCHOOL DISTRICT

FILED

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DISTRICT COURT
CENTRAL DISTRICT OF CALIF.

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 RODNEY GLENN KING,

13 Plaintiff,

14 vs.

15 THE CITY OF LOS ANGELES and THE
16 LOS ANGELES POLICE DEPARTMENT;
17 THE LOS ANGELES UNIFIED SCHOOL
18 DISTRICT; MAYOR TOM BRADLEY;
19 CHIEF OF POLICE DARYL F. GATES;
20 ASSISTANT CHIEF OF POLICE
21 ROBERT VERNON; LOS ANGELES POLICE
22 OFFICERS CAPTAIN JOHN MUTZ,
23 LIEUTENANT P.J. CONMAY, SERGEANT
24 JOHN DOE FLORES, SERGEANT STACY
25 KOON, SERGEANT ROBERT TROUTT,
26 DAVID O. AVILA, TIMOTHY E. BLAKE,
27 THEODORE BRISENO, SUSAN J.
28 CLEMMER, PAUL R. GEBHARDT,
CHRISTOPHER J. HADJI, GLEN KING,
INGRID LARSON, DAVID A. LOVE,
JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J.
SIMPACH, ROLANDO SOLANO, LUIS M.
TURRIAGA and TIMOTHY WIND;
CALIFORNIA HIGHWAY PATROL
OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA,
SERGEANT ROMAN VODRISKA, GABRIEL
AID, FRANT SCHULTZ, MELANIE
SINGER and MELANIE SINGER and

CASE NO. 91 2497(JGD) (TX)

ANSWER AND CROSSCLAIM OF
DEFENDANT LOS ANGELES UNIFIED
SCHOOL DISTRICT; DEMAND FOR
JURY TRIAL

1 TIMOTHY SINGER; LOS ANGELES)
2 UNIFIED SCHOOL DISTRICT OFFICERS)
3 PAUL BEAUREGARD and MARK)
4 DIAMOND; and DOES 1 through 200,)
5 Defendants.)

6 LOS ANGELES UNIFIED SCHOOL)
7 DISTRICT,)
8 Cross-Claimant,)

9 vs.)

10 CITY OF LOS ANGELES, STACY KOON,)
11 LAURENCE M. POWELL, TIMOTHY WIND,)
12 THEODORE BRISENO, STATE OF)
13 CALIFORNIA, and DOES 1 through)
14 50,)
15 Cross-Defendants.)

16 **ANSWER**

17 Defendant **LOS ANGELES UNIFIED SCHOOL DISTRICT** answers the
18 complaint of plaintiff RODNEY GLENN KING as follows:

19 1. Answering the allegations of the first sentence of
20 paragraph 1 of the complaint, defendant admits that plaintiff has
21 alleged that this is a civil rights action brought against this
22 defendant and several other defendants. Except as so admitted,
23 defendant denies each and every allegation of paragraph 1 of the
24 complaint.

25 2. Answering the allegations of paragraph 2 of the
26 complaint, defendant admits that plaintiff has alleged jurisdiction
27 pursuant to 28 U.S.C. Section 1331 and 28 U.S.C. Section 1343(3).
28 Defendant further admits that plaintiff has alleged that venue lies
in the Central District of California pursuant to 28 U.S.C. Section

1 1391(b). Except as so admitted, defendant denies each and every
2 allegation of paragraph 2 of the complaint.

3 3. Answering the allegations of paragraph 3 of the
4 complaint, defendant admits that plaintiff is an adult, a citizen
5 of the United States, and a resident of Los Angeles County. Except
6 as so admitted, defendant lacks knowledge or information sufficient
7 to form a belief as to the truth of said allegations, and on that
8 basis denies each and every allegation of paragraph 3 of the
9 complaint.

10 4. Answering paragraph 4 of the complaint, defendant admits
11 that Los Angeles Unified School District is public school system
12 organized and operating under the laws of the State of California.
13 Defendant further admits that defendants Paul Beauregard and Mark
14 Diamond were employees of defendant Los Angeles Unified School
15 District at the time of this incident. Except as so admitted,
16 defendant lacks knowledge or information sufficient to form a
17 belief as to the truth of said allegations, and on that basis
18 denies each and every allegation of paragraph 4 of complaint.

19 5. Answering the allegations of paragraph 5 of the
20 complaint, defendant lacks knowledge or information sufficient to
21 form a belief as to the truth of said allegations, and on that
22 basis denies each and every allegation contained therein.

23 6. Answering the allegations of paragraph 6 of the
24 complaint, defendant lacks knowledge or information sufficient to
25 form a belief as to the truth of said allegations and on that basis
26 denies each and every allegation contained therein.

27 7. Answering the allegations of paragraph 7 of the
28

1 complaint, defendant denies each and every allegation contained
2 therein.

3 8. Answering the allegations of paragraph 8 of the
4 complaint, defendant alleges that its employees were not involved
5 in any physical altercation with plaintiff. Except as so alleged,
6 defendant lacks knowledge or information sufficient to form a
7 belief as to the truth of said allegations and on that basis denies
8 each and every allegation contained therein.

9 9. Answering the allegations of the first sentence of
10 paragraph 9 of the complaint, defendant denies each and every
11 allegation contained therein. Answering the allegations of the
12 second and third sentences of paragraph 9 of the complaint,
13 defendant lacks knowledge or information sufficient to form a
14 belief as to the truth of said allegations and on that basis denies
15 each and every allegation contained therein.

16 10. Answering the allegations of paragraph 10 of the
17 complaint, defendant alleges that it made no statements regarding
18 plaintiff. Except as so alleged, defendant lacks sufficient
19 knowledge or information sufficient to form a belief as to the
20 truth of said allegations, and on that basis denies each and every
21 allegation of paragraph 10 of the complaint.

22 11. Answering the allegations of paragraph 11 of the
23 complaint, defendant denies each and every allegation contained
24 therein.

25 12. Answering the allegations of paragraph 12 of the
26 complaint, defendant lacks knowledge or information sufficient to
27 form a belief as to the truth of said allegations, and on that
28

1 basis, denies each and every allegation contained therein.

2 13. Answering the allegations of paragraph 13 of the
3 complaint, defendant denies each and every allegation contained
4 therein.

5 14. Answering the allegations of paragraph 14 of the
6 complaint, defendant denies each and every allegation contained
7 therein.

8 15. Answering the allegations of paragraph 15 of the
9 complaint, defendant denies each and every allegation contained
10 therein.

11 16. Answering the allegations of paragraph 16 of the
12 complaint, defendant denies each and every allegation contained
13 therein.

14 17. Answering the allegations of paragraph 17 of the
15 complaint, defendant denies each and every allegation contained
16 therein.

17 18. Answering the allegations of paragraph 18 of the
18 complaint, defendant denies each and every allegation contained
19 therein.

20 19. Answering the allegations of paragraph 19 of the
21 complaint, defendant denies each and every allegation contained
22 therein.

23 20. Answering the allegations of paragraph 20 of the
24 complaint, defendant denies each and every allegation contained
25 therein.

26 21. Answering the allegations of paragraph 21 of the
27 complaint, defendant denies each and every allegation contained
28

1 | therein.

2 | 22. Answering the allegations of paragraph 22 of the
3 | complaint, defendant denies each and every allegation contained
4 | therein.

5 |
6 | **AFFIRMATIVE DEFENSES**

7 | **FIRST AFFIRMATIVE DEFENSE**

8 | 23. The complaint fails to state a claim upon which relief
9 | can be granted.

10 |
11 | **SECOND AFFIRMATIVE DEFENSE**

12 | 24. Defendant's employees had probable cause to detain
13 | plaintiff based on defendant's knowledge and observations at the
14 | time of the incident alleged in the complaint herein. Defendant's
15 | employees had probable cause to detain plaintiff without a warrant
16 | and such detention without a warrant was justified under applicable
17 | law.

18 |
19 | **THIRD AFFIRMATIVE DEFENSE**

20 | 25. At all times described herein, defendant's employees
21 | used reasonable force in participating in the detention of
22 | plaintiff.

23 |
24 | **FOURTH AFFIRMATIVE DEFENSE**

25 | 26. The acts of defendant were lawful and proper and in all
26 | respects were reasonable and legal. At all times mentioned in the
27 | complaint, there existed probable cause to arrest and/or detain the
28 |

1 plaintiff.

2
3 **FIFTH AFFIRMATIVE DEFENSE**

4 27. Defendant alleges that if any force was used upon the
5 plaintiff, said force was caused and necessitated by the act or
6 acts of plaintiff, that said force was that which was necessary and
7 reasonable under the circumstances presented based upon the acts of
8 plaintiff in resisting his lawful arrest and/or detention.

9
10 **SIXTH AFFIRMATIVE DEFENSE**

11 28. Plaintiff is barred from asserting the claims herein
12 because the State of California has provided by law and regulation
13 a remedy which will adequately compensate plaintiff for all damages
14 allegedly caused by defendant's acts.

15
16 **CROSSCLAIM**

17 As a Crossclaim against defendants City of Los Angeles,
18 Stacy Koon, Laurence M. Powell, Timothy Wind, Theodore Briseno,
19 State of California, and DOES 1 through 50, defendant **LOS ANGELES**
20 **UNIFIED SCHOOL DISTRICT** alleges:

21 1. Defendant is informed and believes that cross-defendants
22 and each of them, were the agents, employees, or in some manner
23 agents or principals, or both, for each other and were acting
24 within the course and scope of their agency or employment at all
25 times mentioned in the complaint in this action filed by plaintiff.

26 2. The principal action alleges among other things conduct
27 entitling plaintiff to compensatory damages against defendant.

1 Defendant contends that it is not liable for the events and
2 occurrences alleged in plaintiff's complaint.

3 3. If defendant is found in some manner reasonable to
4 plaintiff or to anyone else as a result of the incidents and
5 occurrences described in plaintiff's complaint, defendant's
6 liability would be based solely upon a derivative form of liability
7 not resulting from defendant's conduct, but only from an obligation
8 imposed upon defendant by law; therefore, defendant would be
9 entitled to complete indemnity from each cross-defendant.

10 4. Defendant is informed and believes that each cross-
11 defendant was responsible, in whole or in part, for the injuries if
12 any, suffered by plaintiff. If defendant is judged liable to
13 plaintiff, each cross-defendant should be required:

14 a) To pay a share of plaintiff's judgment which is in
15 proportion to the acts of each respective cross-defendant in
16 causing plaintiff's damages; and

17 b) To reimburse defendant for any payments defendant makes
18 to plaintiff in excess of defendant's proportional share of all
19 cross-defendants acts.

20 An actual controversy exists between the parties concerning
21 their respective rights and duties because crossclaimant contends
22 and cross-defendants dispute that cross-defendants were solely
23 responsible for the injuries, if any, suffered by plaintiff as
24 alleged in his complaint.

25 ////

26 ////

27 ////

1 **WHEREFORE**, this answering defendant prays judgment as
2 follows:

- 3 1. That plaintiff's complaint be dismissed;
- 4 2. That plaintiff take nothing by reason therefore;
- 5 3. That cross-claimant receive total and complete indemnity
6 for any judgments rendered against cross-claimant;
- 7 4. That cross-claimant receive judgment in a proportionate
8 share from each cross-defendant;
- 9 5. For a judicial determination that cross-defendants were
10 the legal cause of any injuries and damages sustained by plaintiff
11 and that cross-defendants indemnify cross-claimant, either
12 completely or partially, for any sums of money which maybe
13 recovered against cross-claimant by plaintiff;
- 14 6. For defendant's cost of suit herein and reasonable
15 attorney's fees to the extent provided by law; and
- 16 7. For such other and further relief as the Court deems just
17 and proper.

18 Dated: July 2, 1991

IVIE AND McNEILL, INC.

19
20 BY:



RICKEY IVIE,

21
22 BY:



W. KEITH WYATT,

23
24 **Attorneys for**
25 **Defendant/Cross-Claimant**
26 **LOS ANGELES UNIFIED SCHOOL**
27 **DISTRICT.**
28

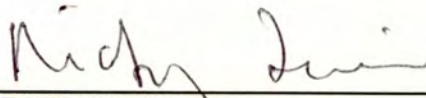
DEMAND FOR JURY TRIAL

Defendant hereby demands trial by jury pursuant to FRCP 38(b)
and Local Rule 3.4.10.1.

Dated: July 2, 1991

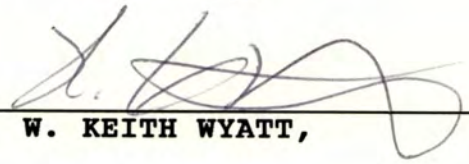
IVIE AND MCNEILL, INC.

BY:



RICKEY IVIE,

BY:



W. KEITH WYATT,

**Attorneys for
Defendant/Cross-Claimant
LOS ANGELES UNIFIED SCHOOL
DISTRICT.**

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF

I have read the foregoing _____ and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am ☐ an Officer ☐ a partner _____ ☐ a _____ of _____

_____ , a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☐ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____ , a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on _____, 19_____, at _____, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Type or Print Name

Signature

PROOF OF SERVICE

1013A (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of LOS ANGELES , State of California.

I am over the age of 18 and not a party to the within action; my business address is: 5443 W. Washington Blvd., Los angeles, CA 90016

On 7/2 , 19 91 , I served the foregoing document described as Answer to Crossclaim of Defendant Los Angeles Unified School District; Demand for Jury

_____ on interested parties in this action

☒ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:
☐ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Steven A. Lerman, Esq.
9100 Wilshire Blvd., #250 West
Beverly Hills, CA 90212

☒ BY MAIL

☐ *I deposited such envelope in the mail at _____, California.
The envelope was mailed with postage thereon fully prepaid.

☒ As follows : I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on July 2 , 19 91 , at Los Angeles , California.

☐ *(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, 19_____, at _____, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

M. CHRISTINA MUNOZ

Type or Print Name

Signature

STUART'S EXBROOK TIMESAVER (REVISED 5/1/88)

NEW DISCOVERY LAW 2030 AND 2031 C.C.P.

(May be used in California State or Federal Courts)

*(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

*(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

IN SAN DIEGO COUNTY LOCAL RULE 6.7 REQUIRES "ALL PROOFS OF SERVICE FILED WITH THE COURT AS OF JULY 1, 1990" MUST SPECIFY THE NAME OF THE PARTY SERVED, THE NATURE AND STATUS OF HIS/HER INVOLVEMENT IN THE CASE, I.E. PLAINTIFF, DEFENDANT, CROSS COMPLAINANT, ETC., AND THE NAME, ADDRESS AND PHONE NUMBER OF HIS/HER COUNSEL OF RECORD.

Stuart

(ORIGINAL)

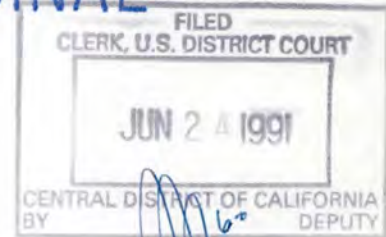
2

RODNEY G. KING vs. CITY OF L.A., et. al
Answer And Crossclaim of Defendant
Los Angeles Unified School District
CASE NO. 91 2497(JGD)(TX)

1 State Bar No. 139 353
2 Robert M. Neubauer, Esq.
3 STEVEN A. LERMAN & ASSOCIATES
4 9100 Wilshire Boulevard
5 Suite 250 - West Tower
6 Beverly Hills, California 90212
7 Telephone: (213) 659-8166

8 Attorney for Plaintiff
9 RODNEY GLENN KING

ORIGINAL



10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 RODNEY GLENN KING,) CASE NO.: 91-2497 (JGD)(TX)
13)
14 Plaintiff,) NOTICE OF PENDENCY OF OTHER
15) ACTIONS OR PROCEEDINGS
16 vs.)
17)
18 CITY OF LOS ANGELES, et al.,)
19)
20 Defendants.)

21 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

22 NOTICE IS HEREBY GIVEN pursuant to Local Rule 4.4 of the
23 United States District Court for the Central District of
24 California that the above-captioned proceeding involves all
25 or a substantial part of the subject matter of a criminal
26 action now pending before the Superior Court of the State of
27 California for the County of Los Angeles; namely, The People
28 of the State of California vs. Laurence M. Powell, Timothy E.
Wind, Theodore J. Briseno and Stacy C. Koon, Case No. BA
035498. The aforementioned criminal action arose out of the
same incident which gave rise to the causes of action herein;

1 namely, the March 3, 1991, beating and terrorization of the
2 Plaintiff by on-duty members of the Los Angeles Police
3 Department and other State and local law enforcement agencies.

4 The names, addresses and telephone numbers of the
5 attorneys representing the criminal defendants are as follows:

6 For Laurence M. Powell:

7 Michael P. Stone, Esq., STONE, THISTLE & HERNANDEZ, 201
8 North Figueroa Street, Suite 1030, Los Angeles, California
9 90012, (213) 382-5444;

10 For Timothy E. Wind:

11 Paul R. DePasquale, Esq., STEVENSON & DePASQUALE, 619
12 South Olive Street, Suite 200, Los Angeles, California 90012,
13 (213) 629-5033;

14 For Theodore J. Briseno:

15 John D. Barnett, Esq., STEWART & BARNETT, 1502 North
16 Broadway, Santa Ana, California 92706, (714) 953-5133;

17 For Stacy C. Koon:

18 Darryl Mounger, Attorney at Law, 5632 Lankershim
19 Boulevard, North Hollywood, California 91601, (818) 766-0077.

20

21 DATED: JUNE 20, 1991

STEVEN A. LERMAN & ASSOCIATES

22

23

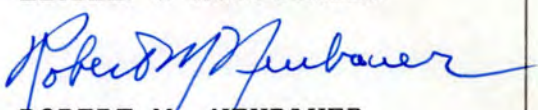
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BY: ROBERT M. NEUBAUER
Attorney for Plaintiff
RODNEY GLENN KING

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 THOMAS A. BLAKE,
Deputy Attorney General
3 300 South Spring Street, Fifth Floor
Los Angeles, California 90013
4 Telephone: (213) 346-2144

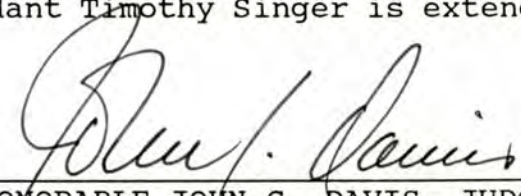
5 Specially Appearing for Defendants,
CALIFORNIA HIGHWAY PATROL EMPLOYEES CAPTAIN TRUMAN DENNIS,
6 erroneously sued and served as CAPTAIN DENNIS TRUMAN, LIEUTENANT
JOHN KIELBASA, SERGEANT ROMAN VONDRISKA, GABRIEL AID,
7 FRANK SCHULTZ and TIMOTHY SINGER

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

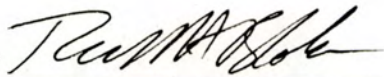
10
11 RODNEY GLENN KING,) CASE NO. 91 2497 (JGD) (Tx)
Plaintiff,) (Related Case Nos.
12) CV 91 1966 (JGD) and
v.) CV 91 1543 (JGD)
13)
14 THE CITY OF LOS ANGELES and) ORDER GRANTING EX PARTE
THE LOS ANGELES POLICE) APPLICATION EXTENDING TIME
15 DEPARTMENT, et al.,) TO RESPOND TO PLAINTIFF'S
Defendants.) COMPLAINT
16)

17 GOOD CAUSE APPEARING, the Ex Parte Application of the CHP
18 defendants for an 30-day extension of time within which to respond
19 to the complaint is granted. The time for responsive pleadings of
20 defendants Captain Truman Dennis, erroneously sued and served as
21 Captain Dennis Truman, Lieutenant John Kielbasa, Sergeant Roman
22 Vondriska, Gabriel Aid, and Frank Schultz, is hereby extended to
23 and including August 1, 1991. The time for a responsive pleading
24 to the complaint served on defendant Timothy Singer is extended to
25 and including August 8, 1991.

26 DATED: July 1, 1991
27
28


HONORABLE JOHN G. DAVIS, JUDGE
UNITED STATES DISTRICT COURT

1 Presented by:

2 

3 THOMAS A. BLAKE, Deputy Attorney General
4 Specially Appearing on Behalf of
5 California Highway Patrol Defendants
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COPY

ORDER GRANTING EXTENSION OF TIME
TO RESPOND TO COMPLAINT

1 DANIEL E. LUNGREN, Attorney General
2 of the State of California
3 THOMAS A. BLAKE,
4 Deputy Attorney General
5 300 South Spring Street, Fifth Floor
6 Los Angeles, California 90013
7 Telephone: (213) 346-2144

FILED
JUN 28 12 14 PM '91
Superior Court
CALIF.

8 Specially Appearing for Defendants,
9 CALIFORNIA HIGHWAY PATROL EMPLOYEES CAPTAIN TRUMAN DENNIS,
10 erroneously sued and served as CAPTAIN DENNIS TRUMAN, LIEUTENANT
11 JOHN KIELBASA, SERGEANT ROMAN VONDRISKA, GABRIEL AID,
12 FRANK SCHULTZ and TIMOTHY SINGER

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 RODNEY GLENN KING,)
16) CASE NO. 91 2497 (JGD) (Tx)
17) (Related Case Nos.
18 Plaintiff,)
19) CV 91 1966 (JGD) and
20) CV 91 1543 (JGD)
21 v.)
22)
23 THE CITY OF LOS ANGELES and)
24) EX PARTE APPLICATION FOR
25 THE LOS ANGELES POLICE)
26) EXTENSION OF TIME TO RESPOND
27) TO PLAINTIFF'S COMPLAINT ON
28) BEHALF OF THE VARIOUS
29) CALIFORNIA HIGHWAY PATROL
30) EMPLOYEES
31)
32)

33 Defendants, California Highway Patrol Employees Captain
34 Truman Dennis, erroneously sued and served as Captain Dennis
35 Truman, Lieutenant John Kielbasa, Sergeant Roman Vondrisk, Gabriel
36 Aid, Frank Schultz and Timothy Singer, through counsel, Thomas A.
37 Blake, Deputy Attorney General, specially appearing for said
38 defendants, hereby make this Ex Parte Application for an extension
39 of time to and including August 1, 1991, for all of said defendants
40 except Timothy Singer, who requests an extension to and including
41 August 8, 1991, to respond to plaintiff's complaint.

