

1 **CHOWDHARY LAW, APC**  
2 Manbir S. Chowdhary, Esq. (SBN 264478)  
3 [msc@oclaborlaw.com](mailto:msc@oclaborlaw.com)  
4 5 Park Plaza, Suite 200  
Irvine, California 92614  
Tel: 949.910.6810 / Fx: 949.271.4097

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Superior Court of California,  
County of Los Angeles  
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David W. Slayton,  
Executive Officer/Clerk of Court,  
By Y. Tarasyuk, Deputy Clerk

5 **ALTUS LAW FIRM**  
6 Andrew J. Jaramillo, Esq. (SBN 198303)  
7 [andrew.jaramillo@altuslawfirm.com](mailto:andrew.jaramillo@altuslawfirm.com)  
8 Sean T. Nguyen, Esq. (SBN 206245)  
9 [sean.nguyen@altuslawfirm.com](mailto:sean.nguyen@altuslawfirm.com)  
10 5 Park Plaza, Suite 200  
Irvine, California 92614  
Tel: 949.346.3391 / Fx: 949.271.4097

11 Attorneys for Plaintiff  
12 JAIME HERNANDEZ MENDEZ

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **COUNTY OF LOS ANGELES**

15 JAIME HERNANDEZ MENDEZ, an individual;

16 Plaintiff,

17 v.

18 CITY OF LOS ANGELES, a municipal entity;  
19 JUAN ANTONIO RIVERA, an individual, and  
DOES 1-99, inclusive;

20 Defendants.

Case No.: **23STCV19625**

**COMPLAINT FOR DAMAGES AND  
DEMAND FOR JURY TRIAL**

- 1) **DISCRIMINATION**
- 2) **SEXUAL HARASSMENT**
- 3) **RETALIATION**
- 4) **FAILURE TO PREVENT  
HARASSMENT, DISCRIMINATION,  
AND RETALIATION**

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26 **COMES NOW THE** Plaintiff JAIME HERNANDEZ MENDEZ (“Plaintiff”), who alleges  
27 the following facts in support of the Complaint for Damages and hereby respectfully demands a jury  
28 trial on all causes of action stated herein as against Defendant CITY OF LOS ANGELES, a

1 municipal entity (the “City”), and JUAN ANTONIO RIVERA, an individual (“Rivera”), who along  
2 with DOES 1-99, inclusive, are collectively referred to herein as “Defendants”.

3 1. This is a case involving predatory sexual harassment, and assault, perpetrated by the  
4 City of Los Angeles, Department of Animal Services’ Director of Volunteer Programs, Rivera.

5 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

6 **Jurisdiction and Venue**

7 2. This Court has jurisdiction of the subject matter of Plaintiff’s claims. Jurisdiction is  
8 proper in this Court because the damages and claims alleged and demanded herein by Plaintiff  
9 exceeds \$25,000, and Plaintiff herein makes a demand and prayer for damages, in excess, of the  
10 jurisdictional requirement of this Court.

11 3. This Court has personal jurisdiction over the City in that it was, at all relevant periods  
12 of time covered by this complaint, a political subdivision of the State of California maintaining a  
13 place of business where it employed Plaintiff.

14 4. Venue in this Court is proper in that, upon information and belief, all Defendants  
15 reside in the County of Los Angeles.

16 5. All of the harm suffered by Plaintiff took place within this judicial district.

17 6. Plaintiff was an employee of the City.

18 **Relationship Between the Defendants**

19 7. Plaintiff is informed and believes, and thereupon alleges, that the non-City  
20 Defendants, and each of them, were at all times mentioned herein the agents, servants, and  
21 employees of each other and the City, or otherwise were acting with the full knowledge and consent  
22 of each other. Plaintiff is further informed and believes, and upon such basis and belief alleges, that  
23 in doing all of the things alleged in this complaint, Defendants, and each of them, were acting within  
24 the scope and authority of their agency, servitude, or employment, and were acting with the express  
25 and/or implied knowledge, permission and consent of one another. Plaintiff is further informed and  
26 believes, and upon such basis and belief alleges, that Defendants learned of, ratified, and/or  
27 approved the wrongful conduct of their agents and/or employees identified in this Complaint as  
28 having engaged in wrongful conduct.

