BRIGGS LAW CORPORATION [FILE: 1939.00] Cory J. Briggs (State Bar no. 176284) Anthony N. Kim (State Bar no. 283353) 2 99 East "C" Street, Suite 111 Upland, CA 91786 3 Telephone: 909-949-7115 4 Attorneys for Plaintiff Christopher Williams 5 6 7 8 9 10 11 CHRISTOPHER WILLIAMS, 12 Plaintiff, 13 VS. 14 DAVID ARAMBULA; CITY OF GROVE; and DOES 1 through 1,000, 15 Defendants. 16 Plaintiff CHRISTOPHER WILLIAMS ("Plaintiff") alleges as follows: 17

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SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SAN DIEGO – HALL OF JUSTICE

CASE NO. 37-2018-00023369-CU-P0-CTL

COMPLAINT FOR DAMAGES

Parties

1. Plaintiff is a natural person and a resident of the City of San Diego.

LEMON

- 2. Defendant DAVID ARAMBULA ("ARAMBULA") is a resident of the City of Lemon Grove and a member of the Lemon Grove City Council; he is being sued in his private capacity and, alternatively, in his official capacity. Defendant CITY OF LEMON GROVE ("CITY") is a municipal corporation located in the County of San Diego.
- 3. The true names and capacities of the Defendants identified as DOES 1 through 1,000 are unknown to Plaintiff, who will seek the Court's permission to amend this pleading in order to allege the true names and capacities as soon as they are ascertained. Plaintiff is informed and believes and on that basis alleges that each of the fictitiously named Defendants 1 through 1,000 has some cognizable liability or some cognizable interest in the subject matter of this lawsuit.

4. Plaintiff is informed and believes and on that basis alleges that, at all times stated in this pleading, each Defendant was the agent, servant, or employee of every other Defendant and was, in doing the things alleged in this pleading, acting within the scope of said agency, servitude, or employment and with the full knowledge or subsequent ratification of his principals, masters, and employers. Alternatively, in doing the things alleged in this pleading, each Defendant was acting alone and solely to further his own interests.

Background Information

- 5. Prior to July 15, 2017, Plaintiff had caused to be submitted to CITY one or more applications for permission to operate a medical marijuana dispensary ("MMD") at various locations within CITY's geographic jurisdiction. At least one of those applications was pending approval by CITY as of July 15, 2017.
- 6. On or about July 15, 2017, ARAMBULA contacted Plaintiff and invited Plaintiff to come to his (ARAMBULA's) home to discuss the status of Plaintiff's MMD applications and to share information on the topic. Plaintiff agreed to go to ARAMBULA's home for the meeting. During the meeting, ARAMBULA began drinking and eventually took off his clothes to go skinny-dipping in the pool. Plaintiff is informed and believes and on that basis alleges that later during the meeting ARAMBULA was video-recorded naked in the pool with a woman on the pool deck yelling: "Woooooo! Go, David! Go, David! Go, David! [Inaudible.] Where's the 10 inches? Where's the 10 inches? Whooooo!"
- 7. After it became apparent that ARAMBULA was not prepared to discuss Plaintiff's MMD applications, Plaintiff decided to leave. He went toward the front of ARAMBULA's home to use his (Plaintiff's) phone to schedule an Uber driver to pick him up. While Plaintiff was looking down at his phone, ARAMBULA hit Plaintiff in the head with a bottle and bit, kicked, punched, and choked him. This attack was entirely unprovoked. Plaintiff was seriously injured, suffering a fractured rib, a forehead contusion, a laceration to his eyebrow, and bites to his forearms.
- 8. Following the attack, Plaintiff received medical attention and incurred substantial physical, emotional, and economic damages as a result of the attack by ARAMBULA. A true and

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correct copy of photographs taken of Plaintiff while receiving medical attention is attached hereto as Exhibit "A" and incorporated herein by reference.

9. Plaintiff believes that after a reasonable opportunity to conduct discovery he will be able to establish: (A) ARAMBULA had a practice of conducting official CITY business at his home or other locations beyond City Hall. (B) CITY's leadership knew that ARAMBULA had a practice of conducting official CITY business at locations beyond City Hall but never took any action to prevent ARAMBULA from continuing to do so. (C) CITY's leadership knew that ARAMBULA could be physically violent toward members of the public while he conducted official CITY business but never took any action to prevent him from acting in such a manner.

Notice Requirements and Time Limitations

10. On or about January 11, 2018, Plaintiff submitted a tort claim to CITY for the damages being sought in this lawsuit. On or about February 26, 2018, CITY denied the tort claim.

FIRST CAUSE OF ACTION: ASSAULT AND BATTERY (Against All Defendants)

- 11. Paragraphs 1 through 10 are fully incorporated into this paragraph.
- 12. ARAMBULA committed assault and battery against Plaintiff. At no time did Plaintiff provoke ARAMBULA. ARAMBULA was the sole aggressor.
- 13. As a result of the substantial physical, emotional, and economic harm that ARAMBULA inflicted on Plaintiff, he (Plaintiff) has been damaged in an amount to be proven at trial but in excess of the amount that establishes the Court's unlimited jurisdiction over this lawsuit.
- 14. ARAMBULA assaulted and battered Plaintiff with malice and oppression sufficient to entitle Plaintiff to recover punitive and exemplary damages (against ARAMBULA only).

SECOND CAUSE OF ACTION: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (Against All Defendants)

- 15. Paragraphs 1 through 14 are fully incorporated into this paragraph.
- 16. ARAMBULA physically attacked Plaintiff with the intent to inflict emotional distress on him. ARAMBULA's attack has caused Plaintiff to suffer substantial emotional distress.

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- 17. As a result of the substantial emotional distress that ARAMBULA inflicted on Plaintiff, he (Plaintiff) has been damaged in an amount to be proven at trial but in excess of the amount that establishes the Court's unlimited jurisdiction over this lawsuit.
- 18. ARAMBULA caused Plaintiff to suffer substantial emotional distress with malice and oppression sufficient to entitle Plaintiff to recover punitive and exemplary damages against ARAMBULA (against ARAMBULA only).

THIRD CAUSE OF ACTION: NEGLIGENCE (Against All Defendants)

- 19. Paragraphs 1 through 18 are fully incorporated into this paragraph.
- 20. ARAMBULA injured Plaintiff, inflicted emotional distress on him, and did not conduct himself as a reasonably prudent person would have conducted himself.
- 21. As a result of the injuries that ARAMBULA inflicted on Plaintiff, he (Plaintiff) has been damaged in an amount to be proven at trial but in excess of the amount that establishes the Court's unlimited jurisdiction over this lawsuit.

Prayer

FOR ALL THESE REASONS, Plaintiff respectfully prays for the following relief against Defendants (and any and all other parties who may oppose Plaintiff in this proceeding):

- A. General damages according to proof;
- B. Special damages according to proof;
- C. Exemplary and punitive damages according to proof (but not against CITY);
- D. Any and all court costs and other legal expenses incurred by Plaintiff in connection with this proceeding; and
 - E. Any and all further relief that this Court may deem appropriate.

Date: May 9, 2018. Respectfully submitted,

BRIGGS LAW CORPORATION

By: Cory J. Briggs

Attorneys for Plaintiff Christopher Williams

COMPLAINT FOR DAMAGES

COMPLAINT FOR DAMAGES

Exhibit "A"