42 The reasons for this request are set forth in the
43 Declaration of Deputy Attorney General Thomas A. Blake, attached

1 hereto. As detailed in said Declaration, as a result of various
2 procedural and administrative problems with regard to this high-
3 profile, complex case, as well as the need to obtain separate
4 representation for various California Highway Patrol employees,
5 said extension is necessary. Plaintiff's counsel has been
6 contacted pursuant to Local Rule 7.18, as will be detailed below.

7 The undersigned would also like to point out that the
8 Application and Order mirror an Application and Order filed in
9 Freddie George Helms v. City of Los Angeles, et al., Case No.


10 CV 91-1966 JGD, which arises out of the same facts and in which the
11 plaintiff is represented by same counsel as in this case. There is
12 a third related case, Bryant Allen v. City of Los Angeles, et al.,
13 Case No. CV 91 1543 JGD (Tx), which arises out of the same facts
14 and in which the passenger is represented by separate counsel. It
15 is my understanding such action has not yet been served.

16 Therefore, it is respectfully requested that the above-
17 named defendants be given an additional 30 days to and including
18 August 1, 1991, (and August 8, 1991, for Timothy Singer) to respond
19 to plaintiff's complaint.

20 DATED: June 28, 1991

DANIEL E. LUNGREN, Attorney General
of the State of California
THOMAS A. BLAKE,
Deputy Attorney General

21
22
23 By


Thomas A. Blake
Attorneys Specially Appearing for
Defendants, CALIFORNIA HIGHWAY PATROL
EMPLOYEES, CAPTAIN TRUMAN DENNIS,
erroneously sued and served as
Captain Dennis Truman, LIEUTENANT
JOHN KIELBASA, SERGEANT ROMAN
VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, and TIMOTHY SINGER

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1 believed Officer Melanie Singer had not been served, but that she
2 would be served by the end of this week.

3 . . .

4 The first group of complaints was forwarded to the
5 Administrative Services Division of the California Highway Patrol
6 in Sacramento on June 18, and the subsequently received complaint
7 was forwarded on June 20, 1991.

8 The first group of complaints was thereafter forwarded to
9 the Attorney General's office on or about June 20, 1991, with the
10 second packet being received a day or so later.

11 Prior to June 20, 1991, the Attorney General's office was
12 aware that requests for representation of the California Highway
13 Patrol employees would be reaching the office within days.
14 Additionally, we were aware that because of possible conflicts
15 between the various California Highway Patrol employees, it would
16 be necessary to hire several outside law firms to represent some or
17 all of the California Highway Patrol employees.

18 On or about June 21 and 24, I met with the Senior
19 Assistant Attorney General in charge of the tort section statewide,
20 Marvin Goldsmith, and with the supervising Deputy Attorney General
21 for the tort section in Los Angeles, Robert H. Francis, in order to
22 discuss this matter and to make recommendations to the California
23 Highway Patrol with regard to whether outside counsel would be
24 necessary, how many outside attorneys would be required, and
25 generally how best to proceed.

26 Subsequently, I consulted with the Administrative
27 Services personnel for the California Highway Patrol in Sacramento
28 regarding this matter. On June 24, 1991, it was decided that four

1 outside law firms should be retained to represent the defendant
2 California Highway Patrol employees. The California Highway Patrol
3 authorized retention of Gregory M. Bergman, Esq. of Bergman &
4 Wedner, located 10880 Wilshire Boulevard, Suite 1812, Los Angeles,
5 California 90024, to represent Captain T. A. Dennis.

6 The Patrol authorized retention of George T. MacDonald,
7 Esq., 1318 Fair Oaks Avenue, P. O. Box 1507, South Pasadena,
8 California 91030-1507, on behalf of Lieutenant John Kielbasa.

9 The Patrol authorized retention of Michael B. Lawler,
10 Esq. of Murchison & Cumming, 680 Wilshire Place, #200, Los Angeles,
11 California 90005, on behalf of Sergeant Roman Vondriska.

12 The Patrol authorized retention of Mark A. Weinstein,
13 Esq., of Veatch, Carlson, Grogan & Nelson, 3926 Wilshire Boulevard,
14 Suite 200, Los Angeles, California 90010, on behalf of Officers
15 Melanie and Timothy Singer.

16 After the above discussions, it was also decided, that
17 the Attorney General's office will represent Officers Gabriel Aid
18 and Frank Schultz. It is my intention to represent these two named
19 defendant Highway Patrol officers. Because I have been in trial,
20 I have not had the opportunity to discuss this matter with either
21 officer.

22 Initial contacts were made with these outside law firms
23 on or about June 24, 1991, and June 25, 1991. By June 25, 1991,
24 all four law firms had agreed to handle this matter, subject to
25 discussion of representation with their prospective clients.

26 In order to hire outside attorneys to represent state
27 employees, contracts must be prepared on behalf of the California
28 Highway Patrol and executed by the contractors. It is my

1 information, based upon discussions with the California Highway
2 Patrol that the contracts will be completed within approximately
3 ten working days of June 27, 1991.

4 As of today, June 27, 1991, no documents relative to this
5 case have been provided to outside counsel, other than the
6 summonses and complaints which were messengered to the respective
7 attorneys on June 25, 1991.

8 On June 21, 1991, I was unexpectedly assigned to a jury
9 trial in the courtroom of the Honorable Judge William D. Keller.
10 Final arguments in the liability phase took place on June 26, and
11 as of the morning of June 27, 1991, the jury is in deliberations.


12 I intend to arrange, as soon as reasonably possible, to
13 meet with my prospective clients and with all of the defense
14 attorneys recently hired for the California Highway Patrol
15 employees, and will, at that time, arrange to provide them with
16 whatever documents are available relative to this matter.
17 Additionally, as of June 27, 1991, none of the defense attorneys
18 have met with or spoken to their respective clients. However, the
19 Administrative Services Division is, as of today, instructing the
20 named employees to contact their prospective attorneys.

21 For these reasons, we respectfully request an extension
22 of time of 30 days to respond to the complaint, on behalf of the
23 first group of served defendants, or until August 1, 1991. We
24 would further request a similar 30 day extension to respond to the
25 complaint on behalf of Timothy Singer or until August 8, 1991. We
26 request the additional time on behalf of Timothy Singer in that
27 Melanie Singer, his wife, has not yet been served and we anticipate
28 that August 8 may be an appropriate date for a response on behalf

1 of both of the Singers. However, since Officer Melanie Singer has
2 not yet been served, we will defer other comments with regard
3 thereto.

4 I declare under penalty of perjury that the foregoing is
5 true and correct and if called upon to do so, I could competently
6 testify thereto.

7 Executed this 28th day of June, 1991, at Los Angeles,
8 California.

9
10 
11 _____
12 THOMAS A. BLAKE
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1 therefore wanted to discuss this matter with some other individuals
2 on the evening of June 25, 1991. Mr. Neubauer advised that a
3 tentative date of July 24, 1991, for the early meeting, pursuant to
4 Rule 6.1 had been selected after discussions with the City
5 Attorney's office. He further indicated that the City had been
6 served well before the California Highway Patrol defendants. I
7 told Mr. Neubauer that I did not believe this date was appropriate
8 based upon the complexity of this matter, the fact that none of the
9 attorneys had spoken with their clients and that representation of
10 the California Highway Patrol employees was not yet settled. Mr.
11 Neubauer indicated that he would meet with the other individuals
12 representing plaintiff, on the evening of June 25, and that he
13 would have an answer for me by June 26, 1991.

14 On the morning of June 26, 1991, I again contacted Mr.
15 Neubauer to further discuss this matter. He advised me that
16 although he would be willing to stipulate to some additional time
17 within which to respond to the complaint, said stipulation would
18 have to be conditional upon an agreement from me or from the
19 Attorney General's office, that the outside attorneys who were
20 contemplated would be present at the early meeting of counsel as
21 scheduled on July 24, 1991. I reiterated my position to Mr.
22 Neubauer that because none of the attorneys had spoken with their
23 clients and that neither I, nor the Attorney General's office, was
24 in a position to enter stipulations for other parties, I did not
25 think such an arrangement was possible. Furthermore, I indicated
26 to Mr. Neubauer that, in my view, the early meeting made little
27 sense if the potential outside attorneys had not had an opportunity
28 to become familiar with the case and to consult with their clients.

1 However, I advised Mr. Neubauer that I would consult with the
2 Attorney General's office with regard to his proposal.

3 Subsequently, on June 26, I did consult with the Attorney
4 General's office and it was decided that the appropriate course
5 would be to request ex parte relief from the Court.

6 On June 26, 1991, at 3:20 P.M., I again contacted Mr.
7 Neubauer to advise him pursuant to Local Rule 7.18 that on the
8 morning of June 27, 1991, I would be submitting the within Ex Parte
9 Application to the Court seeking the relief described above. Mr.
10 Neubauer reiterated his position that he does not object to the
11 extension of time to respond, but that he wants to condition such
12 an extension on keeping the early meeting as scheduled on July 24,
13 1991, and further upon an agreement that all "CHP counsel" would be
14 present. I advised Mr. Neubauer that I could not agree to his
15 proposal and of my intentions with regard to this Ex Parte
16 Application.

17 I declare under penalty of perjury that the foregoing is
18 true and correct.

19 Executed this 27TH day of June, 1991, at Los Angeles,
20 California.

21 
22

23 MARK A. WEINSTEIN
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That I am an attorney at law duly licensed to practice in all courts of the State of California including this court and am assisting Mark A. Weinstein on the above-entitled case.

I declare under penalty of perjury that the foregoing is true and correct.

Carol Kenney Ramirez
CAROL KENNEY-RAMIREZ

EX PARTE APPLICATION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S
COMPLAINT ON BEHALF OF THE VARIOUS
CALIFORNIA HIGHWAY PATROL EMPLOYEES

1 State Bar No.: 139353
2 Robert M. Neubauer, Esq.
3 STEVEN A. LERMAN & ASSOCIATES
4 9100 Wilshire Boulevard
5 Suite 250 - West Tower
6 Beverly Hills, California 90212
7 Telephone: (213) 659-8166

8 Attorney for Plaintiff,
9 RODNEY GLENN KING

FILED
ORIGINAL
JUL 8 9 26 AM '91
DISTRICT COURT
CENTRAL DIST. OF CALIF.
BY *[Signature]*

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 RODNEY GLENN KING,	)	CASE NO: 91 2497 (JGD)(TX)
13 Plaintiff,)	
14 vs.	)	EX PARTE APPLICATION
15 THE CITY OF LOS ANGELES,	)	FOR ORDER SHORTENING
16 et al.,	)	TIME
17 Defendants.)	

18 Pursuant to Rule 7.18 of the Local Rules of Court,
19 Plaintiff, Rodney Glenn King, hereby applies ex parte for an
20 Order Shortening Time for the filing of the attached Motion
21 for Protective Order and Request for Imposition of Sanctions,
22 to be heard by this Court on Monday, July 29, 1991, at 10:00
23 a.m. Plaintiff's Motion, filed herewith, seeks to vacate the
24 notice of deposition served upon Plaintiff by defendant pro
25 se, Theodore Briseno, and to stay all discovery of Plaintiff
26 pending the disposition of parallel criminal proceedings which
27
28

1 have been instituted by the State of California against
2 defendant Briseno and three other defendants named herein, or,
3 alternatively, to stay discovery of Plaintiff until after the
4 Court's Status Conference and Scheduling Order.

5 Although defendant Briseno has unyieldingly refused to
6 meet and confer with Plaintiff, Plaintiff nevertheless has
7 advised defendant's de facto counsel, the Law Offices of
8 Petersen & Trott, with respect to this ex parte Application.
9 Susan Wilson, an attorney with the firm, informed Plaintiff
10 that defendant does not oppose this Application to Shorten
11 Time. Further, de facto counsel for defendant has been served
12 with both this Application and the pertinent Motion by
13 facsimile transmission. De facto counsel also has been
14 advised that it has twenty-four (24) court hours to file any
15 opposition to this ex parte Application.

16 Plaintiff applies for this Order Shortening Time
17 because, under the circumstances, Plaintiff could not possibly
18 meet the notice and service requirements of Local Rule 7.4.
19 Defendant's notice of deposition was served on Plaintiff on
20 June 19, 1991, only eleven (11) court days prior to the date
21 of deposition. Accordingly, even if Plaintiff had filed its
22 noticed Motion for Protective Order on the date it received
23 service, it could not have complied with Rule 7.4.

24 Plaintiff acknowledges that these pleadings are submitted
25 to the Court only three calendar days before the date of
26 deposition. However, as demonstrated in the Declarations of
27
28

1 Robert M. Neubauer and Sandra Arredondo attached to the
2 pertinent Motion, Plaintiff made exhaustive efforts to resolve
3 this matter with defendant. Although appearing pro se, the
4 defendant adamantly refused to meet with Plaintiff; however,
5 Plaintiff nevertheless corresponded and conferred extensively
6 with de facto counsel for defendant. After failing to
7 persuade the defendant and his counsel to withdraw the notice
8 of deposition and postpone discovery of Plaintiff to a more
9 appropriate time (at least until after the Early Meeting of
10 Counsel and the Court's Status Conference), Plaintiff again
11 contacted defendant's de facto counsel and asked that the
12 deposition merely be postponed four days until July 12, 1991,
13 to give this Court more time to consider Plaintiff's Motion
14 for Protective Order. Nevertheless, counsel for defendant
15 steadfastly refused to alter the date of the deposition. (See
16 Declaration of Robert M. Neubauer, attached to this
17 Application.)

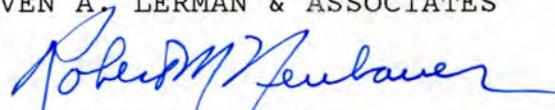
18 The Plaintiff was unable to resolve this matter by filing
19 a stipulation pursuant to Local Rule 7.15 for the very reasons
20 of time that Plaintiff must file this ex parte Application and
21 appeal to the Court for an expedited hearing on its Motion.
22 The paucity of time between the notice of deposition and the
23 deposition itself, together with the unwillingness of the
24 purportedly pro se defendant to meet and confer personally
25 with Plaintiff and the refusal of his de facto counsel to
26 postpone the deposition by even four (4) days, placed the
27

1 Plaintiff between the proverbial rock and a hard place, with
2 little maneuverability. Plaintiff was given a "Catch 22"
3 choice between involving this Court immediately by filing a
4 7.15. stipulation, or otherwise attempting to resolve the
5 matter without the Court's intervention by meeting and
6 conferring with the defendant's de facto counsel. Plaintiff
7 diligently pursued the latter route, as demonstrated by the
8 Declarations attached to the moving papers. When Plaintiff
9 ultimately received notice on July 2, 1991, that defendant
10 would not withdraw his discovery notice, Plaintiff was placed
11 in a position where he barely had sufficient time to file
12 these pleadings prior to the deposition date, let alone
13 formulate a 7.15.1 stipulation with a defendant who had
14 refused to cooperate in good faith or even postpone the
15 deposition by a mere four (4) days for the convenience of both
16 Plaintiff and the Court.

17 Accordingly, Plaintiff has shown good cause for an Order
18 Shortening Time for its Motion for Protective Order and
19 Sanctions.

20 DATED:

STEVEN A. LERMAN & ASSOCIATES

21 
22 BY: ROBERT M. NEUBAUER
23 Attorney for Plaintiff
24 RODNEY GLENN KING
25
26
27
28

EX PARTE APPLICATION FOR ORDER
SHORTENING TIME

1
2 THEODORE BRISENO,)
3 Cross-Complainant,)
4 vs.)
5 CITY OF LOS ANGELES,)
6 DARYL F. GATES,)
7 SERGEANT STACY KOON, THE STATE)
8 OF CALIFORNIA, CHP OFFICER)
9 MELANIE SINGER, CHP OFFICER)
TIMOTHY SINGER and MOES 1)
through 50, inclusive,)
Cross-Defendants.)

10
11 FIRST CROSS-CLAIM FOR RELIEF

12 (Against the City of Los Angeles for Indemnity)

13 1. Defendant/cross-complainant Theodore Briseno is a
14 resident of the County of Los Angeles.

15 2. Defendant/cross-defendant City of Los Angeles is a
16 municipal corporation organized and existing under the laws of
17 the State of California.

18 3. Defendant/cross-complainant's current claim for relief
19 arises out of the same set of facts and circumstances as
20 plaintiff's claims for relief, involves the same parties over
21 whom the court has already asserted jurisdiction. The alleged
22 acts occurred within this district, and the claims arise under
23 the laws of the State of California.

24 4. Defendant/cross-complainant is ignorant of the true
25 names and capacities of defendant/cross-defendants sued herein as
26 Moes 1 through 50, inclusive, and therefore sues said cross-
27 defendants by such fictitious names. Cross-complainant will
28 amend this cross-complaint to allege their true names and

1 capacities when ascertained. Each of the fictitiously named
2 cross-defendants are responsible in some manner for the
3 occurrences herein alleged and proximately caused by such cross-
4 defendants.

5 5. Defendant/cross-complainant is a sworn peace officer
6 with the City of Los Angeles Police Department and a member of
7 the Los Angeles Police Protective League. At all times relevant
8 hereto, defendant/cross-complainant was acting within the course
9 and scope of his duties, training and employment, and holds, at a
10 minimum, a "Basic" certificate issued by the California
11 Department of Justice Commission on Peace Officer Standards and
12 Training (hereinafter "POST").

13 6. As a result of plaintiff's instant lawsuit,
14 defendant/cross-complainant Theodore Briseno has made a written
15 demand and request to the City of Los Angeles for a separate,
16 independent and conflict free defense as allowed by state law,
17 including, but not limited to, California Government Code § 825.
18 This request for a defense was made on or about May 30, 1991.
19 The defendant/cross-defendant City of Los Angeles expressly
20 rejected defendant/cross-complainant's request for separate,
21 independent and conflict free counsel on or before the week of
22 July 1, 1991. Defendant/cross-complainant, in accordance with
23 state law, including, but not limited to, California Government
24 Code § 995 et seq., must seek and retain separate, independent
25 and conflict free counsel. As such, defendant/cross-complainant
26 is entitled to indemnity and/or contribution from
27 defendant/cross-defendant City of Los Angeles, in accordance with
28 state law, including, but not limited to, Government Code §§ 825

1 et seq., and for attorney's fees, costs and expenses as
2 reasonably incurred in defending the action and proceeding as
3 allowed and set forth by state law, including, but not limited
4 to, Government Code §§ 995 et seq.

5 7. As a direct and proximate result of the acts of
6 defendant/cross-defendant City of Los Angeles, defendant/cross-
7 complainant has been damaged in an amount according to proof at
8 the time of trial.

9 SECOND CROSS-CLAIM FOR RELIEF

10 (Against the City of Los Angeles, and Cross-Defendants
11 Gates and Koon for Negligent Supervision -
12 Failure to Supervise)

13 8. Defendant / cross-complainant Briseno realleges
14 paragraphs 1 through 7, inclusive, as though fully set forth at
15 this point and incorporated herein by this reference.

16 9. Defendant/cross-defendant Daryl F. Gates was, at all
17 times herein mentioned, the Chief of Police for the City of Los
18 Angeles and administered, interpreted, established, and/or
19 enforced the personnel rules, regulations, practices, custom,
20 procedures and policies for the City as well as the laws of the
21 State of California and the United States. Defendant/cross-
22 defendant is a supervisor of defendant/cross-complainant.

23 10. Cross-defendant Sergeant Stacy Koon was, at all times
24 mentioned herein, a Sergeant for the City of Los Angeles Police
25 Department and was required to administer, interpret and/or
26 enforce the personnel rules, regulations, practices and policies
27 for the City as well as the laws of the State of California and
28 the United States. Defendant/cross-defendant is a supervisor of

1 defendant/cross-complainant.

2 11. The City of Los Angeles owes a duty to the public to
3 ensure that its police force is adequately and properly trained.
4 At all times material herein, the City of Los Angeles failed and
5 refused to ascertain whether its police force was adequately
6 trained and/or whether the Department's supervisors were
7 adequately trained and in turn able to direct those officers
8 under their command.

9 12. Defendant/cross-defendant Chief of Police Gates works
10 during the day and does not work routine assignments at any other
11 hours, nor does he routinely train or supervise his subordinates
12 as a matter of habit, practice, custom and policy, thus leaving
13 his subordinates, including, but not limited to Sergeants, in
14 command of the police department when he is not present. This is
15 done out of habit, practice, custom or policy, although they are,
16 with exceptions, not properly qualified or trained under the laws
17 of the State of California to supervise as mid-level managers in
18 command of a police department; nor are they required to have
19 that level of training as police sergeants by "POST" rules and
20 regulations. Defendant/cross-defendant Daryl Gates routinely,
21 and as a matter of habit, custom, policy and practice fails to
22 provide qualified and properly trained command personnel to
23 command the Police Department after normal working hours.