1           8.       Plaintiff is informed and believes, and thereupon alleges, that at all relevant times,  
2 Defendants, and each of them, were entities or individuals who owned, controlled, directed or  
3 managed the City, causing damages to Plaintiff, and are each therefore jointly, severally, and  
4 individually liable to Plaintiff.

5           9.       Plaintiff is informed and believes, and thereupon alleges, that at all relevant times  
6 mentioned herein, Defendants, and each of them, were the partners, agents, servants, employees,  
7 joint venturers, or co-conspirators of each other defendant, and that each defendant was acting  
8 within the course, scope, and authority of such partnership, agency, employment, joint venture, or  
9 conspiracy, and that each defendant, directly or indirectly, authorized, ratified, and approved the  
10 acts of the remaining Defendants, and each of them.

11   **No Privileged Conduct & Continuing Violations**

12           10.       In the avoidance of doubt, Plaintiff does not herein allege any claim for damages as  
13 against Defendants for any privileged action, such as the conducting of an investigation by a public  
14 entity. Plaintiff, however, reserves the right to claim all damages arising out of *consequences or*  
15 *actions* resulting from, or occasioned by, such a privileged investigation by a public entity.

16           11.       Plaintiff is informed and believes, and thereupon alleges that the allegations in this  
17 complaint were part and parcel of continuing violations by Defendants, and therefore none of these  
18 bad acts are time-barred given the applicability of the continuing violations doctrine.

19   **Defendant's Latent Investigation as Demonstrative of Actual Malice**

20           12.       The City engaged in one or more investigations of Plaintiff's allegations as set forth  
21 herein and as relayed to Plaintiff. However, the investigations constituted a purposeful avoidance of  
22 truth, inaction, and failure to investigate which was a product of a deliberate decision not to acquire  
23 knowledge of facts that would confirm Plaintiff's allegations.

24           13.       The failure to meaningfully investigate Plaintiff's complaints establishes pretext,  
25 because an inadequate investigation is evidence of pretext. The lack of a rigorous investigation by  
26 the City is evidence suggesting that the City did not value the discovery of the truth so much as a  
27 way to cover up the illegality that was uncovered when Plaintiff made his complaints.

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1           14. Further, the failure to react promptly to Plaintiff's complaint, or to reprimand the  
2 wrongdoers strongly, is evidence relevant to determine whether the employer took sufficient  
3 remedial action. The City's failure to timely interview the material witnesses and accept text  
4 messages and photographs of misconduct by Rivera is evidence of inadequate remedial action, as  
5 the City made little or no attempt to investigate Plaintiff's version of events.

6                           **Public Entity Liability for Wrongful Acts of Its Employees**

7           15. Pursuant to Gov. Code § 815.2, a public entity is liable for injury proximately caused  
8 by acts or omissions of its employees within the scope of their employment if the act or omission  
9 would, apart from this section, have given rise to a cause of action against that employee or their  
10 personal representative. Plaintiff heretofore alleges that the wrongful acts by public entity agent-  
11 employees caused the injuries to them as set forth in this complaint, in that these acts or omissions  
12 would have given rise to a cause of action against them and in favor of Plaintiff, independent of  
13 Gov. Code § 815.2.

14           16. Further, pursuant to Gov. Code § 820, the agent-employees of the public entity are  
15 liable for injuries caused by their acts or omissions to the same extent as a private person. Plaintiff  
16 further alleges that the agent-employees of the public entity caused their injuries, as set forth in his  
17 complaint, and are therefore liable to them for damages arising out of those injuries as authorized  
18 by Gov. Code § 820.

19                           **Satisfaction of Prolawsuit Requirements**

20           17. Plaintiff timely obtained a Right-to-Sue Letter from the Department of Fair  
21 Employment and Housing on August 16, 2023. A true and correct copy of this letter is heretofore  
22 attached as "**EXHIBIT 1**".

23                           **Factual Allegations**

24           18. On December 19, 2022, Plaintiff began work as an Administrative Clerk with the  
25 City of Los Angeles Department of Animal Services. Plaintiff's role as an Administrative Clerk was  
26 his first job as a recent immigrant to the United States. Plaintiff was referred to said position by his  
27 supervisor Rivera, the Department of Animal Services' Director of Volunteer Programs.

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1           19.     Excited to start his new life, Plaintiff was eager to do the best job possible for his  
2 new employer. Any excitement or eagerness Plaintiff might have had, however, was quickly  
3 eradicated by the onslaught of predatory behavior from his own Supervisor, Rivera – a man placed,  
4 by the City, in a position of trust and authority.

5           20.     Upon the start of Plaintiff’s employment with the City, Rivera commenced a  
6 campaign of egregious sexual harassment and predatory assault against his subordinate.

7           21.     Among other things, towards the end of December 2022, Rivera called Plaintiff and  
8 told him that: (1) he “looks very handsome at work”; (2) Plaintiff “is a very sexy man”; and (3)  
9 Rivera “likes hairy brown men, just like you [Plaintiff]”. Plaintiff tried to deescalate Rivera’s  
10 inappropriate advances by responding in a cordial, yet succinct, manner politely declining Rivera’s  
11 advances.

12          22.     Rivera also texted Plaintiff in the evenings and referred to him as “*Amorcito*”. Rivera  
13 also asked Plaintiff to meet him outside of work, at either his or Plaintiff’s apartments. Plaintiff  
14 continued to decline both Rivera’s invitations prompting Rivera to accuse Plaintiff of not making  
15 enough time for Rivera. Plaintiff began to fear for his own safety and the possibility that Rivera  
16 would stalk Plaintiff outside of work.

17          23.     Rivera continued to escalate his predatory behavior while reminding Plaintiff how  
18 “fortunate” Plaintiff was to be working for the City, and how “grateful” Plaintiff should be to Rivera.

19          24.     In flagrant abuse of his position of power, Rivera provided unwanted back massages  
20 to Plaintiff, and began to routinely grab Plaintiff’s genitals. On one occasion, Rivera sat on  
21 Plaintiff’s legs, and whispered into his ear that his [Rivera’s] biggest fantasy “is to put Plaintiff’s  
22 load in his [Rivera’s] mouth to always keep him [Plaintiff] inside”.

23          25.     On another occasion at work, Rivera requested that Plaintiff stay after hours: “*Daddy,*  
24 *stay after five [pm] because everyone leaves, and you can f\*\*k me hard in the bathroom!*” When  
25 Plaintiff refused, Rivera responded, “*You're probably f\*\*king a lot of men in LA because you don't*  
26 *have much time for me.*”

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1           26.     On January 17, 2023, Rivera’s harassment reached a crescendo when he sexually  
2 assaulted Plaintiff multiple times, including forcible touching of private parts. Plaintiff pleaded with  
3 his supervisor to stop, but Rivera insisted. Understandably, being sexually violated at work was the  
4 worst day of Plaintiff’s life. Afraid to lose his livelihood while starting a new life in the United  
5 States, Plaintiff felt scared, desperate, and humiliated. He believed he had no choice but to go along  
6 with Rivera’s abuse.

7           27.     Here, Rivera’s sexual molestation occurred in the workplace, while Rivera was  
8 exercising his authority as Director of Volunteer Services.

9           28.     Despite Plaintiff’s attempts to ignore Rivera and Plaintiff’s multiple requests to stop  
10 the sexual abuse, Rivera shockingly continued his egregious conduct. On January 23, 2023,  
11 Supervisor Rivera dropped his pants and exposed himself to Plaintiff. Plaintiff captured  
12 photographic evidence of his supervisor’s aberrant behavior – **perpetrated by a man entrusted by**  
13 **the City to supervise its personnel, and maintain a work environment free from sexual**  
14 **harassment.**

15           29.     Rivera’s conduct was entirely unwelcome and non-consensual. Plaintiff told Rivera  
16 to stop his behavior on multiple occasions and ignored Rivera’s solicitations and advances.  
17 However, Rivera continued with his predatory conduct, seeing Plaintiff as an easy target in a  
18 subordinate position.