24 13. Defendant/cross-defendant Sergeant Stacy Koon was the
25 sergeant on duty and the highest ranking officer present at the
26 time and place at which the alleged incident occurred.
27 Defendant/cross-defendant Koon was present at, and assumed charge
28 of the scene of the incident in question. All those Los Angeles

1 Police Officers present were under his supervision and command.
2 Nevertheless, defendant/cross-defendant Koon failed and refused
3 to adequately supervise, direct, and/or control those officers
4 under his command, including defendant/cross-complainant Briseno.

5 14. As a direct and proximate result of the acts and
6 omissions of the cross-defendants, cross-complainant Briseno has
7 been damaged in an amount according to proof.

8 THIRD CROSS-CLAIM FOR RELIEF

9 (Against the City of Los Angeles and Cross-Defendants
10 Gates and Koon for Negligent Training of
11 Defendant/Cross-Complainant)

12 15. Defendant/cross-complainant Briseno realleges
13 paragraphs 1 through 14, inclusive, as though fully set forth at
14 this point and incorporated herein by this reference.

15 16. The defendant/cross-defendant City of Los Angeles owes
16 a duty to the public to ensure that its police force is
17 adequately and properly trained. At all times material herein,
18 the defendant/cross-defendant City of Los Angeles failed and
19 refused to ascertain whether its police force was adequately
20 trained and/or whether the Department's supervisors were
21 adequately trained and in turn able to direct those officers
22 under their command.

23 17. Defendant/cross-defendants Daryl F. Gates, Sergeant
24 Stacy Koon, and MOES 1 through 50, inclusive, are responsible for
25 the day to day operations, management, policies, practices,
26 customs, usages, regulations and/or operations of, and speak for
27 and act as, the defendant/cross-defendant City of Los Angeles.
28 All management decisions are relegated, delegated, and

1 consummated by the defendant/cross-defendant Chief of Police
2 and/or his staff/advisors and/or appointees, agents and servants,
3 each of whom is a policy maker for the defendant/cross-defendant
4 City of Los Angeles while acting in such capacity at said
5 defendant/cross-defendant's request and authority. As such, the
6 acts taken herein were pursuant to the policies, customs,
7 practices, usages, regulations and/or ordinances of the
8 defendant/cross-defendant City of Los Angeles as administered,
9 interpreted and established by said defendants/cross-defendants.

10 18. Said unlawful actions as alleged in this complaint were
11 taken by defendant/cross-defendant Gates in his personal,
12 individual, and official capacity and the alleged unlawful
13 actions by defendant/cross-defendant Sergeant Stacy Koon resulted
14 from actions taken in his official capacity. Accordingly, each
15 of said defendants/cross-defendants is sued in such capacities as
16 to all claims for relief.

17 19. The defendant/cross-defendant City of Los Angeles and
18 defendants/cross-defendants Gates and Koon are responsible for
19 and required by law to administer, supervise, and train all
20 police officers under their command and control, in the use of
21 force and proper police procedures. Defendant/cross-complainant
22 alleges that any act or omission that he may have occasioned upon
23 any other person who is a party in this litigation arises from
24 the failure of defendants/cross-defendants City of Los Angeles,
25 Gates and Koon to properly train and supervise defendant/cross-
26 complainant.

27 20. Defendant/cross-defendant Gates has failed and refused
28 to advise or train officers in regard to the different and

1 varying rules and/or regulations applicable to the performance of
2 defendant/cross-complainant's job duties and performance.
3 Defendant/cross-defendant Gates, who has not attended a formal
4 police "academy" in many years and who has had no recent hand to
5 hand combat training in the use of force, has failed and refused
6 to implement a practical training program and to supervise
7 officers and their supervisors in the application of such
8 principles.

9 21. Defendant/cross-defendant Los Angeles Police Department
10 has negligently failed and refused to conduct updated training as
11 to the proper use of baton sticks and/or kicks when attempting to
12 detain or restrain a suspect who is resisting arrest.

13 22. Defendants/cross-defendants Gates and Koon have
14 negligently failed or refused to adequately and properly train
15 defendant/cross-complainant in proper police defense and arrest
16 procedures, including, but not limited to, the proper use of
17 baton sticks and/or kicks when attempting to detain or restrain a
18 suspect who is resisting arrest.

19 23. As a direct and proximate result of the acts and
20 omissions of defendants/cross-defendants, defendant/cross-
21 complainant has been damaged in an amount according to proof at
22 the time of trial.

23 FOURTH CROSS-CLAIM FOR RELIEF

24 (Against Rodney Glenn King for Assault)

25 24. Defendant/cross-complainant Theodore Briseno realleges
26 paragraphs 1 through 23, inclusive, as though fully set forth at
27 this point and incorporated herein by this reference.

28 25. Plaintiff/cross-defendant Rodney King is a resident of

1 Los Angeles County.

2 26. Defendant/cross-complainant's current claim for relief
3 arises out of the same set of facts and circumstances as
4 plaintiff's claims for relief, involves the same parties over
5 whom the Court has already asserted jurisdiction, the acts
6 occurred within this district, and the claims arise under the
7 laws of the State of California.

8 27. On March 3, 1991, defendant/cross-complainant Briseno
9 was called to assist California Highway Patrol Officers Melanie
10 and Timothy Singer who were involved in the high speed pursuit of
11 plaintiff/cross-defendant. As a result, Defendant/cross-
12 complainant sought to detain the plaintiff/cross-defendant for
13 investigative purposes relating to plaintiff/cross-defendant's
14 traffic violations.

15 28. When plaintiff/cross-defendant King finally pulled over
16 to the right side of Foothill Boulevard, after being pursued by
17 LAPD and CHP vehicles displaying their sirens and lights, he
18 refused to follow the verbal commands of the detaining officers.
19 Plaintiff/cross-defendant defied the officers' commands and
20 resisted arrest. During the course of these events,
21 plaintiff/cross-defendant King assaulted defendant/cross-
22 complainant Briseno.

23 29. As a direct and proximate result of the acts of cross-
24 defendant King, defendant/cross-complainant sustained damage in
25 an amount according to proof at the time of trial.

26 ////

27 ////

28 ////

FIFTH CROSS-CLAIM FOR RELIEF

(For Indemnity Against the State of California,
CHP Officers Melanie Singer and Timothy Singer)

30. Defendant/cross-complainant Briseno realleges paragraphs 1 through 29, inclusive, as though fully set forth at this point and incorporated herein by this reference.

31. The California Highway Patrol is a subdivision of defendant/cross-defendant State of California.

32. Defendants/cross-defendants Melanie Singer and Timothy Singer are residents of Los Angeles County.

33. At all times material herein, defendants/cross-defendants Melanie and Timothy Singer were the agents and/or employees of defendant/cross-defendant State of California.

34. On or about 12:30 a.m., on March 3, 1991 defendants/cross-defendants Melanie Singer and Timothy Singer engaged in the high speed pursuit of plaintiff/cross-defendant King pursuant to their jurisdiction over the highways and freeways of the State of California.

35. As a result of the perceived danger inherent in such a high speed pursuit, defendants/cross-defendants called LAPD for assistance.

36. Defendant/cross-complainant Briseno was one of those LAPD officers summoned from his routine patrol to the aid of the California Highway Patrol and its officers on the morning of March 3, 1991. Defendant/cross-complainant's actions were solely pursuant to and as a result of defendants/cross-defendants' request for aid.

37. As a direct and proximate result of the acts and

1 omissions of defendants/cross-defendants, defendant/cross-
2 complainant has been damaged in an amount according to proof at
3 the time of trial.

4 WHEREFORE, defendant/cross-complainant prays that:

5 1. Plaintiff take nothing by this action;

6 2. That defendant/cross-complainant Theodore Briseno have
7 judgment against defendants/cross-defendants Gates, Koon and such
8 others in an amount according to proof and as otherwise allowed
9 by Federal Rules of Civil Procedure, Rule 54;

10 3. Defendant/cross-complainant be awarded his attorney
11 fees, costs and expenses of this suit; and

12 4. Defendant/cross-complainant be awarded such other and
13 further relief as the Court may deem just and proper, including,
14 but not limited to, equitable relief to correct the wrongful acts
15 that have occurred.

16 DATED: July 9, 1991

17
18 
19 Theodore Briseno
Pro Se Defendant

20 Briseno/BriAnsX

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NOTICE OF PENDENCY OF OTHER ACTIONS
OR PROCEEDINGS

ORIGINAL

Theodore Briseno
1428 East Chapman Avenue
Orange, California 92666

FILED

Pro Se Defendant

JUL 10 2 43 PM '91

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

vs.

CITY OF LOS ANGELES, MAYOR TOM
BRADLEY, CHIEF OF POLICE DARYL
F. GATES, LOS ANGELES POLICE
CAPT. JOHN MUTZ, LAPD
LIEUTENANT P.J. CONMAY, LAPD
SERGEANT STACY KOON, LAPD
SERGEANT TROUT, LOS ANGELES
POLICE OFFICERS LAURENCE M.
POWELL, TIMOTHY WIND, TED
BRISENO, DAVID O. AVILA, TIM
E. BLAKE, SUSAN J. CLEMMER,
PAUL EAJDUK, INGRID LARSON,
DAVID A. LOVE, JOSEPH F.
NAPOLITANO, KENNETH A.
PHILLIPPE, DANNY SHRY, ROBERT
J. SIMPACH, ROLANDO SOLANO,
LOUIS M. TURRIAGA, OFFICER
AMOTT, CALIFORNIA HIGHWAY
PATROL OFFICERS LIEUTENANT
JOHN KILBASA, CAPT. DENNIS
TRUMAN, SERGEANT ROMAN
VONDRISKI, TIMOTHY SINGER,
MELANIE SINGER, GABRIEL AID
and FRANK SCHULTZ LOS ANGELES
UNIFIED SCHOOL DISTRICT, LOS
ANGELES UNIFIED SCHOOL
DISTRICT OFFICER PAUL
BEAUREGARD and MARK DIAMOND
and DOES 1 TO 200,

Defendants.

) CASE NO. 91 2497 JGD
)
) ANSWER TO COMPLAINT BY
) DEFENDANT THEODORE BRISENO
) AND CROSS-CLAIMS AGAINST
) DEFENDANTS CITY OF LOS ANGELES,
) CHIEF OF POLICE DARYL F. GATES,
) L.A.P.D. SERGEANT STACY KOON,
) STATE OF CALIFORNIA, CHP
) OFFICERS MELANIE SINGER,
) TIMOTHY SINGER, and RODNEY G.
) KING

) [Filed Concurrently With
) Cross-Complaint]

15

1
2 THEODORE BRISENO,

3 Cross-Complainant,

4 vs.

5 CITY OF LOS ANGELES, CHIEF OF)
POLICE DARYL F. GATES, LAPD)
6 SERGEANT STACY KOON, THE STATE)
OF CALIFORNIA, CHP OFFICERS)
7 MELANIE SINGER, TIMOTHY SINGER,)
RODNEY G. KING, and MOES 1)
8 through 100, inclusive,)

9 Cross-Defendants.
10

11 Defendant, THEODORE BRISENO, sued and served as Los Angeles
12 Police Officer Ted Briseno, for himself alone, and separating
13 himself from all other defendants, answers plaintiff's unverified
14 complaint and admits, denies, and alleges as follows:

15 1. This answering defendant admits that this is a civil
16 rights action for compensatory and punitive damages brought
17 against the City of Los Angeles, the Los Angeles Police
18 Department (hereinafter the "LAPD"), the Los Angeles Unified
19 School District, Mayor of Los Angeles Tom Bradley, Los Angeles
20 Chief of Police Daryl F. Gates, and numerous other individual,
21 supervisors and officers serving with the LAPD, California
22 Highway Patrol and the Los Angeles Unified School District. This
23 answering defendant admits that this alleged incident arose out
24 of a traffic stop in the Lakeview Terrace area of Los Angeles at
25 approximately 12:50 a.m. on March 3, 1991. This answering
26 defendant admits that physical force was used in effectuating the
27 arrest of plaintiff King, that such force was excessive resulting
28 in injury to plaintiff and was a result of inadequate training

1 and supervision. Except as expressly admitted, defendant denies
2 generally and specifically each and every remaining allegation in
3 paragraph 1.

4 2. Defendant admits the allegations contained in paragraph
5 2 of the complaint.

6 3. In answering paragraph 3 of the complaint, this
7 answering defendant admits that Rodney King is an adult.
8 However, this answering defendant is without sufficient knowledge
9 or information to answer the remaining allegations contained
10 therein and therefore denies the remaining allegations contained
11 in paragraph 3.

12 4. In answering paragraph 4 of the complaint, this
13 answering defendant admits that the defendant City of Los Angeles
14 is a municipality operating pursuant to its charter and as
15 organized and incorporated under and by the laws of the State of
16 California. Furthermore, this answering defendant admits that
17 defendant LAPD is an independent department of the City of Los
18 Angeles, that defendant Los Angeles Unified School District
19 (hereinafter "School District") is a public school system
20 organized and operating under the laws of the State of
21 California, that defendant Tom Bradley ("Bradley") is the Mayor
22 and Chief Executive Officer of the City of Los Angeles, and that
23 defendant Daryl F. Gates ("Gates") the Chief of Police of the
24 City of Los Angeles and the commander and head of the LAPD. This
25 answering defendant further admits that defendant Robert Vernon
26 ("Vernon") is Assistant Police Chief of Los Angeles, head of the
27 LAPD's office of operations and commander of its patrol units.
28 This answering defendant also admits that defendant police

1 Captain John Mutz ("Mutz") is Captain of the LAPD's Foothill
2 Division which is located in the San Fernando Valley of Los
3 Angeles.

4 5. This answering defendant admits that defendants
5 Lieutenant P.J. Conway, Sergeant Stacy Koon, Sergeant Robert
6 Troutt, Sergeant John Doe Flores, and LAPD Officers Lawrence
7 Powell, Timothy Wind, Ted Briseno, David A. Love, Tim E. Blake,
8 Susan J. Clemmer, Paul R. Gebhardt, Christopher J. Hadji, Glen
9 King, Ingrid Larson, Joseph F. Napolitano, Paul Nelson, Danny
10 Shry, Roger J. Sinpach, Rolando Solano and Louis M. Turriaga are
11 employees of the LAPD Foothill Division and were on duty the
12 night of the alleged incident. This answering defendant also
13 admits that defendant Police Officers David O. Avila and Kenneth
14 A. Phillipe are members of the LAPD's Air Support Division. This
15 answering defendant further admits that Lieutenant John Kielbasa,
16 Captain Dennis Truman, Sergeant Roman Von Driska and Police
17 Officers Melanie Singer, Timothy Singer, Gabriel Aid and Frank
18 Schultz are members of the California Highway Patrol. This
19 answering defendant admits that Police Officers Paul Beauregard
20 and Mark Diamond are employees of the Los Angeles Unified School
21 District. This answering defendant admits that the foregoing
22 individuals are residents of the Los Angeles judicial district.
23 This answering defendant admits that the aforementioned
24 identified defendants acted in their official capacities, and are
25 being sued for their actions under color of state law. Except as
26 expressly admitted herein, defendant specifically and generally
27 denies each and every remaining allegation contained in paragraph
28 4.

1 6. In answering paragraph 5 of the complaint, defendant is
2 without sufficient knowledge or information to admit or deny the
3 allegations contained therein and therefore, based on this lack
4 of knowledge or information, denies each and every allegation
5 contained therein.

6 7. In answering paragraph 6 of the complaint, this
7 answering defendant admits that on March 3, 1991, at
8 approximately 12:40 a.m., plaintiff was driving a 1988 Hyundai
9 motor vehicle on Foothill Boulevard when he was being pursued by
10 LAPD Officers and vehicles. This answering defendant admits that
11 plaintiff was subsequently detained by defendants. Except as
12 expressly admitted herein, this answering defendant denies
13 generally and specifically each and every remaining allegation in
14 paragraph 6.

15 8. In answering paragraph 7 of the complaint, this
16 answering defendant admits that the plaintiff's vehicle was
17 pursued by officers displaying their lights and sounding their
18 sirens. This answering defendant admits that plaintiff
19 eventually pulled over in response to the officers' lights and
20 sirens, and that he received a series of verbal commands from
21 said officers, which he chose not to obey. Except as expressly
22 admitted herein, this answering defendant denies generally and
23 specifically each and every remaining allegation in paragraph 7.

24 9. In answering paragraph 8 of the complaint, this
25 answering defendant admits that plaintiff was hog-tied and
26 handcuffed after his arrest, and then taken to Pacifica Hospital
27 by paramedics for treatment. Except as expressly admitted
28 herein, this answering defendant denies generally and

1 specifically each and every remaining allegation in paragraph 8.

2 10. This answering defendant is without sufficient
3 knowledge or information to admit or deny the allegations
4 contained in paragraph 9 of the complaint, and therefore, based
5 on this lack of knowledge or information, denies each and every
6 allegation contained therein.

7 11. This answering defendant denies generally and
8 specifically each and every allegation contained in paragraph 10.

9 12. This answering defendant admits that he was the agent
10 or employee of the City of Los Angeles and that he acted pursuant
11 to the lawful command of his superior officers in the performance
12 of his official duties. This answering defendant further admits
13 that he was acting under the color of state law. Except as
14 expressly admitted herein, this answering defendant denies
15 generally and specifically each and every remaining allegation in
16 paragraph 11.

17 13. This answering defendant realleges his responses to
18 paragraphs 1 through 11. Except as otherwise expressly admitted
19 herein, this answering defendant denies generally and
20 specifically each and every remaining allegation in paragraph 12.

21 14. This answering defendant admits that he acted pursuant
22 to his training as a police officer with the City of Los Angeles.
23 Except as expressly admitted herein, this answering defendant is
24 without sufficient knowledge or information to admit or deny the
25 remaining allegations in paragraph 13, and therefore, denies
26 generally and specifically each and every remaining allegation
27 therein.

28 15. This answering defendant lacks sufficient knowledge or

1 information to admit or deny the allegations contained in
2 paragraph 14 and based on this lack of knowledge or information,
3 denies each and every allegation contained therein.

4 16. This answering defendant lacks sufficient knowledge or
5 information to admit or deny the allegations in paragraph 15 and
6 based on this lack of information and belief, denies each and
7 every allegation contained in paragraph 15.

8 17. This answering defendant denies generally and
9 specifically each and every allegation contained in paragraph 16.

10 18. This answering defendant admits that plaintiff
11 sustained injuries as a result of the incident in question.
12 However, except as expressly admitted, this answering defendant
13 is without sufficient knowledge or information to admit or deny
14 the remaining allegations contained in paragraph 17 of the
15 complaint and therefore, based on this lack of information and
16 belief, denies each and every remaining allegation therein.

17 19. This answering defendant is without sufficient
18 knowledge or information to admit or deny the allegations
19 contained in paragraph 18 of the complaint and on this basis
20 denies each and every allegation contained therein.

21 20. This answering defendant denies generally and
22 specifically each and every allegation in paragraph 19 of the
23 complaint.

24 21. This answering defendant admits that he was acting
25 under the color of state law. However, except as expressly
26 admitted herein, this answering defendant denies generally and
27 specifically each and every remaining allegation in paragraph 20.

28 22. This answering defendant denies each and every

1 allegation contained in paragraph 21.

2 23. This answering defendant admits each and every
3 allegation in paragraph 22.

4 AFFIRMATIVE DEFENSES

5 FIRST AFFIRMATIVE DEFENSE

6 24. This answering defendant was not the proximate cause of
7 plaintiff's alleged deprivation of any constitutionally protected
8 right, privilege, or immunity.

9 SECOND AFFIRMATIVE DEFENSE

10 25. To the extent that any force whatsoever was exercised
11 by this answering defendant, it was reasonable and only the
12 degree necessary under the circumstances, and in accordance with
13 California Penal Code §§ 835 and 843.

14 THIRD AFFIRMATIVE DEFENSE

15 26. There is no respondeat superior liability for public
16 officers and their actions under the Federal Civil Rights Act.

17 FOURTH AFFIRMATIVE DEFENSE

18 27. This answering defendant is immune from liability under
19 the doctrine of official immunity.

20 FIFTH AFFIRMATIVE DEFENSE

21 28. Any and all official conduct taken by this answering
22 defendant was in good faith and without malicious intent to
23 deprive plaintiff of any of his constitutional rights, privileges
24 or immunities, or, to cause any other injury.

25 SIXTH AFFIRMATIVE DEFENSE

26 29. At all times material herein, this answering defendant
27 acted in good faith and with the reasonable belief that his
28 actions were valid.

1 SEVENTH AFFIRMATIVE DEFENSE

2 30. Plaintiff's causes of action under the Federal Civil
3 Rights Act are barred as the complaint fails to raise facts that
4 go beyond mere tortious conduct and rise to the dignity of a
5 violation of a federal, constitutional or statutory right.

6 EIGHTH AFFIRMATIVE DEFENSE

7 31. Punitive damages are not recoverable from defendant in
8 his official capacity under 42 U.S.C. § 1983 nor under California
9 Government Code § 818.

10 NINTH AFFIRMATIVE DEFENSE

11 32. This answering defendant is not liable for any alleged
12 action or omissions of any third parties, known or unknown.

13
14 TENTH AFFIRMATIVE DEFENSE

15 33. The allegations in the complaint are so vague,
16 indefinite and conclusory that they do not constitute a short and
17 plain statement of the claim as required under FRCP 8(a)(2).

18 ELEVENTH AFFIRMATIVE DEFENSE

19 34. Any and all acts or omissions by this defendant which
20 allegedly caused the injury at the time and place set forth in
21 the complaint were the exercise of discretion vested in him and
22 therefore there is no liability pursuant to Government Code §
23 820.2.

24 TWELFTH AFFIRMATIVE DEFENSE

25 35. This answering defendant's conduct was privileged as
26 plaintiff's injuries were incident to the valid detention,
27 investigation, and arrest of plaintiff.