19           30.     On February 9, 2023, Plaintiff could no longer tolerate Rivera’s egregious behavior  
20 and assaults and put the City on notice of his supervisor’s sexual harassment and abuse by reporting  
21 it to Stephania Calsing, at the City’s Personnel Department. On February 10, 2023, Calsing  
22 requested a written summary from Plaintiff, which he provided later that day including explicit text  
23 messages and the photograph of Rivera exposing himself to Plaintiff.

24           31.     Plaintiff was placed on a leave of absence to allow him to deal with his extreme  
25 trauma due to his harassment and sexual assault. Plaintiff was later notified that Rivera would also  
26 be placed on administrative leave pending investigation.

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1           32. Two weeks after Plaintiff’s complaint, on February 24, 2023, the City informed  
2 Plaintiff that while “employees are provided work environments free of discrimination and  
3 harassment” that would try to complete its investigation “as soon as possible”.

4           33. However, it would not be until March 6, 2023 (approximately one-month after  
5 complaining), that the City even reached out to Plaintiff to interview him about his serious  
6 complaints.

7           34. During Plaintiff’s March 6, 2023, interview with the City’s investigator, it was  
8 suggested that Plaintiff consented to Rivera’s actions. The City’s presumption that Rivera’s conduct  
9 must have been consensual and welcome because both Plaintiff and Rivera are members of the  
10 LGBTQ+ community – something Plaintiff found absolutely insulting, discriminatory and  
11 erroneous. Plaintiff denied this accusation.

12           35. On February 15, 2023, the City, through Calsing, informed Plaintiff that Rivera “has  
13 been placed off work and was told he [Rivera] was prohibited from contracting anyone from the  
14 department (emphasis in original).” Moreover, the City unequivocally affirmed that “we removed  
15 Juan [Rivera] from the workplace for your [Plaintiff’s] safety” and “when you return to work, you  
16 will have the office to yourself and report to a different supervisor.”

17           36. Despite repeated assurances from the City’s personnel department and its attorneys  
18 that it was diligently investigating Plaintiff’s claims, as of the filing of this Complaint the City has  
19 not informed Plaintiff of the results of its investigation or that Rivera would be terminated. In fact,  
20 Plaintiff received a work-related email from Rivera in April 2023 despite the City’s claim that  
21 Rivera was on leave pending investigation.

22           37. Notwithstanding the City’s assurances regarding “*work environments free of*  
23 *discrimination and harassment*”, and Mr. Torres’ purported investigation – more than six months  
24 have now lapsed since the City has been on notice of Rivera’s unconscionable conduct, yet Plaintiff  
25 still has not been informed about the outcome of the investigation.

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1 38. The City's alarming apathy and callous delay in concluding the investigation is  
2 particularly shocking given the fact that it has indisputable evidence of Rivera's predatory behavior.  
3 The text messages and photographic evidence, alone, clearly show that Rivera grossly abused his  
4 position of trust and authority.

5 **FIRST CAUSE OF ACTION**

6 **FEHA DISCRIMINATION**

7 **Gov. Code § 12940(a)**

8 **(Against CITY OF LOS ANGELES)**

9 39. Plaintiff realleges, and incorporates herein by reference, each and every allegation  
10 contained in the foregoing paragraphs, inclusive, as though fully set forth herein. Further, all  
11 allegations set forth in this cause of action are pled upon information and belief, unless otherwise  
12 stated.

13 40. At all times herein mentioned, California's Fair Employment and Housing Act,  
14 Cal. Gov't Code §§ 12900, et seq. ("FEHA"), was in full force and effect and was fully binding  
15 upon the City of Los Angeles.

16 41. Plaintiff was an employee of the City.

17 42. As alleged above, Plaintiff has been subjected to a hostile work environment and  
18 sexual assault by Defendants. He has been unable to return to work and therefore has suffered other  
19 adverse employment actions, including being denied work opportunities or promotions.

20 43. One or more of the following protected statuses applicable to Plaintiff were a  
21 substantial motivating reason for these defendants to subject Plaintiff to one or more of the  
22 aforementioned adverse employment action: gender identity or expression; sex/gender; sexual  
23 harassment (hostile environment); sexual orientation.

24 44. As a direct, foreseeable, and proximate result of Defendants' unlawful actions,  
25 Plaintiff has suffered physical injury, emotional distress, humiliation, shame, and embarrassment,  
26 all to the Plaintiff's damage in an amount to be proven at the time of trial.

27 45. Defendant's conduct was a substantial factor in causing Plaintiff's harm.  
28



1 **SECOND CAUSE OF ACTION**

2 **SEXUAL HARASSMENT**

3 **Gov. Code §§ 12923 & 12940(j)**

4 **(Against All Defendants)**

5 46. Plaintiff realleges, and incorporates herein by reference, each and every allegation  
6 contained in the foregoing paragraphs, inclusive, as though fully set forth herein. Further, all  
7 allegations set forth in this cause of action are pled upon information and belief, unless otherwise  
8 stated.

9 47. At all times herein mentioned, California's Fair Employment and Housing Act,  
10 Cal. Gov't Code §§ 12900, et seq., was in full force and effect and was fully binding upon  
11 Defendants. Specifically, §§ 12940(j) prohibits an employer from sexually harassing an employee  
12 on the basis of his sex. The actions of Juan Antonio Rivera, Department of Animal Services'  
13 Director of Volunteer Programs, towards Plaintiff, his direct subordinate, as described herein,  
14 created a hostile sexual environment which materially altered Plaintiff's working conditions, and  
15 which constitutes sexual harassment in violation of Gov't Code § 12940(j)(1).

16 48. Plaintiff was an employee of the City.

17 49. Plaintiff was subjected to harassing conduct due to one or more of the following  
18 protected statuses applicable to Plaintiff: gender identity or expression; sex/gender; sexual  
19 orientation.

20 50. The harassing conduct was severe or pervasive.

21 51. A reasonable person in Plaintiff's circumstances, sharing one or more of Plaintiff's  
22 protected statuses, would have considered the work environment to be hostile, intimidating,  
23 offensive, oppressive, and/or abusive.

24 52. Plaintiff considered the work environment to be hostile, intimidating, offensive,  
25 oppressive, or abusive.

26 53. Supervisors employed by the City engaged in the conduct complained of and failed  
27 to take immediate and appropriate corrective action.

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1           54.     This harassment of Plaintiff was outside the scope of the personnel management  
2 duties of the harasser, and the harassment constituted a concerted pattern of harassment or a repeated  
3 routine, or a generalized nature. Further, the harassment of Plaintiff was not of a type necessary to  
4 business and personnel management and was instead of a nature engaged in for personal  
5 gratification, and other personal motives which communicated an offensive message to Plaintiff.  
6 The harasser engaged in harassing conduct and sexual assault toward Plaintiff, outside of the  
7 harasser's supervisory role that was based upon one or more of Plaintiff's protected statuses  
8 identified herein. The harassment of Plaintiff was not limited to a single day, rather it was an  
9 ongoing, concerted, and predatory program of harassment which was intended to impose one or  
10 more of the adverse employment actions identified herein. These Defendants' conduct was a  
11 substantial factor in causing Plaintiff's harm.

12           55.     As a direct, foreseeable, and proximate result of Defendants' unlawful actions,  
13 Plaintiff has suffered economic damages including back pay, benefits, and other compensation.

14           56.     As a direct, foreseeable, and proximate result of Defendants' unlawful actions,  
15 Plaintiff has suffered physical injury, emotional distress, humiliation, shame, and embarrassment,  
16 all to the Plaintiff's damage in an amount to be proven at the time of trial.

17           57.     These defendants' conduct was a substantial factor in causing Plaintiff's harm.

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1 **THIRD CAUSE OF ACTION**

2 **FEHA RETALIATION**

3 **Gov. Code § 12940(h) - CACI 2505**

4 **(Against CITY OF LOS ANGELES)**

5 58. Plaintiff realleges, and incorporates herein by their reference, each and every  
6 allegation contained in the foregoing paragraphs, inclusive, as though fully set forth herein. Further,  
7 all allegations set forth in this cause of action are pled upon information and belief, unless otherwise  
8 stated.