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THIRTEENTH AFFIRMATIVE DEFENSE

36. Plaintiff is not entitled to damages based upon the abstract value of constitutional rights.

FOURTEENTH AFFIRMATIVE DEFENSE

37. To the extent that this answering defendant used any force in the alleged incident complained of, he did so in exercise of his right to self defense pursuant to Penal Code §§ 835(a), 692 and 693.

FIFTEENTH AFFIRMATIVE DEFENSE

38. Plaintiff's attempt to recover punitive damages violates the answering defendant's constitutional right to due process of law and protection from "excessive fines."

SIXTEENTH AFFIRMATIVE DEFENSE

39. Plaintiff's complaint fails to state a claim upon which relief can be granted.

SEVENTEENTH AFFIRMATIVE DEFENSE

40. Plaintiff failed to take all necessary steps to mitigate his alleged injuries and/or damages. Thus, any recovery should be reduced accordingly.

EIGHTEENTH AFFIRMATIVE DEFENSE

41. A public entity is not liable for an injury, whether such injury arises out of an act or omission of the public entity or a public employee or any other person, except as otherwise provided by statute.

NINETEENTH AFFIRMATIVE DEFENSE

42. To the extent plaintiff suffered any detriment or

1 damage, such was unavoidable.

2 TWENTIETH AFFIRMATIVE DEFENSE

3 43. To the extent plaintiff suffered injury or detriment,
4 the risk of such injury or detriment, if any, was assumed by the
5 plaintiff, and as such, any damages awarded against this
6 answering defendant should be comparatively reduced. Plaintiff
7 was careless and negligent in and about the matters alleged in
8 the complaint. Said carelessness and negligence on plaintiff's
9 own part proximately contributed to the happening of the incident
10 and to the injuries, loss and damages complained thereof, if
11 there were any. Accordingly, plaintiff's right to recover
12 damages is correspondingly reduced. (Any and all acts or
13 omissions of answering defendant which allegedly caused the
14 injury at the time and place set forth in the complaint was the
15 exercise of discretion invested in him and therefore there is no
16 liability pursuant to Government Code § 820.2).

17 TWENTY FIRST AFFIRMATIVE DEFENSE

18 44. Pursuant to Government Code § 820.4, a public employee
19 is not liable for his acts or omissions, if exercising due care
20 in the execution or enforcement of any law.

21 TWENTY SECOND AFFIRMATIVE DEFENSE

22 45. A public employee acting in good faith, without malice,
23 and under the apparent authority of an enactment is not liable
24 pursuant to Government Code § 820.6.

25 TWENTY THIRD AFFIRMATIVE DEFENSE

26 46. Plaintiff was lawfully detained based on good faith
27 suspicion for reasonable investigation purposes pursuant to
28 Government Code § 820.2 and Penal Code §§ 849 and 851.6.

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TWENTY FOURTH AFFIRMATIVE DEFENSE

47. All actions taken by this answering defendant during the incident complained of were taken during an emergency situation.

TWENTY FIFTH AFFIRMATIVE DEFENSE

47. To the extent any force was used by this answering defendant during the incident complained of, it was privileged as being reasonably necessary, and being believed to be so necessary, to the lawful defense of third parties pursuant to Civil Code § 50 and Penal Code §§ 692, 693 and 694.

TWENTY SIXTH AFFIRMATIVE DEFENSE

48. This answering defendant's actions were pursuant to and statutorily required under Penal Code § 150.

TWENTY SEVENTH AFFIRMATIVE DEFENSE

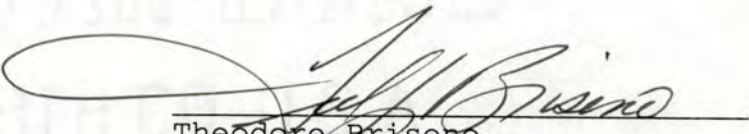
49. This answering defendant's conduct was justified and therefore privileged in that he acted in aid of the California Highway Patrol and its officers pursuant to Penal Code § 698.

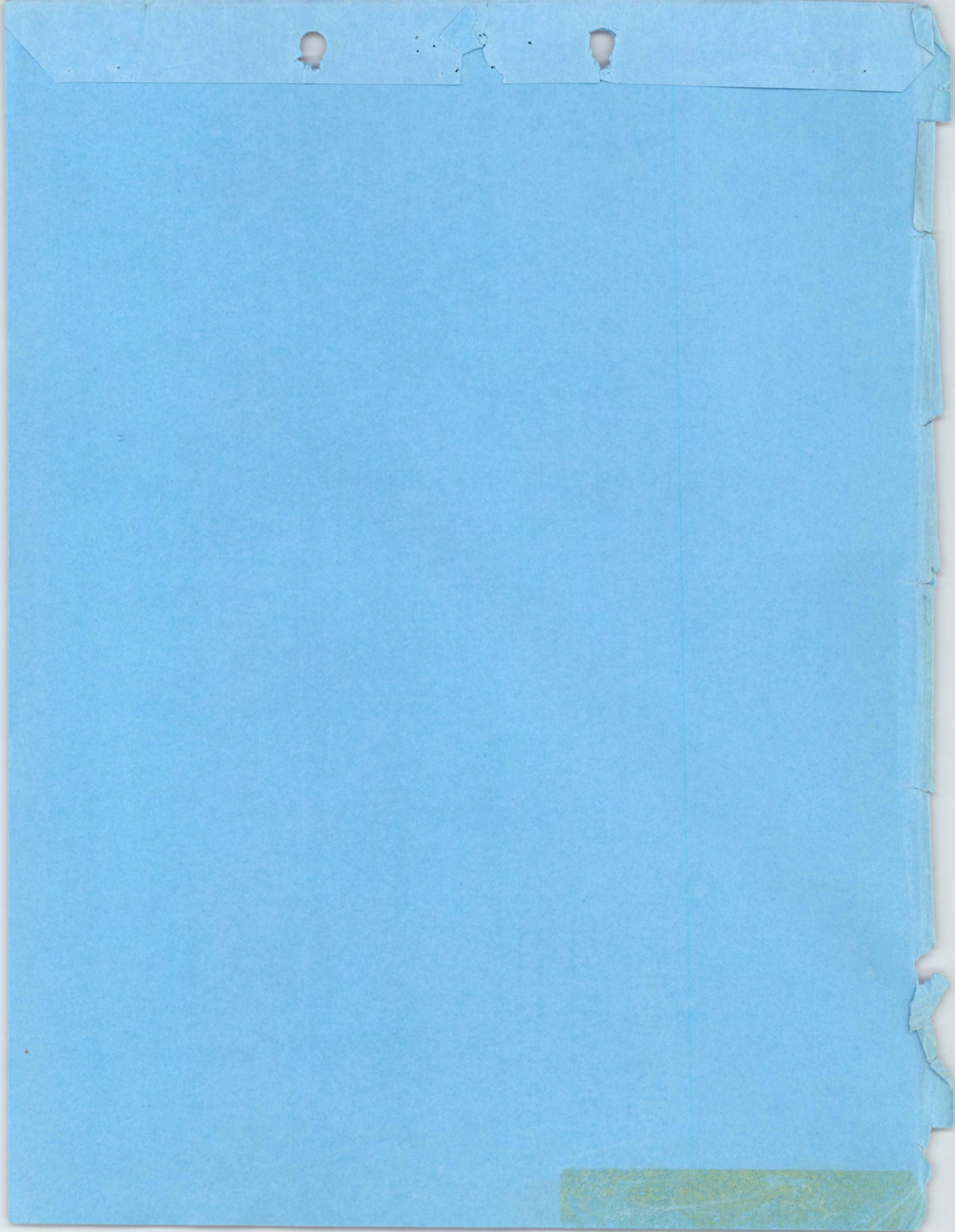
WHEREFORE, Defendant prays that:

- 1. Plaintiff take nothing by this action;
- 2. Defendants be awarded their costs of this suit; and
- 3. Defendant be awarded such other relief as the court may deem just and proper.

Dated: July 9, 1991

Briseno/BriAns


Theodore Briseno
Pro Se Defendant



1 State Bar No.: 139353
2 Robert M. Neubauer, Esq.
3 STEVEN A. LERMAN & ASSOCIATES
4 9100 Wilshire Boulevard
5 Suite 250 - West Tower
6 Beverly Hills, California 90212
7 Telephone: (213) 659-8166

8 Attorney for Plaintiff,
9 RODNEY GLENN KING

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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 RODNEY GLENN KING,

13 Plaintiff,

14 vs.

15 THE CITY OF LOS ANGELES, et

al.,

16 Defendants.

) CASE NO: 91 2497(JGD)(TX)
)
)

) ORDER GRANTING PLAINTIFF'S
) MOTION FOR PROTECTIVE
) ORDER VACATING NOTICE OF
) DEPOSITION AND STAYING
) DISCOVERY OF PLAINTIFF
) PENDING CONCLUSION OF
) PARALLEL CRIMINAL
) PROCEEDINGS; ORDER
) IMPOSING SANCTIONS UPON
) DEFENDANT AND DEFENDANT'S
) COUNSEL

17
18
19 Hearing Date: July 29, 1991
20 Time: 10:00 a.m.

21 GOOD CAUSE HAVING BEEN SHOWN THEREFOR, the motion of the
22 Plaintiff, Rodney Glenn King, to vacate the notice of
23 Plaintiff's deposition issued by defendant Theodore Briseno
24 and stay all discovery of Plaintiff pending conclusion of the
25 parallel criminal proceeding is hereby granted. Plaintiff
26 having demonstrated good cause therefor, sanctions are hereby
27 imposed jointly and severally upon Theodore Briseno and his
28

FILED

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JUL 8 9 27 AM '91
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.

State Bar No.: 139353
Robert M. Neubauer, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Boulevard
Suite 250 - West Tower
Beverly Hills, California 90212
Telephone: (213) 659-8166

Attorney for Plaintiff,
RODNEY GLENN KING

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,	)	CASE NO: 91 2497 (JGD)(TX)
)	
Plaintiff,	)	DECLARATION OF ROBERT
	)	M. NEUBAUER IN SUPPORT
vs.	)	OF PLAINTIFF'S EX-PARTE
	)	APPLICATION FOR ORDER
THE CITY OF LOS ANGELES,	)	SHORTENING TIME
et al.,)	
)	
Defendants.)	
)	
)	

I, ROBERT M. NEUBAUER, declare that I am an attorney at law duly licensed to practice before this Court and all courts of the State of California, and am associated with the Law Offices of Steven A. Lerman, the attorney of record for Plaintiff herein. I further declare that I have personal knowledge of the facts contained herein, and, if called upon to testify, I could and would competently do so.

12

1
2 On Wednesday July 3, 1991, at approximately 10:00 a.m.,
3 I telephoned Susan Wilson (hereinafter "Wilson"), an associate
4 with the law firm of Petersen & Trott, de facto counsel for
5 the defendant, Theodore Briseno. I informed Wilson that
6 defendant had left Plaintiff with no alternative but to move
7 the Court for a protective order and sanctions since the
8 defendant had failed to withdraw his untimely notice of
9 Plaintiff's deposition. I informed Wilson that Plaintiff
10 would file an ex parte application for Order Shortening Time,
11 together with the pertinent moving papers, on the next court
12 date, July 5, 1991. I also informed Wilson that under the
13 rules applicable to this Court, defendant had twenty-four (24)
14 court-hours to file his opposition or state his position
15 regarding the Application for the Order Shortening Time.
16 Wilson indicated that defendant would not oppose the
17 Application to shorten time.

18 Further, I requested that defendant postpone the
19 deposition date by four (4) days until July 12, 1991, in order
20 to give the Court a reasonable opportunity to hear Plaintiff's
21 Motion for a Protective Order prior to the deposition date.
22 Wilson stated that she would confer with her co-counsel,
23 Gregory G. Petersen, and with defendant Briseno, and would get
24 back to me later. At about approximately 1:00 p.m. on July
25 3, 1991, Wilson telephoned me and stated that the defendant

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2 would not postpone the deposition, but rather would still
3 insist that the deposition go forward on July 8, 1991.

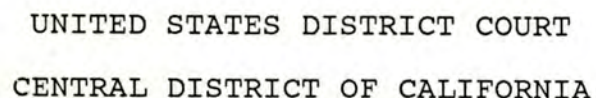
4 I declare under penalty of perjury that the foregoing is
5 true and correct.

6 Executed this 5th day of July, 1991, at Beverly Hills,
7 California.

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10 ROBERT M. NEUBAUER
11 Declarant
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DECLARATION OF ROBERT M. NEUBAUER IN SUPPORT OF
PLAINTIFF'S EX-PARTE APPLICATION FOR ORDER
SHORTENING TIME

DATED: 7-12-91
DEPUTY CLERK



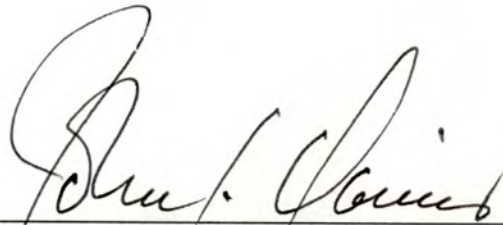
ORDER RE EX PARTE
APPLICATION TO SHORTEN
TIME

On July 8, 1991, plaintiff filed an ex parte application for an order shortening time for hearing of his motion for a protective order and sanctions. The Court HEREBY DENIES said application. Shortening of time is not necessary in view of the fact that this case is still in its infancy, having yet to reach even the stage of an early meeting of counsel. The hearing regarding the motion for protective order and sanctions shall proceed on July 29, 1991 (as currently noticed) at 2:30 p.m. (corrected time). However, the

1 deposition of the plaintiff is HEREBY STAYED, i.e. shall not be
2 taken, pending the outcome of that hearing.

3
4 IT IS SO ORDERED.

5 Dated: **JUL 09 1991**
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8 _____
9 JOHN G. DAVIES
10 United States District Judge
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Theodore Briseno
c/o Petersen & Trott
1428 East Chapman Avenue
Orange, California 92666-2205
(714) 938-1700

Pro Se Defendant

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Plaintiff,

VS.

Defendants.

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In accordance with the local rules of this Court, Defendant Theodore Briseno hereby submits this statement of non-opposition to Plaintiff's Application For Order Shortening Time. This non-opposition is conditioned on the basis that this court allow sufficient time for defendant Briseno to file a cross-motion to compel plaintiff's deposition and to oppose plaintiff's motion for protective order and request for imposition of sanctions.

DATED: July 8, 1991

PETERSEN & TROTT

BY:

Susan M. Wilson
Susan M. Wilson

On behalf of Pro Se Defendant
Theodore Briseno

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is: 1428 E. Chapman Avenue, Orange, California 92666.

On July 8, 1991, I served the foregoing document described as: STATEMENT OF NON-OPPOSITION on the interested parties in this action:

_____ by placing the true copies thereof in sealed envelopes as stated on the attached mailing list:

X by placing _____ the original X a true copy thereof enclosed in sealed envelopes addressed as follows:

Robert Neubauer
Steven Lerman & Associates
9100 Wilshire Blvd., Suite 250 West Tower
Beverly Hills, California 90212

X (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Orange, California.

_____ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee.

Executed on July 8, 1991, at Orange, California.

_____ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

_____ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Susan M. Simpson

1 State Bar No.: 139353
2 Robert M. Neubauer, Esq.
3 STEVEN A. LERMAN & ASSOCIATES
4 9100 Wilshire Boulevard
5 Suite 250 - West Tower
6 Beverly Hills, California 90212
7 Telephone: (213) 659-8166

8 Attorney for Plaintiff,
9 RODNEY GLENN KING

ORIGINAL

JUL 9 10 14 AM '91

CLERK OF DISTRICT COURT
CENTRAL DIST. OF CALIF.
BY 

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 RODNEY GLENN KING,	)	CASE NO: 91 2497 (JGD)(TX)
13 Plaintiff,)	
14 vs.	)	DECLARATION OF ROBERT
15 THE CITY OF LOS ANGELES,	)	M. NEUBAUER IN SUPPORT
16 et al.,	)	OF PLAINTIFF'S EX-PARTE
17 Defendants.	)	APPLICATION FOR ORDER
	)	SHORTENING TIME
)	

18 I, ROBERT M. NEUBAUER, declare that I am an attorney at
19 law duly licensed to practice before this Court and all courts
20 of the State of California, and am associated with the Law
21 Offices of Steven A. Lerman, the attorney of record for
22 Plaintiff herein. I further declare that I have personal
23 knowledge of the facts contained herein, and, if called upon
24 to testify, I could and would competently do so.

25 On Wednesday July 3, 1991, at approximately 10:00 a.m.,
26 I telephoned Susan Wilson (hereinafter "Wilson"), an associate
27

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2 the defendant, Theodore Briseno. I informed Wilson that
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8 together with the pertinent moving papers, on the next court
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10 rules applicable to this Court, defendant had twenty-four (24)
11 court-hours to file his opposition or state his position
12 regarding the Application for the Order Shortening Time.
13 Wilson indicated that defendant would not oppose the
14 Application to shorten time.

15 Further, I requested that defendant postpone the
16 deposition date by four (4) days until July 12, 1991, in order
17 to give the Court a reasonable opportunity to hear Plaintiff's
18 Motion for a Protective Order prior to the deposition date.
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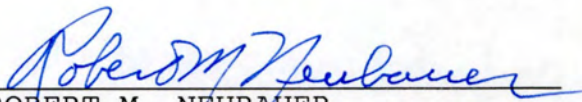
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1 would not postpone the deposition, but rather would still
2 insist that the deposition go forward on July 8, 1991.

3 I declare under penalty of perjury that the foregoing is
4 true and correct.

5 Executed this 5th day of July, 1991, at Beverly Hills,
6 California.

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9 ROBERT M. NEUBAUER
10 Declarant
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DECLARATION OF ROBERT M. NEUBAUER IN SUPPORT
OF PLAINTIFF'S EX-PARTE APPLICATION
FOR ORDER SHORTENING TIME

State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

FILED

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ORIGINAL

Attorneys for Plaintiff,
RODNEY GLENN KING

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,) Case No: 91 2497 (JGD) (TX.)

Plaintiff,) **PROOF OF SERVICE**

v.)

THE CITY OF LOS ANGELES and THE LOS)
ANGELES POLICE DEPARTMENT; THE LOS)
ANGELES UNIFIED SCHOOL DISTRICT;)
MAYOR TOM BRADLEY; CHIEF OF POLICE)
DARYL F. GATES; ASSISTANT CHIEF OF)
POLICE ROBERT VERNON; LOS ANGELES)
POLICE OFFICERS CAPTAIN JOHN MUTZ,)
LIEUTENANT P.J. CONMAY, SERGEANT)
JOHN DOE FLORES, SERGEANT STACY KOON,)
SERGEANT ROBERT TROUTT, DAVID O.)
AVILA, TIMOTHY E. BLAKE, THEODORE)
BRISENO, SUSAN J. CLEMMER, PAUL R.)
GEBHARDT, CHRISTOPHER J. HADJI,)
GLEN KING, INGRID LARSON, DAVID A.)
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,)
KENNETH A. PHILLIPPE, LAURENCE M.)
POWELL, DANNY SHRY, ROBERT J. SIMPACH,)
ROLANDO SOLANO, LOUIS M. TURRIAGA)
and TIMOTHY WIND; CALIFORNIA HIGHWAY)
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,)
LIEUTENANT JOHN KIELBASA, SERGEANT)
ROMAN VONDRISKA, GABRIEL AID, FRANK)
SCHULTZ, MELANIE SINGER and TIMOTHY)
SINGER; LOS ANGELES UNIFIED SCHOOL)
DISTRICT OFFICERS PAUL BEAUREGARD and)
MARK DIAMOND; and DOES 1 through 200,)

Defendants.)

1 PROOF OF SERVICE

2 PROOF OF SERVICE OF SUMMONS AND COMPLAINT

3
4 CIVIL NO.: CV 91-2497 (JGD)(TX)

5 I certify that I am authorized to serve the summons and first
6 amended complaint in the within action pursuant F.R.Civ.P. 4(c) and
7 exempt from appropriate codes. I served the summons and First
8 Amended Complaint as follows:

9
10 1. Name and title of person served:

11 ROLANDO SOLANO

12 2. Person with whom left:

13 *Louis Turriaga*

14 Title or relationship to person served:

15 *Policeman SCD*

16 3. Date of time of delivery: *6-12-91 2:35pm*

17 4. Mailing date; class of mail:

18 Place of mailing:

19 5. Address, City and State: ☐ Home ☐ Business

20 6. Manner of Service (check applicable box and complete
21 separate proof of service for each defendant served.)

22
23 PERSONAL SERVICE

24 () PERSONAL SERVICE, by handing copies to the person
25 served [F.R.Civ.P.(d) (6)].

26 (xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
27

1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Van Nuys, State of California, this 12 day of June, 1991. Malcolm Stone
Signature of person authorized to make service

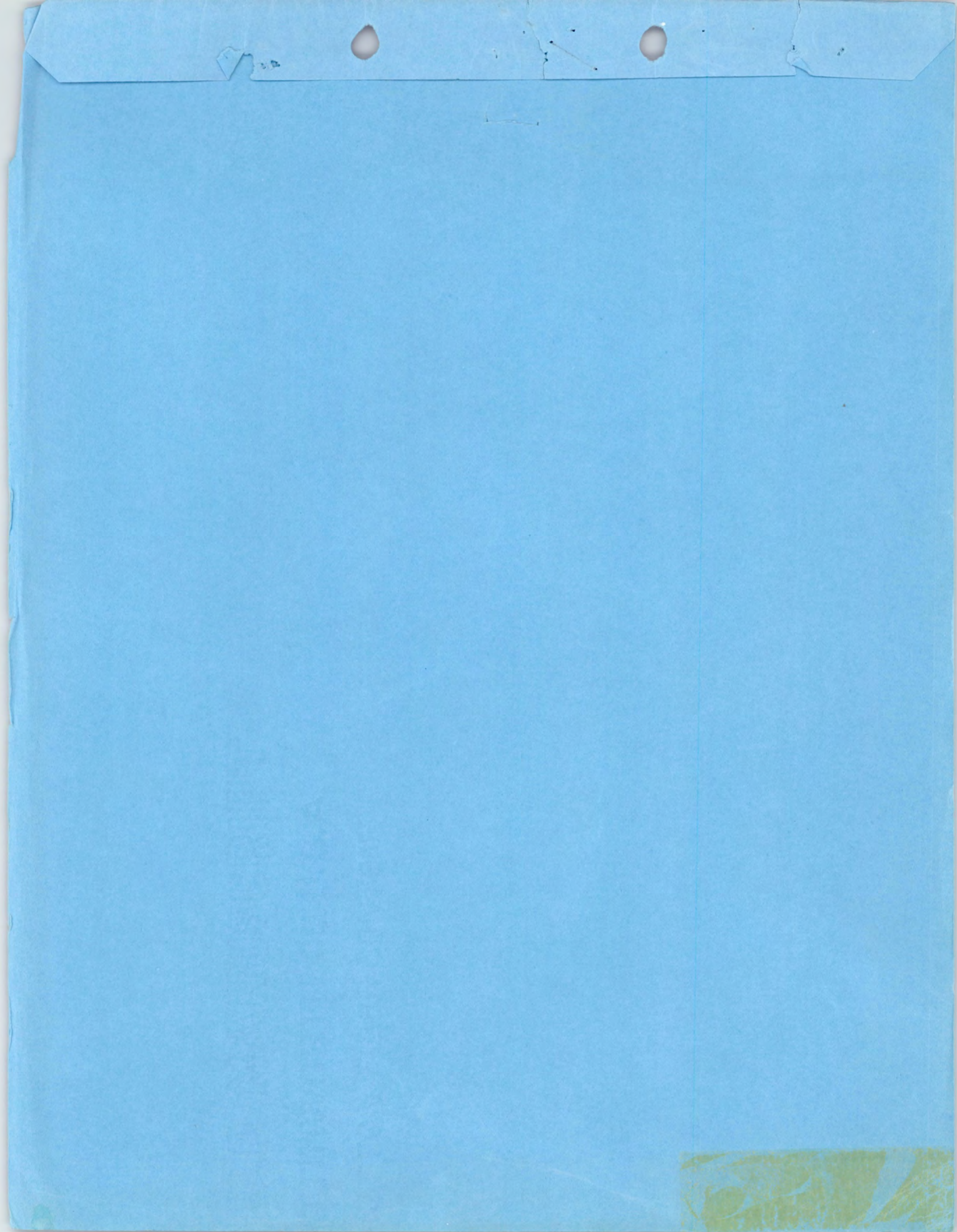
Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

I, Ole Turriaga, received a true copy of the within
document on June 12, 1991.

For M. Turriaga
Signature
for Roland Solano
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorneys for Plaintiff,
RODNEY GLENN KING

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1
DISTRICT COURT
OF CALIF.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons First Amended Complaint, Bryant Allen's first set of interrogatories to Defendant as follows:

1. Name and title of person served:

KENNETH A. PHILLIPPE

2. Person with whom left:

K. Johnson

Title or relationship to person served:

Lt. Air Support Division

3. Date of time of delivery: 6-12-91 11:10am

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ()Home ()Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

1 (xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER
2 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
3 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
4 (4) (6), by delivering a copy off the
5 summons and complaint to the chief
6 executive officer thereof or by serving
7 the summons and complaint in a manner
8 prescribed by law of the state for the
9 service of summons or other like process
10 upon any such defendant.

11
12 **SERVICE ON U.S. DEFENDANTS**

13 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
14 THE UNITED STATES, by serving in a manner as
15 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

16
17 **SERVICE BY MAIL (Non U.S. Defendants)**

18 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
19 F.R.Civ.P 4(d) (ii). By mailing (by first-class
20 mail or airmail) copies to the person served,
21 together with two copies of the form of notice and
22 acknowledgment and a return envelope, postage
23 prepaid, addressed to the sender. (**ATTACH WRITTEN**
24 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

25 NOTE: the service by mail provision does not apply
26 to service upon the United States or an officer or
27

1 agency of the United States, but applies only to
2 service upon a defendant of any class referred to
3 in Rules 4(d) (1) and (3) F.R.Civ.P.
4

5 **SUBSTITUTED SERVICE**

6 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
7 INCOMPETENT PERSON, by delivering a copy of the
8 summons and complaint to him personally or by
9 leaving copies thereof at his dwelling house or
10 usual place of abode with some person of suitable
11 age and discretion then residing therein or by
12 delivering a copy of the summons and complaint to
13 an agent authorized by appointment or by law to
14 receive service of process; or in a manner
15 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
16 (Attach separate declarations showing attempted
17 personal service.)

18 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
19 415.20 (b) (2), by leaving copies at the dwelling
20 house, usual place of abode, or usual place of
21 business of the person served in the presence of a
22 competent member of the household or a person
23 apparently in charge of his office or place of
24 business, at least 18 years of age, who was informed
25 of the general nature of the papers, and thereafter
26 mailing (by first-class mail, postage prepaid)
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copies to the person served at the place where the
copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A
PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION
WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by
delivering a copy of the summons and complaint to
an officer, a managing or general agent, or to any
other agent authorized by appointment or by law to
receive service of process and, if the agent is one
authorized by statute to receive service and the
statute so requires, by also mailing a copy to the
defendant; or in a manner consistent with C.C.P.
415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if
necessary.

I declare under penalty of perjury that the foregoing document
is true and correct.

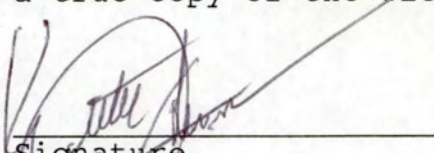
Executed at Los Angeles, State of California, this
12 day of June, 1991. Malcolm Stone
Signature of person
authorized to make
service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

I, Lt. Johnson, received a true copy of the within
document on June 12, 1991.

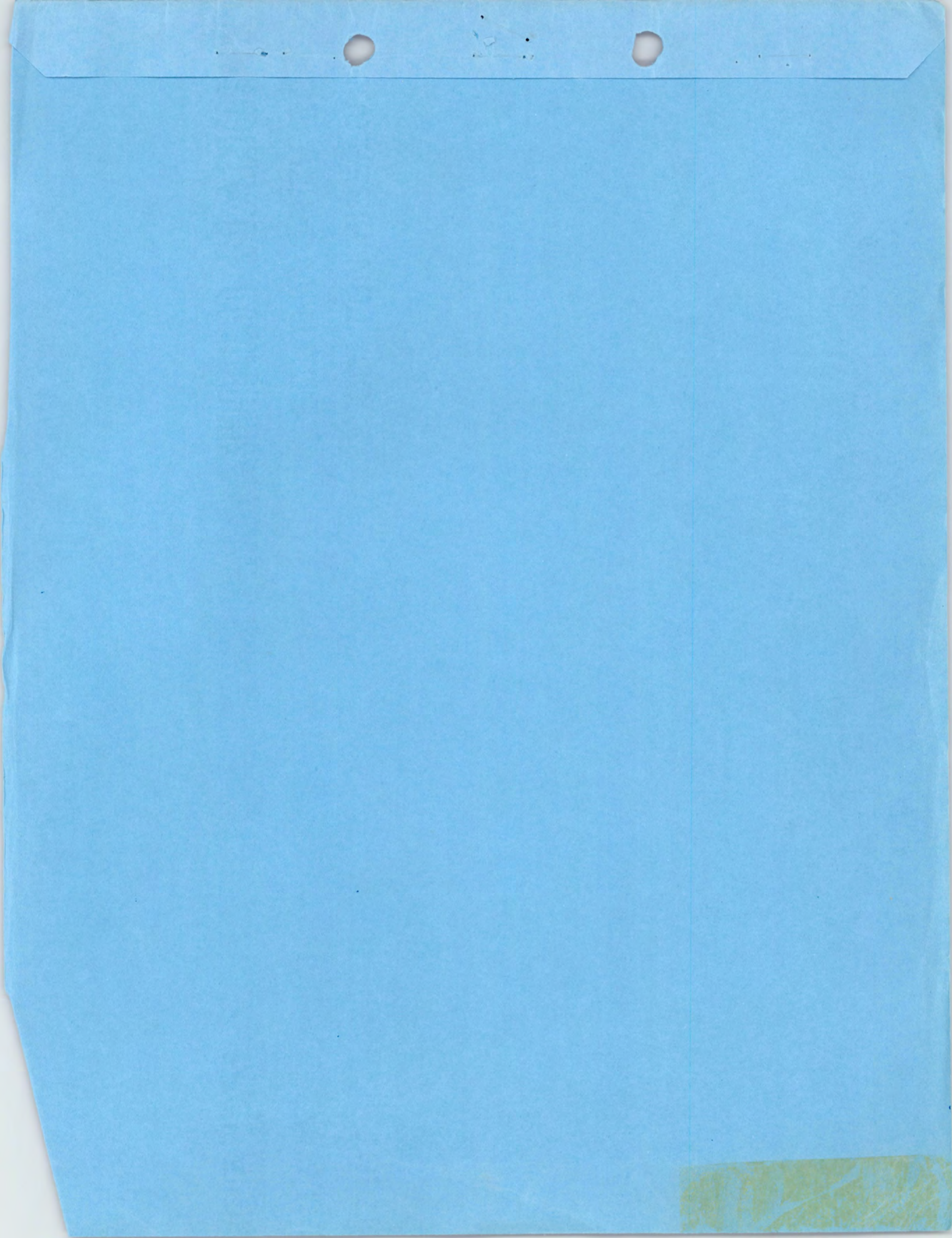


Signature

for

Kenneth A. Phillippe

Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

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Attorneys for Plaintiff,
RODNEY GLENN KING

COURT
CALIF.

b

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,
Plaintiff,

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

21

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

DAVID O. AVILA

2. Person with whom left:

K. Johnson

Title or relationship to person served:

Lt. Air Support Division

3. Date of time of delivery: 6-12-91 11:10am

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐Home ☐Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

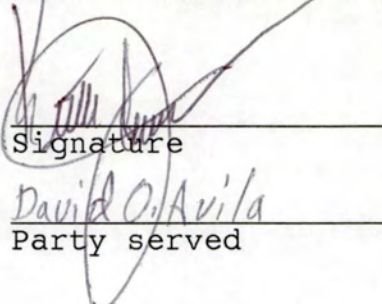
I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Los Angeles, State of California, this 12 day of June, 1971. Malcolm Stone
Signature of person authorized to make service

Fee for service \$_____, Mileage \$_____, Total \$_____.

ACKNOWLEDGEMENT OF SERVICE

I, Lt. Johnson, received a true copy of the within
document on June 12, 1991.


Signature

for

David O. Avila
Party served

OUR STAR BRAND
SOUTHWORTH CO. U.S.A.
25% COTTON FIBER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

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11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

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16 **SERVICE BY MAIL (Non U.S. Defendants)**

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23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

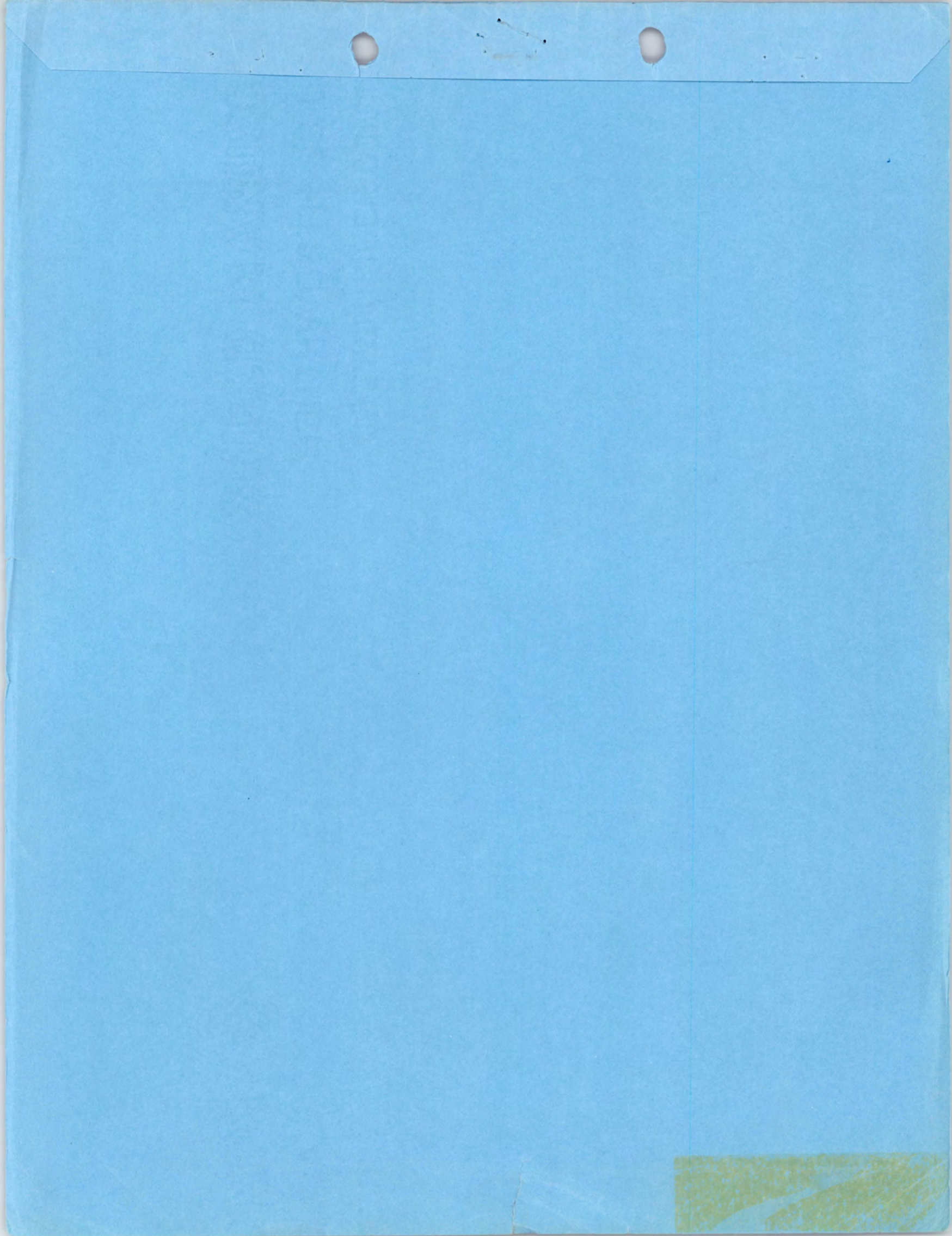
24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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Case No: 91 2497 (JGD) (TX)

V.

[illegible]

Defendants.

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

SERGEANT ROBERT TROUTT

2. Person with whom left:

Darcy Ingledew

Title or relationship to person served:

Subpena Control Ofc

3. Date of time of delivery: *6-12-91 2:55pm*

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐Home ☐Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
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2 in Rules 4(d) (1) and (3) F.R.Civ.P.

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10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

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22 apparently in charge of his office or place of
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24 of the general nature of the papers, and thereafter
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Van Nuys, State of California, this

12 day of June, 1991. Melvin Stone

Signature of person
authorized to make
service

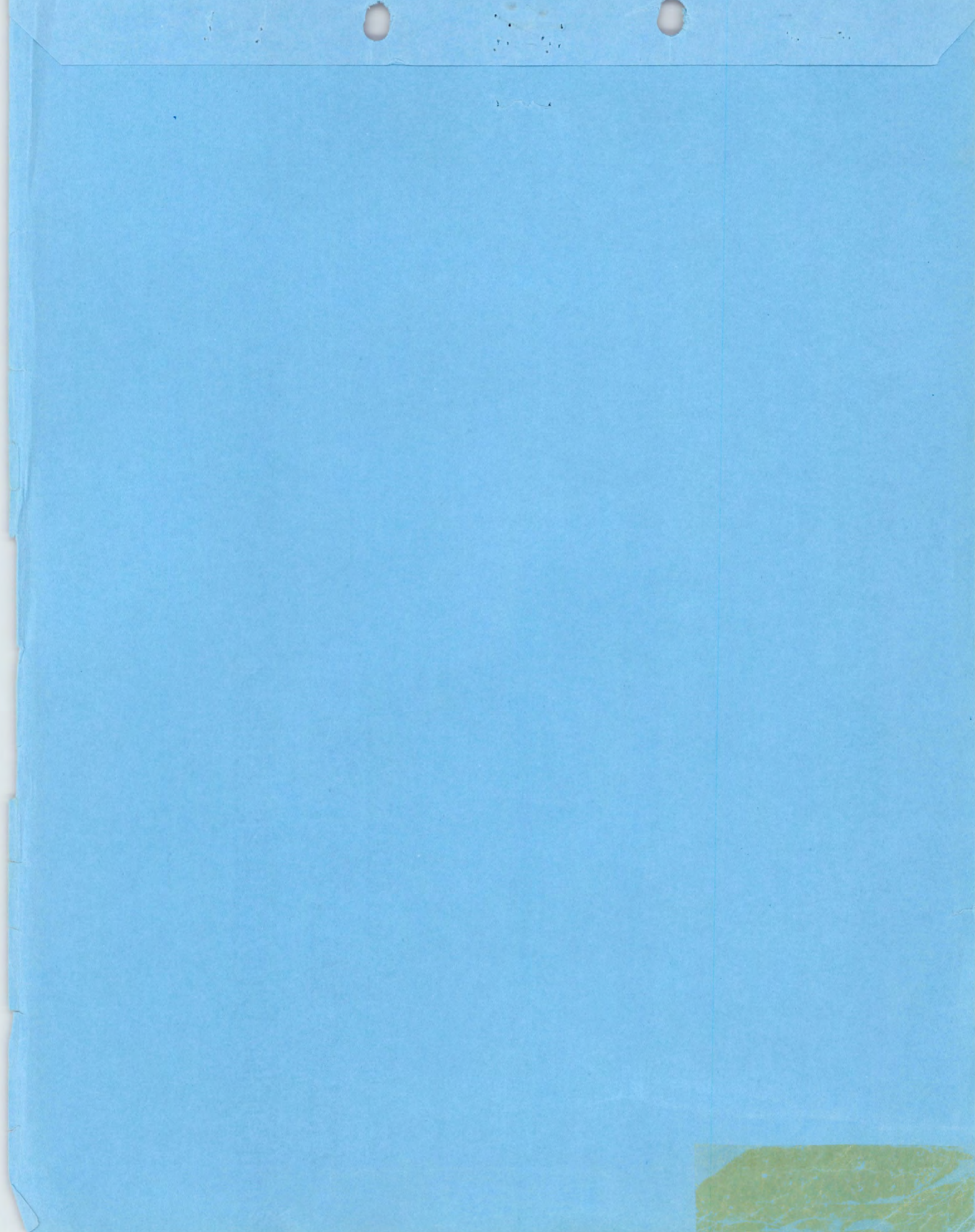
Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

I, Darcy Ingledew, received a true copy of the within
document on June 12, 1991.

for Signature
Sgt Robert Troutt
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

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5 DISTRICT COURT
CENT. OF CALIF.

Attorneys for Plaintiff,
RODNEY GLENN KING

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
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MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
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KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
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SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
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MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

23

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

LIEUTENANT P.J. CONMAY

2. Person with whom left:

Hamilton #15041

Title or relationship to person served:

Policeman SCO

3. Date of time of delivery: 6-12-91 1:30pm

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ()Home ()Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

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1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
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8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

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18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left
() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A
PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION
WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by
delivering a copy of the summons and complaint to
an officer, a managing or general agent, or to any
other agent authorized by appointment or by law to
receive service of process and, if the agent is one
authorized by statute to receive service and the
statute so requires, by also mailing a copy to the
defendant; or in a manner consistent with C.C.P.
415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if
necessary.

I declare under penalty of perjury that the foregoing document
is true and correct.