9 59. These defendants were employers with more than five employees or another entity  
10 subject to the FEHA.

11 60. Plaintiff was an employee of the City.

12 61. Rivera retaliated against Plaintiff by engaging in sexual harassment and assault in  
13 the workplace, after Plaintiff refused Rivera's sexual advances.

14 62. Plaintiff reported or resisted discrimination or harassment against him when he  
15 reported the allegations contained herein to Human Resources and when he requested his supervisor  
16 to cease his egregious harassment and assault.

17 63. Plaintiff having engaged in one or more of the aforementioned protected acts was a  
18 substantial motivating reason for Defendant Rivera's decision to subject Plaintiff to one or more of  
19 the above adverse employment actions.

20 64. As a direct, foreseeable, and proximate result of Defendants' unlawful actions,  
21 Plaintiff has suffered economic damages including back pay, benefits, other compensation, and  
22 work opportunities and promotions.

23 65. As a direct, foreseeable, and proximate result of Defendants' unlawful actions,  
24 Plaintiff has suffered physical injury, emotional distress, humiliation, shame, and embarrassment,  
25 all to the Plaintiff's damage in an amount to be proven at the time of trial.

26 66. Defendant Rivera's decision to subject Plaintiff to one or more of these adverse  
27 employment actions was a substantial factor in causing Plaintiff's harm.

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1 **FOURTH CAUSE OF ACTION**

2 **FEHA FAILURE TO PREVENT HARASSMENT, DISCRIMINATION, AND**  
3 **RETALIATION**

4 **Gov. Code § 12940(k)**

5 **(Against CITY OF LOS ANGELES)**

6 67. Plaintiff realleges, and incorporates herein by their reference, each and every  
7 allegation contained in the foregoing paragraphs, inclusive, as though fully set forth herein. Further,  
8 all allegations set forth in this cause of action are pled upon information and belief, unless otherwise  
9 stated.

10 68. These defendants were employers with more than five employees or another entity  
11 subject to the FEHA.

12 69. Plaintiff was an employee of these defendants.

13 70. Plaintiff was subjected to harassment, discrimination, or retaliation in the course of  
14 employment.

15 71. These defendants failed to take all reasonable steps to prevent the harassment,  
16 discrimination, or retaliation.

17 72. As a direct, foreseeable, and proximate result of Defendants' unlawful actions,  
18 Plaintiff has suffered economic damages including back pay, benefits, other compensation, and  
19 work opportunities and promotions.

20 73. As a direct, foreseeable, and proximate result of Defendants' unlawful actions,  
21 Plaintiff has suffered physical injury, emotional distress, humiliation, shame, and embarrassment,  
22 all to the Plaintiff's damage in an amount to be proven at the time of trial.

23 74. These defendants' failure to take all reasonable steps to prevent harassment,  
24 discrimination, or retaliation was as substantial factor in causing Plaintiff's harm.

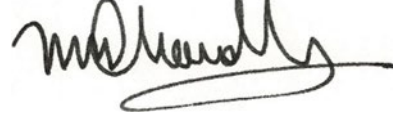
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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment as against Defendants, jointly and severally, as follows, for:

- 1) Compensatory damages in an amount according to proof at time of trial.
- 2) Attorney’s fees and costs pursuant to all applicable statutes or legal principles, including, but not limited to: Gov. Code § 12965(b).
- 3) Costs of suit incurred.
- 4) All other general, specific, direct, indirect, consequential, and incidental damages, in an amount according to proof at time of trial.
- 5) Such other and further relief as the Court may deem proper.

**CHOWDHARY LAW, APC**



**DATED: August 16, 2023**

**By:**

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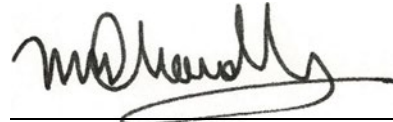
**Manbir S. Chowdhary,  
Attorneys for Plaintiff  
JAIME HERNANDEZ MENDEZ**

**DEMAND FOR JURY TRIAL**

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Plaintiff JAIME HERNANDEZ MENDEZ hereby requests trial by jury.