Executed at No. Hollywood, State of California, this
12 day of June, 1991. Malcolm Stone
Signature of person
authorized to make
service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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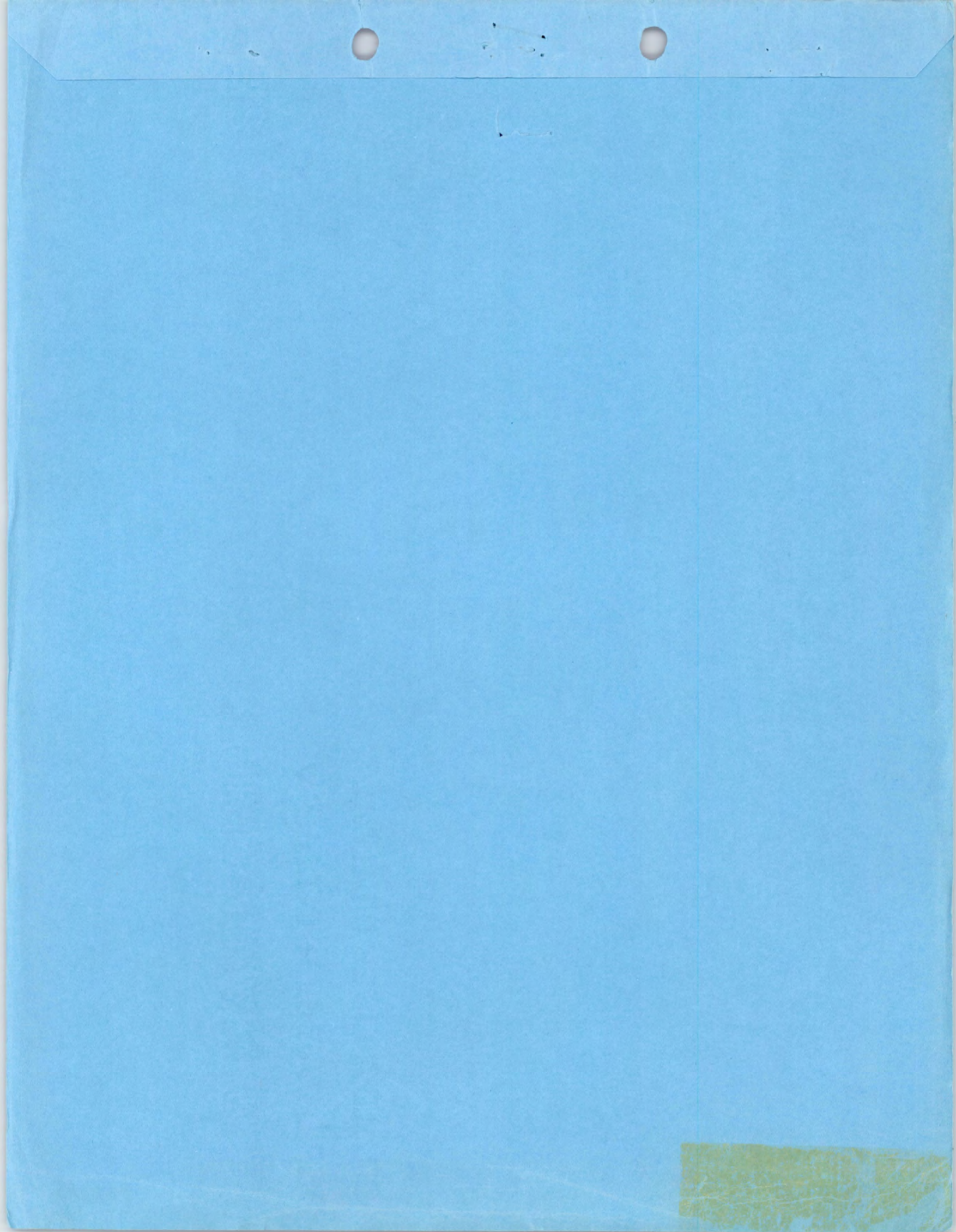
ACKNOWLEDGEMENT OF SERVICE

I, Oec Hamilton, received a true copy of the within
document on June 12, 1991.

Signature

for

Lt. R. J. Conmay
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorneys for Plaintiff,
RODNEY GLENN KING

FILED
ORIGINAL

JUL 15 10 59 AM '91

U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

DAVID A. LOVE

2. Person with whom left:

Hamilton #15041

Title or relationship to person served:

Policeman SCO

3. Date of time of delivery: 6-12-91 1:30 PM

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ()Home ()Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
27
28

1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.

3
4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

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UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

()

OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Nov Hollywood, State of California, this

12 day of June, 1991.

Malcolm Stone
Signature of person
authorized to make
service

Fee for service \$_____, Mileage \$_____, Total \$_____.

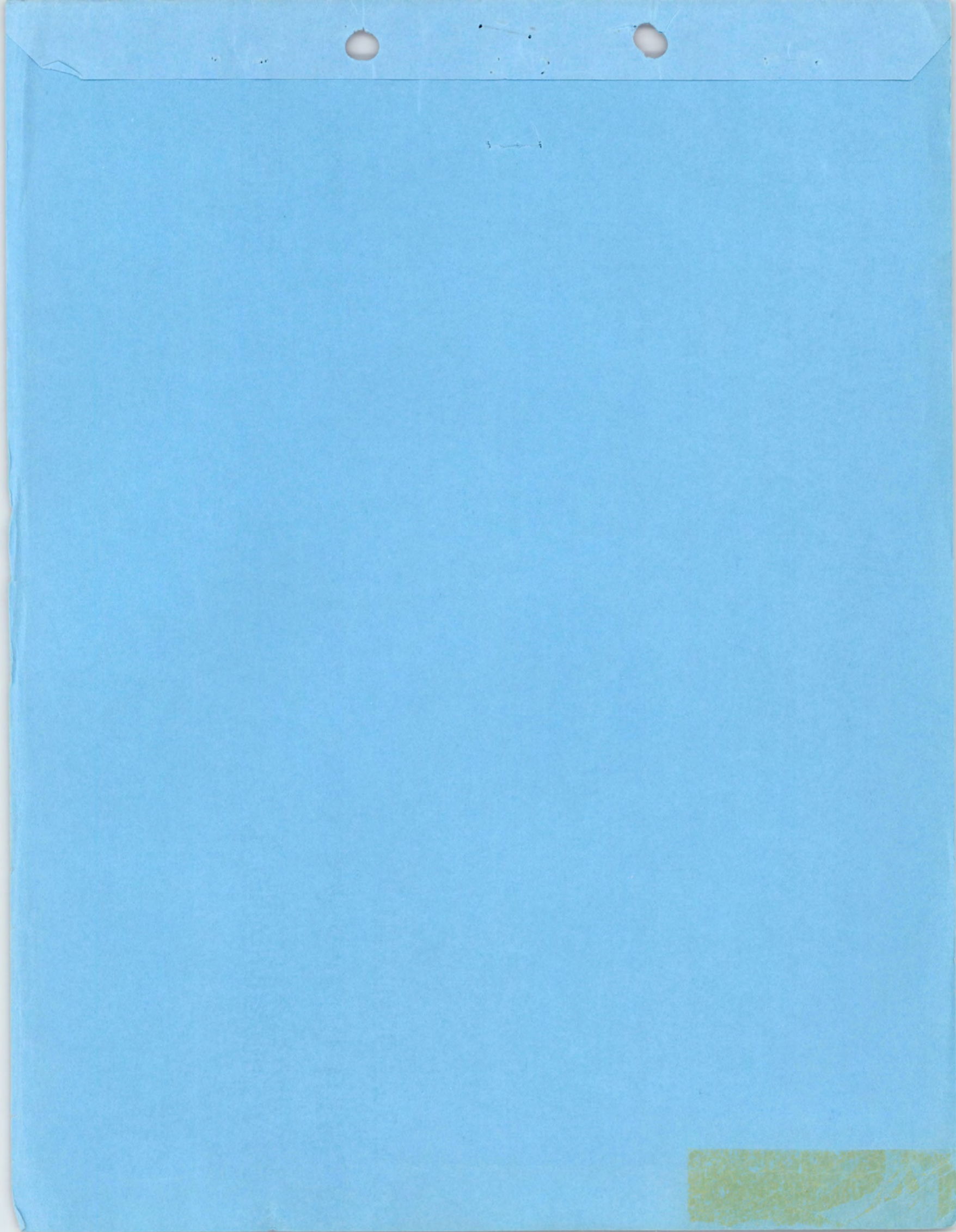
ACKNOWLEDGEMENT OF SERVICE

I, Oec Hamilton, received a true copy of the within
document on June 12, 1991.

Signature

for

David Love
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorneys for Plaintiff,
RODNEY GLENN KING

FILED ORIGINAL

JUL 15 11 00 AM '91

5
FEDERAL COURT
OF CALIF.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

25

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

LIEUTENANT JOHN KILBASA

2. Person with whom left:

Blanca Rivera

Title or relationship to person served:

Secretary

3. Date of time of delivery: 6-11-91 12:25pm

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ()Home ()Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

(☒) PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
27
28

1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

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UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

()

OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Alta Dena, State of California, this

11 day of June, 1991.

Melahn Stone
Signature of person
authorized to make
service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

I, Blanca Rivera, received a true copy of the within
document on 6/11, 1991.

Blanca Rivera
Signature

for John Kielbasa
Party served

1 State Bar No. 055839
2 Steven A. Lerman, Esq.
3 STEVEN A. LERMAN & ASSOCIATES
4 9100 Wilshire Blvd, Suite 250 West
5 Beverly Hills, California 90212
6 Tel: (213) 659-8166

FILED ORIGINAL

JUL 15 11 00 AM '91

7 Attorneys for Plaintiff,
8 RODNEY GLENN KING

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 RODNEY GLENN KING,
12
13 Plaintiff,

) Case No: 91 2497(JGD)(TX)

) **PROOF OF SERVICE**

14 v.

15 THE CITY OF LOS ANGELES and THE LOS
16 ANGELES POLICE DEPARTMENT; THE LOS
17 ANGELES UNIFIED SCHOOL DISTRICT;
18 MAYOR TOM BRADLEY; CHIEF OF POLICE
19 DARYL F. GATES; ASSISTANT CHIEF OF
20 POLICE ROBERT VERNON; LOS ANGELES
21 POLICE OFFICERS CAPTAIN JOHN MUTZ,
22 LIEUTENANT P.J. CONMAY, SERGEANT
23 JOHN DOE FLORES, SERGEANT STACY KOON,
24 SERGEANT ROBERT TROUTT, DAVID O.
25 AVILA, TIMOTHY E. BLAKE, THEODORE
26 BRISENO, SUSAN J. CLEMMER, PAUL R.
27 GEBHARDT, CHRISTOPHER J. HADJI,
28 GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

GABRIEL AID

2. Person with whom left:

John Carius

Title or relationship to person served:

Lt. CHP

3. Date of time of delivery: 6-11-91 1:20pm

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐ Home ☐ Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to

1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.

3
4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
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8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
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25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Altadena, State of California, this 11 day of June, 1991. Malcolm Stone
Signature of person authorized to make service

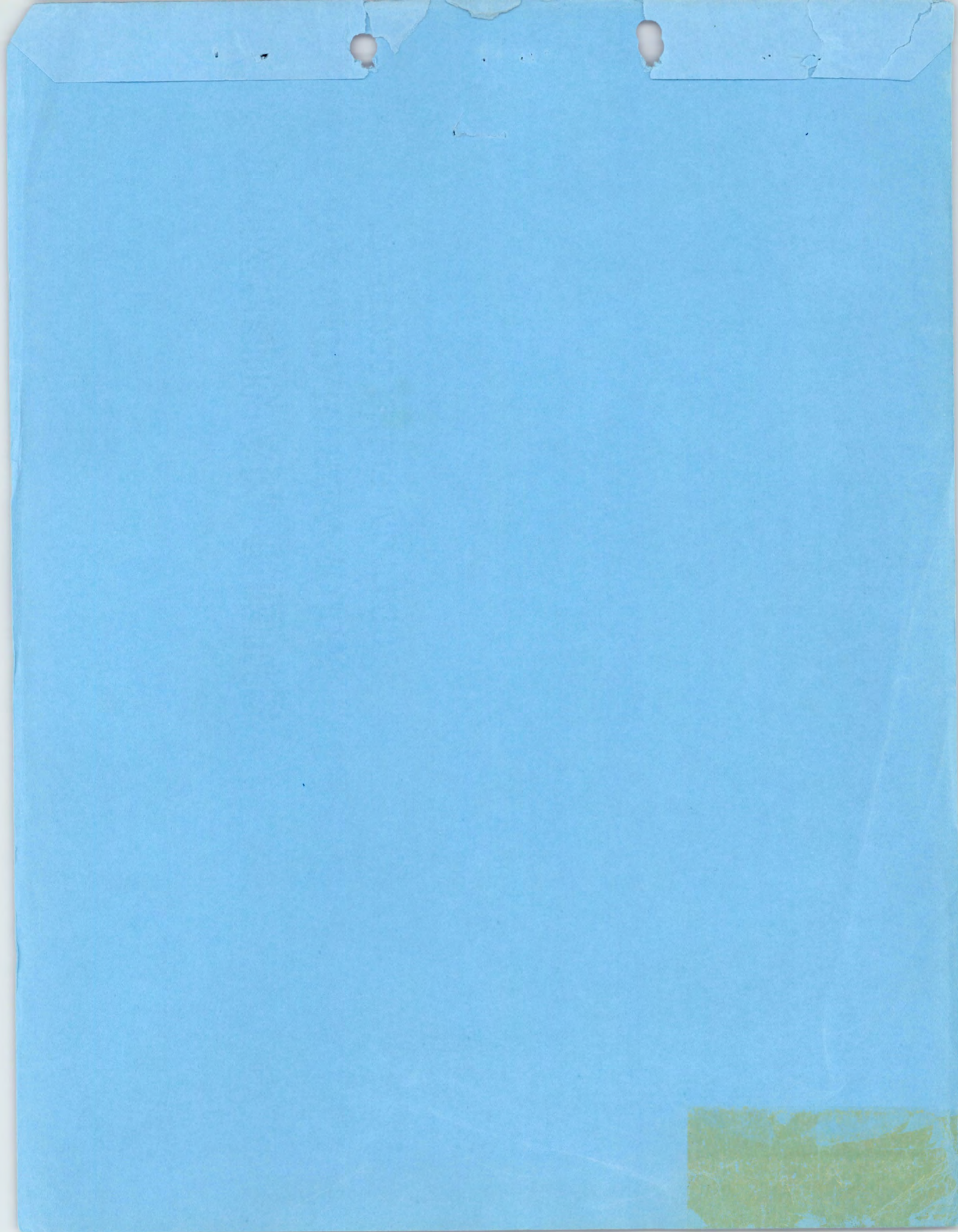
Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

I, John Carius, received a true copy of the within
document on June 11, 1991.

for Gabriel Aid
Signature
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

FILED

ORIGINAL

JUL 15 11 01 AM '91

Attorneys for Plaintiff,
RODNEY GLENN KING

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

SERGEANT ROMAN VONDRISKI

2. Person with whom left:

John Carius

Title or relationship to person served:

Lt. CHP

3. Date of time of delivery: 6-11-91 1:30pm

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐ Home ☐ Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
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26 agency of the United States, but applies only to

1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

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8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Altadena, State of California, this 11 day of June, 1991. *Michael Stone*
Signature of person authorized to make service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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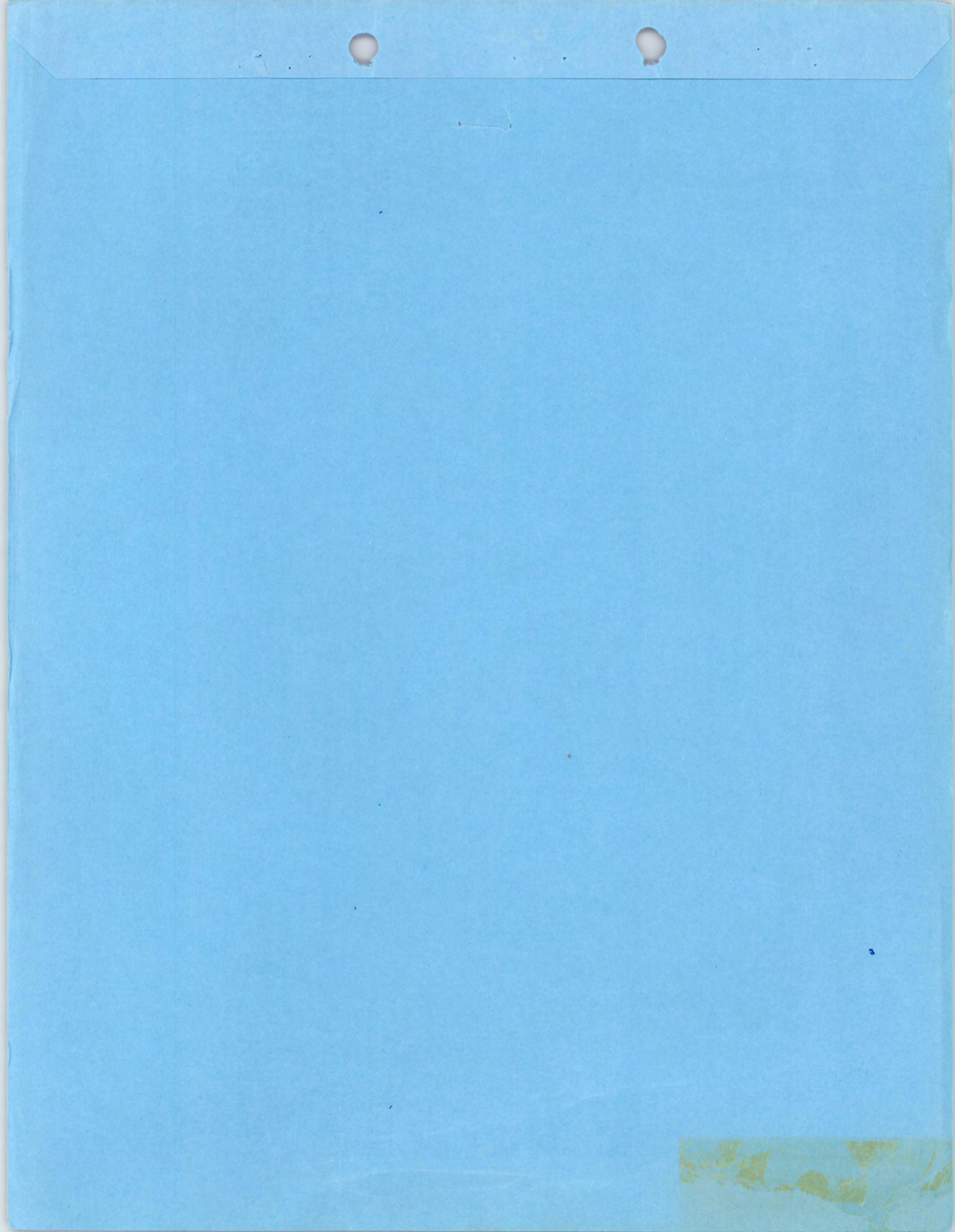
ACKNOWLEDGEMENT OF SERVICE

I, John Carius, received a true copy of the within
document on June 11, 1991.

Signature

for

Sgt Roman Kondrinski
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorneys for Plaintiff,
RODNEY GLENN KING

ORIGINAL

JUL 15 11 02 AM '91

CLERK OF COURT
CALIF.

5

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,
Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

LOS ANGELES UNIFIED SCHOOL DISTRICT

2. Person with whom left: *Belinda D. Stith*

Title or relationship to person served:

Attorney, LAUSD

3. Date of time of delivery: *6/12/91 12:20pm*

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐Home ☐Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
27
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Los Angeles, State of California, this 12 day of June, 1991. Malcolm Stone
Signature of person authorized to make service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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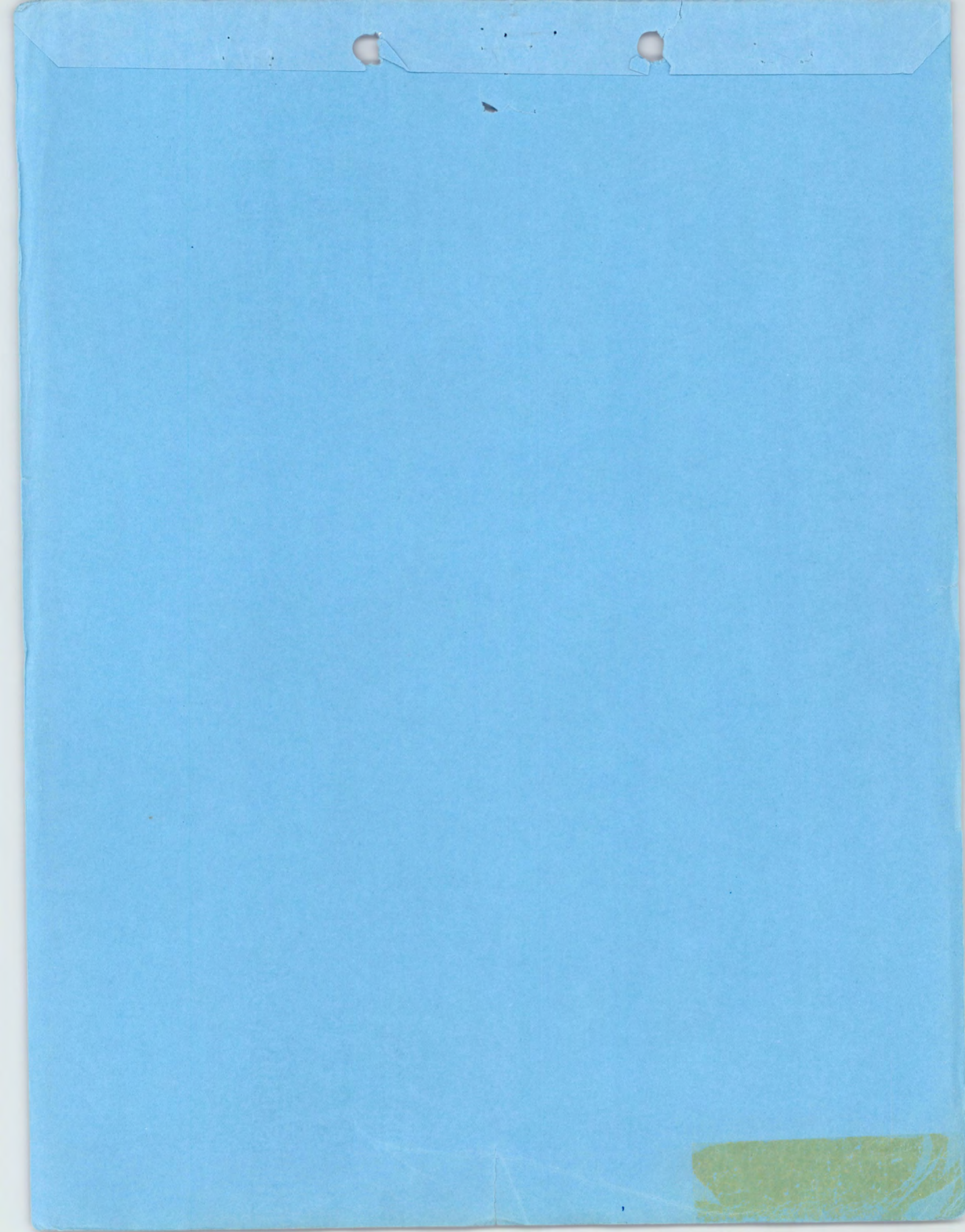
ACKNOWLEDGEMENT OF SERVICE

I, Belinda Stith, received a true copy of the within
document on June 12, 1991.

Signature

for

Los Angeles Unified School District
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

FILED ORIGINAL

JUL 15 11 02 AM '91

Attorneys for Plaintiff,
RODNEY GLENN KING

U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

) Case No: 91 2497 (JGD) (TX)

Plaintiff,

) **PROOF OF SERVICE**

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

29

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

FRANK SCHULTZ

2. Person with whom left:

John Carius

Title or relationship to person served:

Lt. CHP

3. Date of time of delivery: 6-11-91 1:29pm

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐Home ☐Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.

3
4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Altadena, State of California, this 11 day of June, 1991. Malcolm Stone
Signature of person authorized to make service

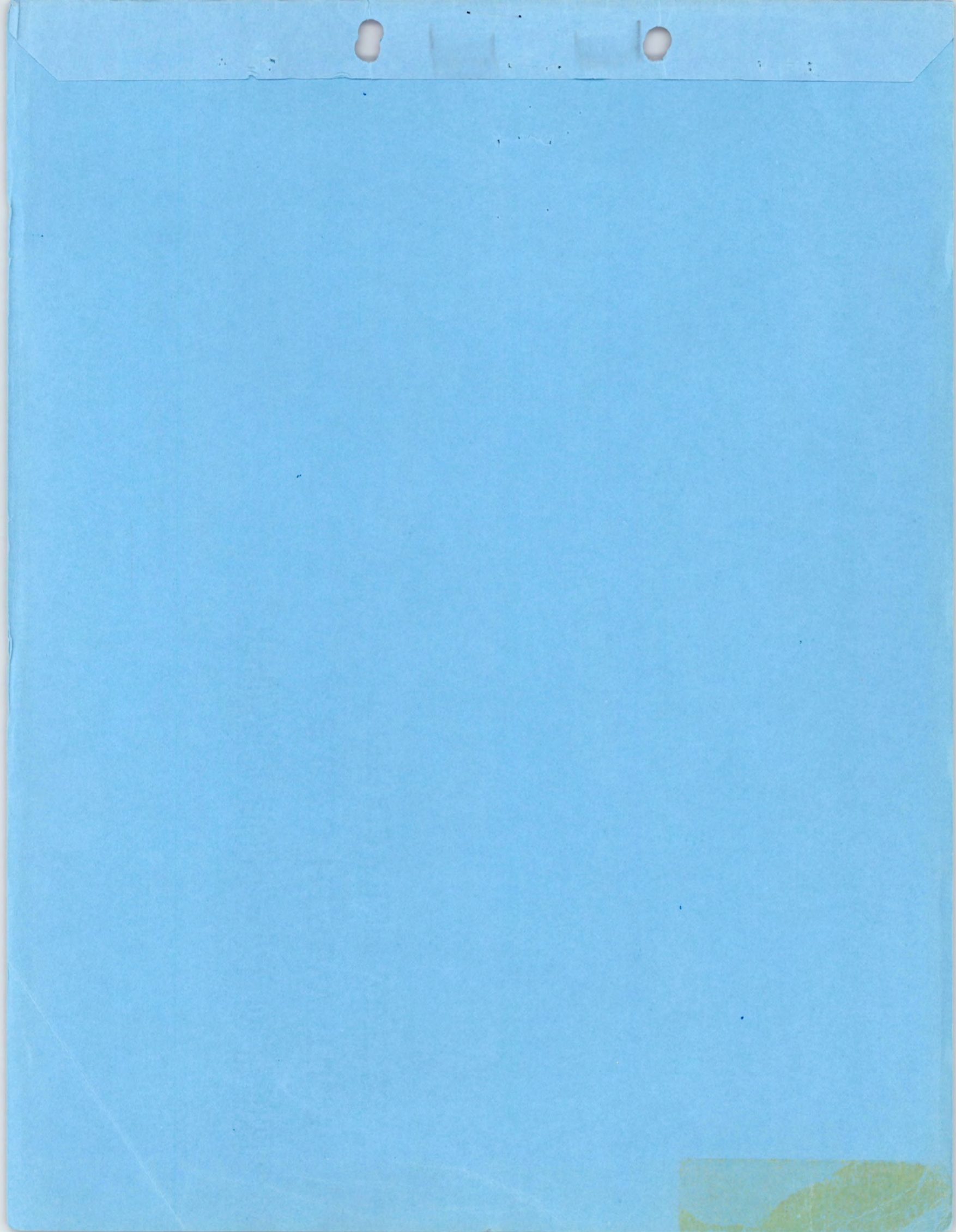
Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

I, John Carías, received a true copy of the within
document on June 11, 1991.

Signature _____
for Frank Schulte
Party served _____



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

FILED

ORIGINAL

JUL 15 10 51 AM '91

U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.

Attorneys for Plaintiff,
RODNEY GLENN KING

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Case No: 91 2497(JGD)(TX)

Plaintiff,

PROOF OF SERVICE

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

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ACKNOWLEDGEMENT OF SERVICE

I, _____, received a true copy of the within
document on _____, 19____.

Signature

for

Party served

OUR STAR BRAND
SOUTHWORTH CO. U.S.A.
25% COTTON FIBER

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

THEODORE BRISENO

2. Person with whom left:

THEODORE BRISENO

Title or relationship to person served:

3. Date of time of delivery: 6-19-91 11:55 AM

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐ Home ☐ Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

(X) PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.
15

16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.

3
4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

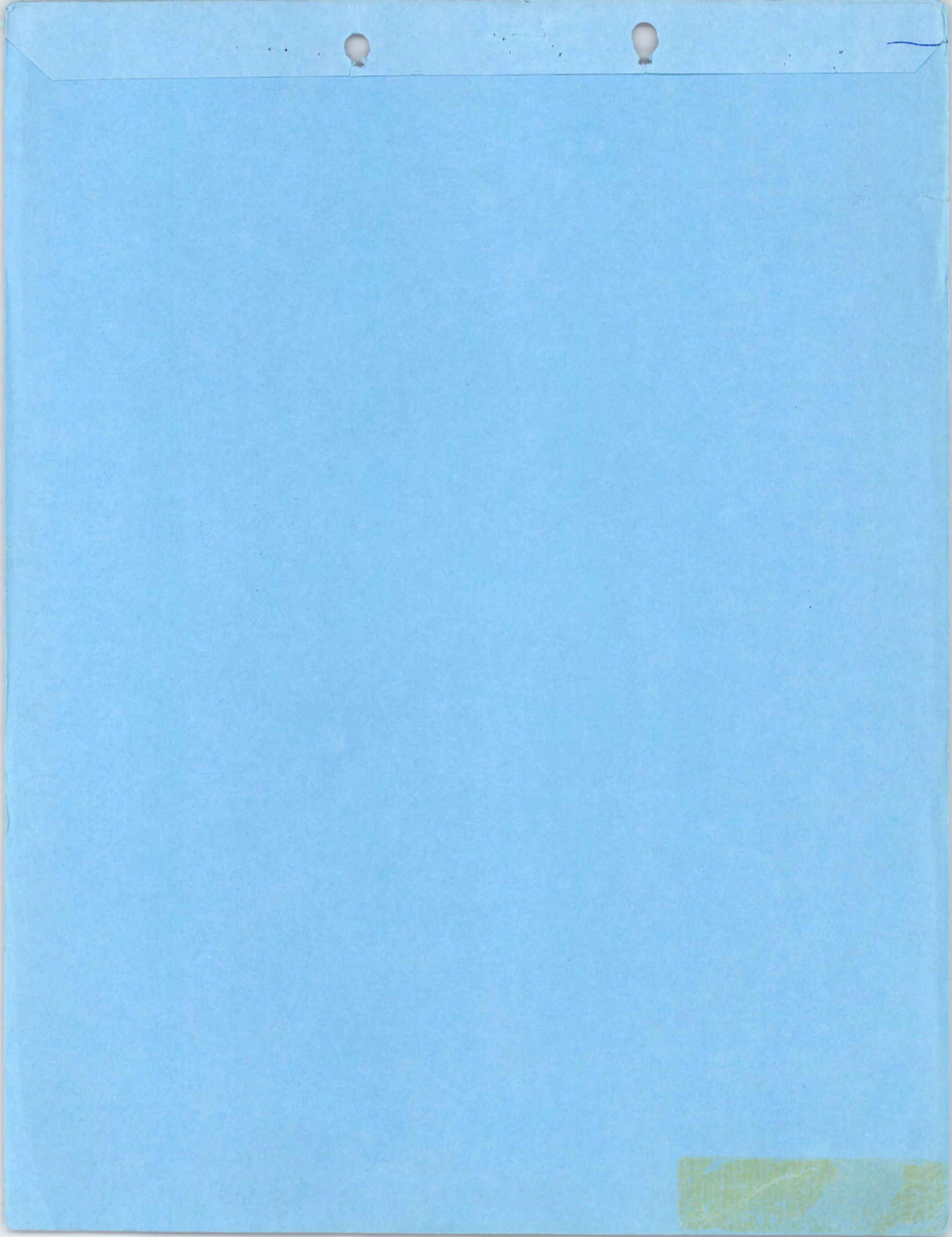
() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Los Angeles, State of California, this 195 day of JUNE, 1991. [Signature]
Signature of person authorized to make service

Fee for service \$_____, Mileage \$_____, Total \$_____.



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

FILED

JUL 15 10 51 AM '91

Attorneys for Plaintiff,
RODNEY GLENN KING

6
COURT
CALIF.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

) Case No: 91 2497(JGD)(TX)

Plaintiff,

) **PROOF OF SERVICE**

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

31

1 PROOF OF SERVICE

2 PROOF OF SERVICE OF SUMMONS AND COMPLAINT

ORIGINAL

3
4 CIVIL NO.: CV 91-2497 (JGD)(TX)

5 I certify that I am authorized to serve the summons and first
6 amended complaint in the within action pursuant F.R.Civ.P. 4(c) and
7 exempt from appropriate codes. I served the summons and First
8 Amended Complaint as follows:

9
10 1. Name and title of person served:

11 LAURENCE M. POWELL

12 2. Person with whom left:

13 LAURENCE POWELL

14 Title or relationship to person served:

15
16 3. Date of time of delivery: 6-19-91 1110HRS

17 4. Mailing date; class of mail:

18 Place of mailing:

19 5. Address, City and State: ()Home ()Business

20 6. Manner of Service (check applicable box and complete
21 separate proof of service for each defendant served.)

22
23 PERSONAL SERVICE

24 (X) PERSONAL SERVICE, by handing copies to the person
25 served [F.R.Civ.P.(d) (6)].

26 (xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
27
28

1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Los Angeles, State of California, this 19th day of June, 1991. [Signature]
Signature of person authorized to make service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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SOUTH CAROLINA CO. U.S. /
25% COTTON FIBER

ACKNOWLEDGEMENT OF SERVICE

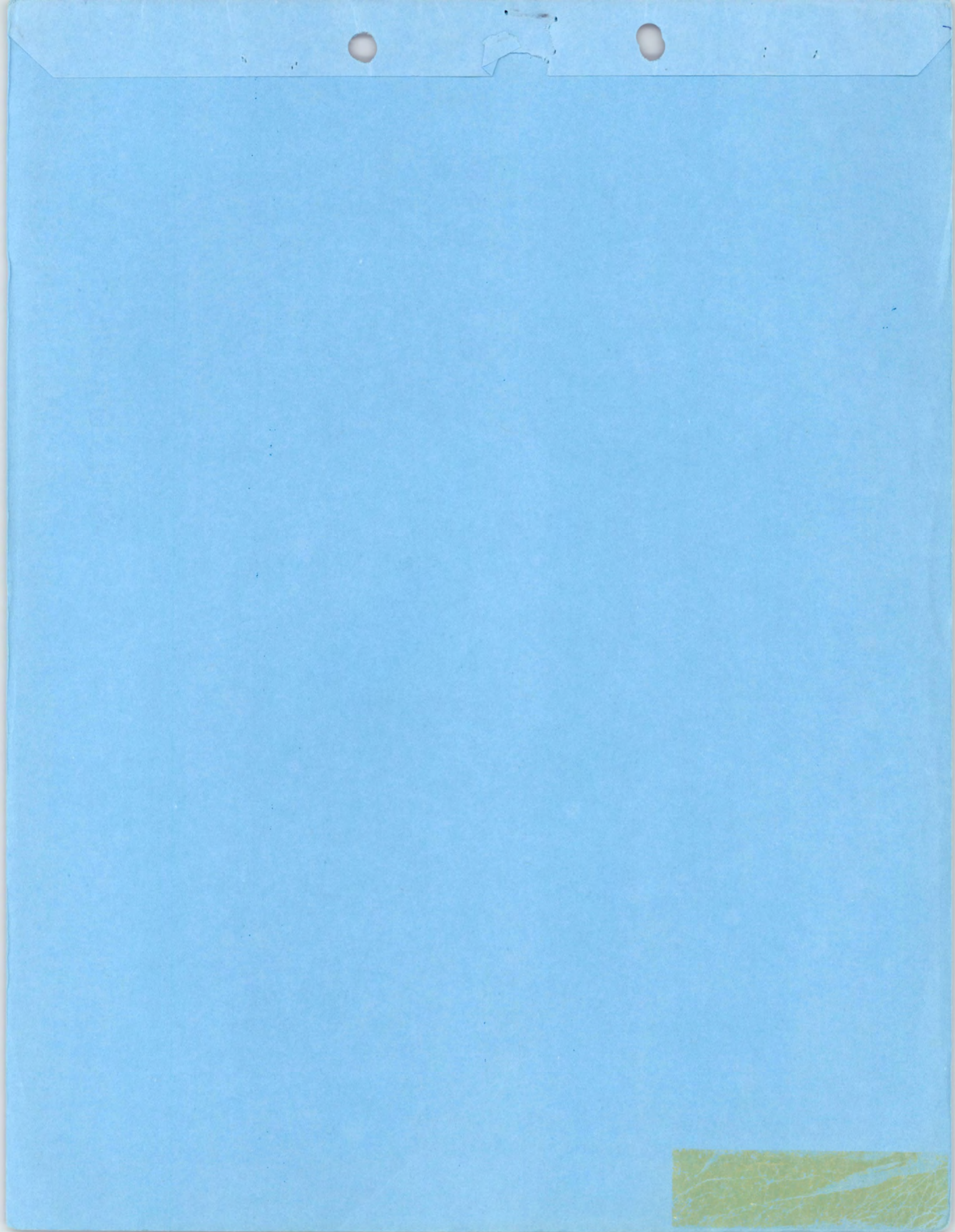
I, _____, received a true copy of the within
document on _____, 19____.

for

Signature

Party served

OUR STAR BOND



1 State Bar No. 055839
Steven A. Lerman, Esq.
2 STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
3 Beverly Hills, California 90212
Tel: (213) 659-8166

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4 Attorneys for Plaintiff,
5 RODNEY GLENN KING

6
7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

9 RODNEY GLENN KING,
10
11 Plaintiff,

) Case No: 91 2497(JGD)(TX)

) **PROOF OF SERVICE**

12 v.

13 THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
14 MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
15 POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
16 LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
17 SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
18 BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
19 GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
20 KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
21 ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
22 PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
23 ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
24 SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
25 MARK DIAMOND; and DOES 1 through 200,

26 Defendants.
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32

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

TIMOTHY WIND

2. Person with whom left:

TIMOTHY WIND

Title or relationship to person served:

3. Date of time of delivery: 6-19-91 1115HRS

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ()Home ()Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

(X) PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
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28

1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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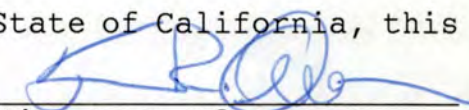
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at LOS ANGELES, State of California, this 19th day of JUNE, 1991. 
Signature of person authorized to make service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

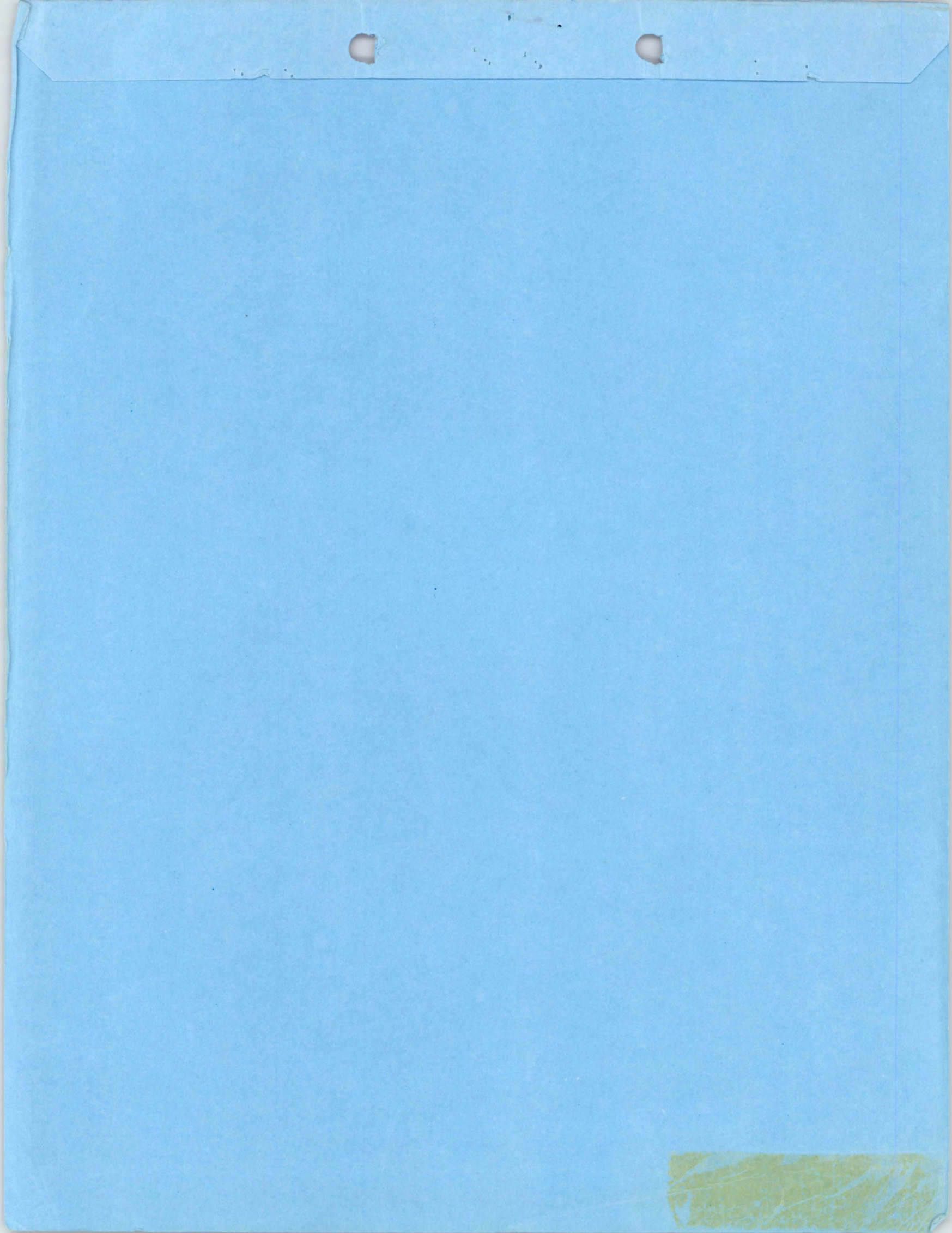
I, _____, received a true copy of the within
document on _____, 19____.

Signature

for

Party served

FOUR STAR BOND
SOUTHWORTH CO. U.S.A.
25% COTTON FIBER



1 State Bar No. 055839
2 Steven A. Lerman, Esq.
3 STEVEN A. LERMAN & ASSOCIATES
4 9100 Wilshire Blvd, Suite 250 West
5 Beverly Hills, California 90212
6 Tel: (213) 659-8166

7 Attorneys for Plaintiff,
8 RODNEY GLENN KING

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 RODNEY GLENN KING,
12 Plaintiff,

13 v.

14 THE CITY OF LOS ANGELES and THE LOS
15 ANGELES POLICE DEPARTMENT; THE LOS
16 ANGELES UNIFIED SCHOOL DISTRICT;
17 MAYOR TOM BRADLEY; CHIEF OF POLICE
18 DARYL F. GATES; ASSISTANT CHIEF OF
19 POLICE ROBERT VERNON; LOS ANGELES
20 POLICE OFFICERS CAPTAIN JOHN MUTZ,
21 LIEUTENANT P.J. CONMAY, SERGEANT
22 JOHN DOE FLORES, SERGEANT STACY KOON,
23 SERGEANT ROBERT TROUTT, DAVID O.
24 AVILA, TIMOTHY E. BLAKE, THEODORE
25 BRISENO, SUSAN J. CLEMMER, PAUL R.
26 GEBHARDT, CHRISTOPHER J. HADJI,
27 GLEN KING, INGRID LARSON, DAVID A.
28 LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

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CLERK OF COURT
JUL 15 1991

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Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

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PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

LOS ANGELES POLICE DEPARTMENT SERGEANT STACY KOON

2. Person with whom left:

SGT. STACY KOON

Title or relationship to person served:

3. Date of time of delivery: 6-19-91 1110HRS

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ()Home ()Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

(X) PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at LOS ANGELES, State of California, this 19th day of JUNE, 1991. [Signature]
Signature of person authorized to make service

Fee for service \$_____, Mileage \$_____, Total \$_____.