**CHOWDHARY LAW, APC**



By:

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**Manbir S. Chowdhary,  
Attorneys for Plaintiff  
JAIME HERNANDEZ MENDEZ**

**DATED: August 16, 2023**

# **Exhibit 1**



## Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

August 16, 2023

**RE: Notice of Filing of Discrimination Complaint**

CRD Matter Number: 202308-21647516

Right to Sue: Hernandez Mendez / City of Los Angeles et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,

Civil Rights Department





## Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

August 16, 2023

Jaime Hernandez Mendez  
16400 Hamlin St  
Lake Balboa, CA 91406

**RE: Notice of Case Closure and Right to Sue**  
CRD Matter Number: 202308-21647516  
Right to Sue: Hernandez Mendez / City of Los Angeles et al.

Dear Jaime Hernandez Mendez:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective August 16, 2023 because an immediate Right to Sue notice was requested.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**  
2 **BEFORE THE STATE OF CALIFORNIA**  
3 **Civil Rights Department**  
4 **Under the California Fair Employment and Housing Act**  
5 **(Gov. Code, § 12900 et seq.)**

6 **In the Matter of the Complaint of**

7 Jaime Hernandez Mendez

CRD No. 202308-21647516

8 Complainant,

9 vs.

10 City of Los Angeles  
11 200 North Spring Street, Room 395  
12 Los Angeles, CA 90012

13 Juan Antonio Rivera

14 ,

15 Respondents

16  
17 **1.** Respondent **City of Los Angeles** is an **employer** subject to suit under the California Fair  
18 Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

19 **2.** Complainant is naming **Juan Antonio Rivera** individual as Co-Respondent(s).

20 **3.** Complainant **Jaime Hernandez Mendez**, resides in the City of **Lake Balboa**, State of **CA**.

21 **4.** Complainant alleges that on or about **August 16, 2023**, respondent took the  
22 following adverse actions:

23 **Complainant was harassed** because of complainant's sex/gender, sexual orientation,  
24 sexual harassment- hostile environment, sexual harassment- quid pro quo.

25 **Complainant was discriminated against** because of complainant's sex/gender, sexual  
26 orientation, sexual harassment- hostile environment, sexual harassment- quid pro quo and  
27 as a result of the discrimination was denied hire or promotion, suspended, asked  
28 impermissible non-job-related questions, other, denied work opportunities or assignments,  
denied or forced to transfer.

1 **Complainant experienced retaliation** because complainant reported or resisted any form  
2 of discrimination or harassment and as a result was denied hire or promotion, suspended,  
3 denied work opportunities or assignments, denied or forced to transfer.

4 **Additional Complaint Details:** Claimant suffered discrimination, harassment and was  
5 retaliated against by his former supervisor Rivera. Rivera hired Claimant and immediately  
6 began making sexual advances to Claimant while reminding Claimant how difficult it is to get  
7 a job with the City of Los Angeles. Among other things, Rivera made repeated sexual  
8 advances, inappropriate comments and sext text messages to Claimant. Claimant  
9 repeatedly refused Rivera's advances and conduct and Rivera responded by sexually  
10 assaulting Claimant and stalking him. Claimant complained to the City's personnel office in  
11 January 2023, which conducted an investigation but still has not concluded that investigation  
12 despite repeated assurances that the investigation would be prompt and ensure a safe work  
13 environment. Claimant has been on leave since his complaint to the City while waiting for  
14 the results of the investigation. Claimant also complained to the City's police department  
15 who have failed to investigate.

1 VERIFICATION

2 I, **Sean Nguyen**, am the **Attorney** in the above-entitled complaint. I have read the  
3 foregoing complaint and know the contents thereof. The matters alleged are based  
4 on information and belief, which I believe to be true.

5 On August 16, 2023, I declare under penalty of perjury under the laws of the State of  
6 California that the foregoing is true and correct.

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**Irvine, CA**