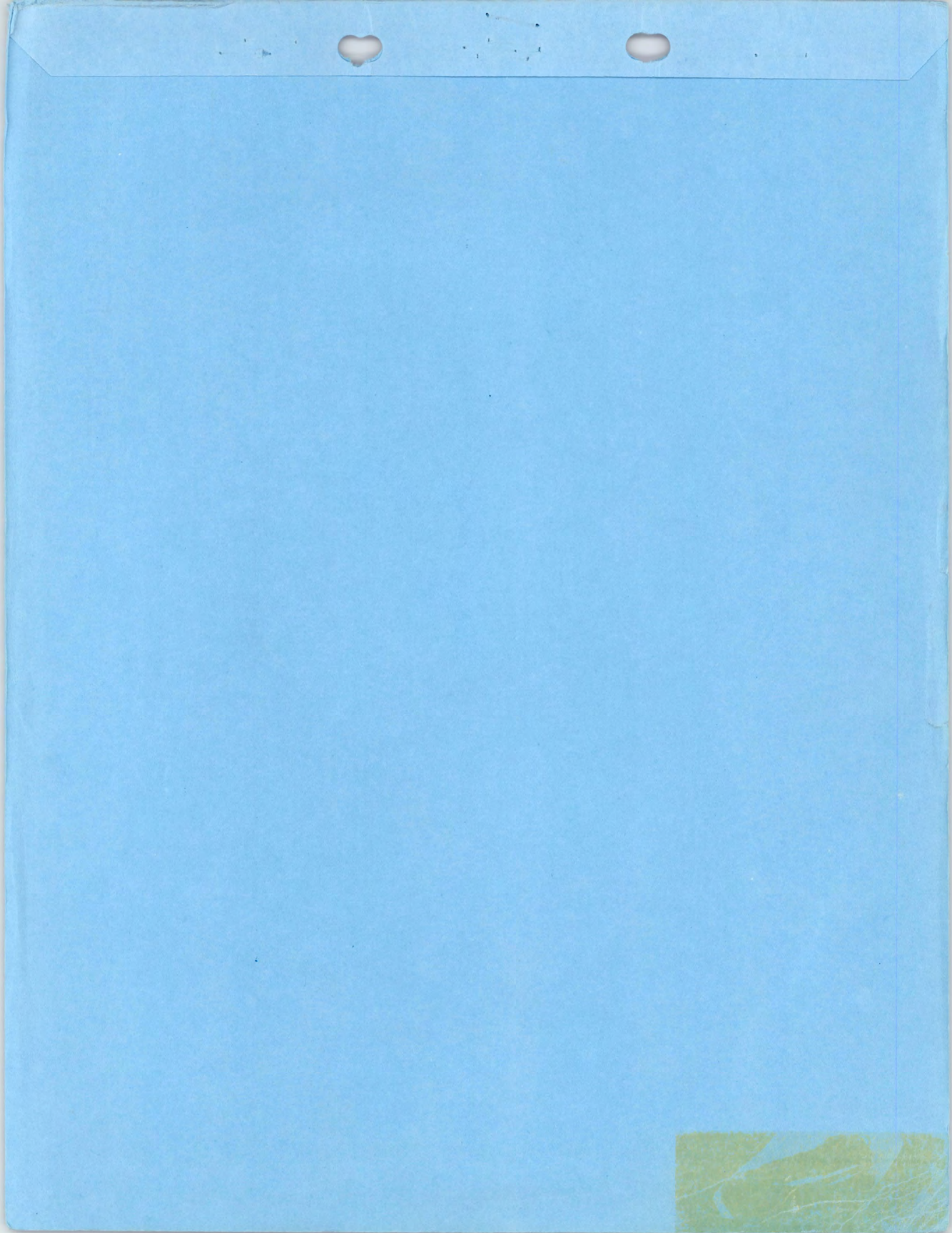
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ACKNOWLEDGEMENT OF SERVICE

I, _____, received a true copy of the within
document on _____, 19____.

Signature

for _____
Party served



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorneys for Plaintiff,
RODNEY GLENN KING

FILED
ORIGINAL
JUL 15 10 52 AM '91

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497 (JGD) (TX)

PROOF OF SERVICE

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons and First Amended Complaint as follows:

1. Name and title of person served:

PAUL NELSON

2. Person with whom left:

Thompson #16084

Title or relationship to person served:

Policeman SCO

3. Date of time of delivery: 6-11-91 2:30pm

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐ Home ☐ Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

(xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
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11 **SERVICE ON U.S. DEFENDANTS**

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15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.

3
4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Pacoima, State of California, this 11 day of June, 1991. Malcolm Stone
Signature of person authorized to make service

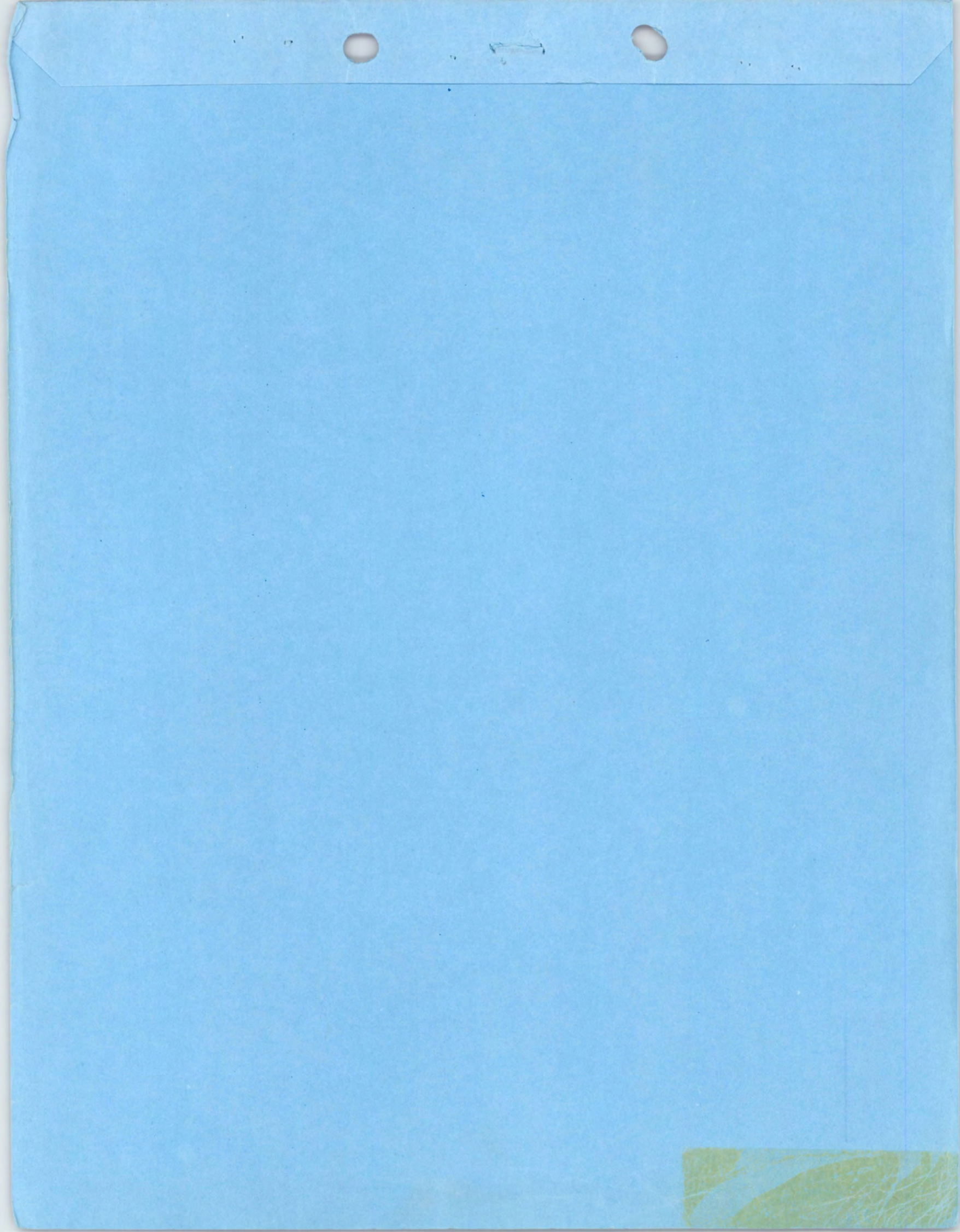
Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

I, Ogc Thompson, received a true copy of the within
document on June 11, 1991.

Signature _____
for Paul Nelson
Party served _____



State Bar No. 055839
Steven A. Lerman, Esq.
STEVEN A. LERMAN & ASSOCIATES
9100 Wilshire Blvd, Suite 250 West
Beverly Hills, California 90212
Tel: (213) 659-8166

Attorneys for Plaintiff,
RODNEY GLENN KING

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RODNEY GLENN KING,

Plaintiff,

v.

THE CITY OF LOS ANGELES and THE LOS
ANGELES POLICE DEPARTMENT; THE LOS
ANGELES UNIFIED SCHOOL DISTRICT;
MAYOR TOM BRADLEY; CHIEF OF POLICE
DARYL F. GATES; ASSISTANT CHIEF OF
POLICE ROBERT VERNON; LOS ANGELES
POLICE OFFICERS CAPTAIN JOHN MUTZ,
LIEUTENANT P.J. CONMAY, SERGEANT
JOHN DOE FLORES, SERGEANT STACY KOON,
SERGEANT ROBERT TROUTT, DAVID O.
AVILA, TIMOTHY E. BLAKE, THEODORE
BRISENO, SUSAN J. CLEMMER, PAUL R.
GEBHARDT, CHRISTOPHER J. HADJI,
GLEN KING, INGRID LARSON, DAVID A.
LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

1 PROOF OF SERVICE

2 PROOF OF SERVICE OF SUMMONS AND COMPLAINT

ORIGINAL

3
4 CIVIL NO.: CV 91-2497 (JGD)(TX)

5 I certify that I am authorized to serve the summons and first
6 amended complaint in the within action pursuant F.R.Civ.P. 4(c) and
7 exempt from appropriate codes. I served the summons and First
8 Amended Complaint as follows:

9
10 1. Name and title of person served:

11 GLEN KING

12 2. Person with whom left:

13 Thompson #16084

14 Title or relationship to person served:

15 Policeman SCC

16 3. Date of time of delivery: 6-11-91-2:30pm

17 4. Mailing date; class of mail:

18 Place of mailing:

19 5. Address, City and State: ()Home ()Business

20 6. Manner of Service (check applicable box and complete
21 separate proof of service for each defendant served.)

22
23 PERSONAL SERVICE

24 () PERSONAL SERVICE, by handing copies to the person
25 served [F.R.Civ.P.(d) (6)].

26 (xx) UPON A STATE OR MUNICIPAL CORPORATION OR OTHER

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.

15
16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
27
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.

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4 **SUBSTITUTED SERVICE**

5 () UPON AN INDIVIDUAL OTHER THAN AN INFANT OR AN
6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Pacoima, State of California, this

11 day of June, 1991. Malcolm Stone

Signature of person
authorized to make
service

Fee for service \$_____, Mileage \$_____, Total \$_____.

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ACKNOWLEDGEMENT OF SERVICE

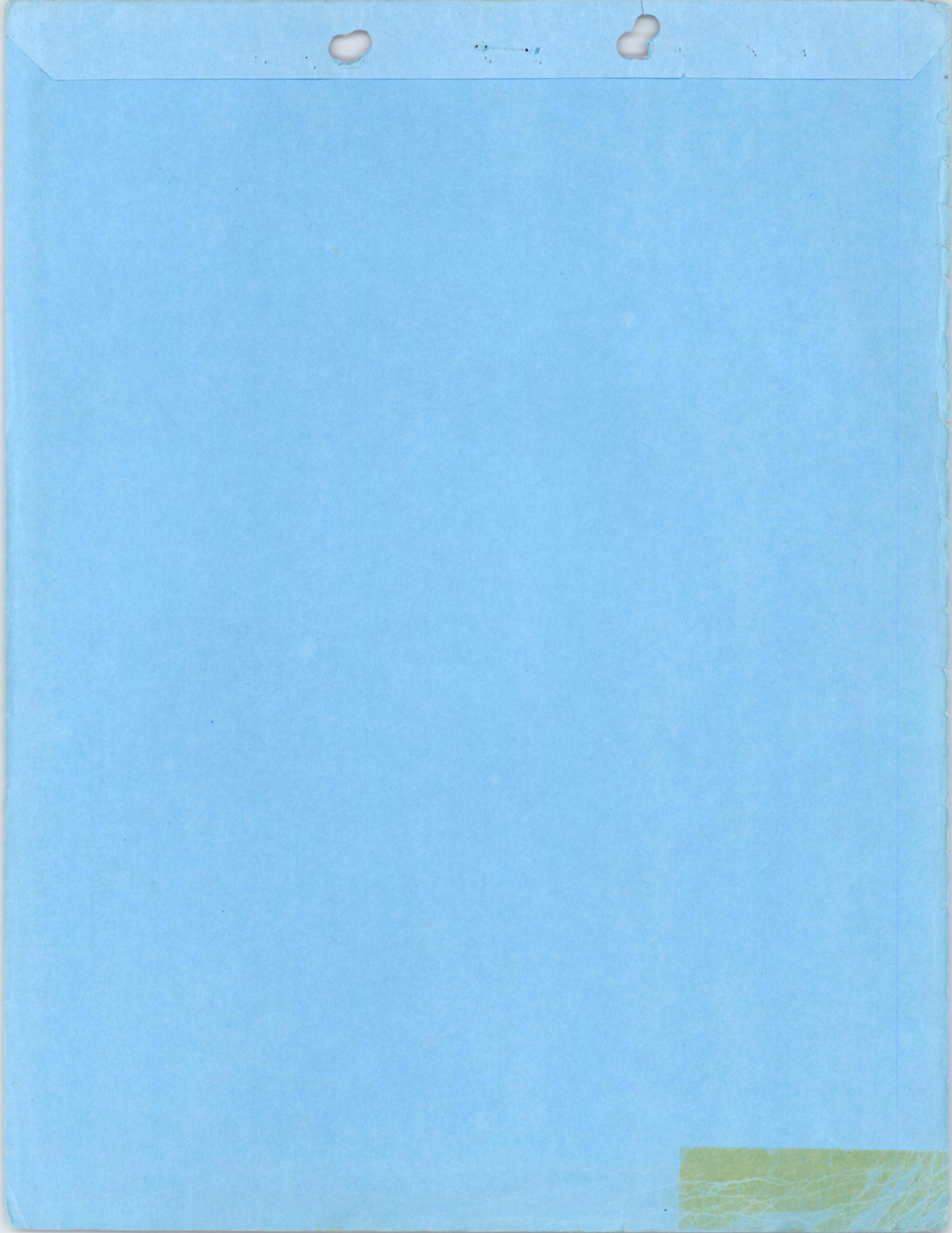
I, Ole Thompson, received a true copy of the within
document on June 11, 1991.

Signature

for

Glen King

Party served



1 State Bar No. 055839
2 Steven A. Lerman, Esc.
3 STEVEN A. LERMAN & ASSOCIATES
4 9100 Wilshire Blvd, Suite 250 West
5 Beverly Hills, California 90212
6 Tel: (213) 659-8166

7 Attorneys for Plaintiff,
8 RODNEY GLENN KING

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 RODNEY GLENN KING,

12 Plaintiff,

13 v.

14 THE CITY OF LOS ANGELES and THE LOS
15 ANGELES POLICE DEPARTMENT; THE LOS
16 ANGELES UNIFIED SCHOOL DISTRICT;
17 MAYOR TOM BRADLEY; CHIEF OF POLICE
18 DARYL F. GATES; ASSISTANT CHIEF OF
19 POLICE ROBERT VERNON; LOS ANGELES
20 POLICE OFFICERS CAPTAIN JOHN MUTZ,
21 LIEUTENANT P.J. CONMAY, SERGEANT
22 JOHN DOE FLORES, SERGEANT STACY KOON,
23 SERGEANT ROBERT TROUTT, DAVID O.
24 AVILA, TIMOTHY E. BLAKE, THEODORE
25 BRISENO, SUSAN J. CLEMMER, PAUL R.
26 GEBHARDT, CHRISTOPHER J. HADJI,
27 GLEN KING, INGRID LARSON, DAVID A.
28 LOVE, JOSEPH NAPOLITANO, PAUL NELSON,
KENNETH A. PHILLIPPE, LAURENCE M.
POWELL, DANNY SHRY, ROBERT J. SIMPACH,
ROLANDO SOLANO, LOUIS M. TURRIAGA
and TIMOTHY WIND; CALIFORNIA HIGHWAY
PATROL OFFICERS CAPTAIN DENNIS TRUMAN,
LIEUTENANT JOHN KIELBASA, SERGEANT
ROMAN VONDRISKA, GABRIEL AID, FRANK
SCHULTZ, MELANIE SINGER and TIMOTHY
SINGER; LOS ANGELES UNIFIED SCHOOL
DISTRICT OFFICERS PAUL BEAUREGARD and
MARK DIAMOND; and DOES 1 through 200,

Defendants.

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DISTRICT COURT
CENTRAL DIST. OF CALIF.

Case No: 91 2497(JGD)(TX)

PROOF OF SERVICE

PROOF OF SERVICE

ORIGINAL

PROOF OF SERVICE OF SUMMONS AND COMPLAINT

CIVIL NO.: CV 91-2497 (JGD)(TX)

I certify that I am authorized to serve the summons and first amended complaint in the within action pursuant F.R.Civ.P. 4(c) and exempt from appropriate codes. I served the summons First Amended Complaint, Bryant Allen's first set of interrogatories to Defendant as follows:

1. Name and title of person served:

SERGEANT JOHN DOE FLORES

2. Person with whom left:

Thompson #16094

Title or relationship to person served:

Policeman SCO

3. Date of time of delivery:

4. Mailing date; class of mail:

Place of mailing:

5. Address, City and State: ☐Home ☐Business

6. Manner of Service (check applicable box and complete separate proof of service for each defendant served.)

PERSONAL SERVICE

() PERSONAL SERVICE, by handing copies to the person served [F.R.Civ.P.(d) (6)].

1 GOVERNMENTAL ORGANIZATION THEREOF SUBJECT
2 TO SUIT, C.C.P. 415.30 (a); F.R.Civ.P.
3 (4) (6), by delivering a copy off the
4 summons and complaint to the chief
5 executive officer thereof or by serving
6 the summons and complaint in a manner
7 prescribed by law of the state for the
8 service of summons or other like process
9 upon any such defendant.

10
11 **SERVICE ON U.S. DEFENDANTS**

12 () UPON THE UNITED STATES OR AN OFFICER OR AGENCY OF
13 THE UNITED STATES, by serving in a manner as
14 prescribed by Rule 4(d) (4) and (5), F.R.Civ.P.
15

16 **SERVICE BY MAIL (Non U.S. Defendants)**

17 () MAIL AND ACKNOWLEDGMENT SERVICE, C.C.P. 415.30:
18 F.R.Civ.P 4(d) (ii). By mailing (by first-class
19 mail or airmail) copies to the person served,
20 together with two copies of the form of notice and
21 acknowledgment and a return envelope, postage
22 prepaid, addressed to the sender. (**ATTACH WRITTEN**
23 **ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT.**)

24 NOTE: the service by mail provision does not apply
25 to service upon the United States or an officer or
26 agency of the United States, but applies only to
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1 service upon a defendant of any class referred to
2 in Rules 4(d) (1) and (3) F.R.Civ.P.
3

4 **SUBSTITUTED SERVICE**

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6 INCOMPETENT PERSON, by delivering a copy of the
7 summons and complaint to him personally or by
8 leaving copies thereof at his dwelling house or
9 usual place of abode with some person of suitable
10 age and discretion then residing therein or by
11 delivering a copy of the summons and complaint to
12 an agent authorized by appointment or by law to
13 receive service of process; or in a manner
14 consistent C.C.P. 415.20(b). F.R.Civ.P. 4(d) (1).
15 (Attach separate declarations showing attempted
16 personal service.)

17 () UPON AN INFANT OR AN INCOMPETENT PERSON, C.C.P.
18 415.20 (b) (2), by leaving copies at the dwelling
19 house, usual place of abode, or usual place of
20 business of the person served in the presence of a
21 competent member of the household or a person
22 apparently in charge of his office or place of
23 business, at least 18 years of age, who was informed
24 of the general nature of the papers, and thereafter
25 mailing (by first-class mail, postage prepaid)
26 copies to the person served at the place where the
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copies were left.

() UPON A DOMESTIC OR FOREIGN CORPORATION OR UPON A PARTNERSHIP OR OTHER UNINCORPORATED ASSOCIATION WHICH IS SUBJECT TO SUIT UNDER A COMMON NAME, by delivering a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant; or in a manner consistent with C.C.P. 415.20(a); F.R.Civ.P. 4(d) (3).

() OTHER F.R.Civ.P. 4(e). Attach separate pages if necessary.

I declare under penalty of perjury that the foregoing document is true and correct.

Executed at Pacoima, State of California, this 11 day of June, 1991.

Malcolm Stone
Signature of person
authorized to make
service

Fee for service \$_____, Mileage \$_____, Total \$_____.

ACKNOWLEDGEMENT OF SERVICE

I, Ofc Thompson, received a true copy of the within
document on June 11, 1991.

Signature

for

Sgt. John Doe Flores
Party served

