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14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

16 AURELIANO SANTIAGO, an individual;
17 and UNIÓN POPULAR DE
18 VENEDORES AMBULANTES, an
19 unincorporated association,

20 Plaintiffs,

21 vs.

22 CITY OF LOS ANGELES, FASHION
23 DISTRICT BUSINESS IMPROVEMENT
24 DISTRICT, DOWNTOWN LOS
25 ANGELES PROPERTY OWNERS
26 ASSOCIATION, INC., OFFICER
27 LINTON in her individual and official
28 capacity; OFFICER OWEN, in her
individual and official capacity; DOES 1-
10,

Defendants.

Case No.

COMPLAINT: CIVIL RIGHTS

**42 U.S.C. § 1983 AND FOURTH, FIFTH
AND FOURTEENTH AMENDMENTS**

**CALIFORNIA CONSTITUTION
ARTICLE I, §§ 7 AND 13**

CALIFORNIA CIVIL CODE §§ 52, 52.1

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1 **JURISDICTION AND VENUE**

2 1. This is an action for injunctive relief and damages pursuant to 42 U.S.C.
3 § 1983, based upon ongoing violations by the defendants of the rights secured to
4 plaintiffs by the Fourth, Fifth and Fourteenth Amendments of the United States
5 Constitution. Jurisdiction exists based on 28 U.S.C. §§ 1331 and 1343 in that this
6 case is brought pursuant to 42 U.S.C. § 1983 and raises questions of federal
7 constitutional law under the Fourth, Fifth, and Fourteenth Amendments. The court
8 has supplemental jurisdiction over plaintiffs’ state law claims pursuant to 28 U.S.C. §
9 1367.

10 2. Venue is proper in the Central District in that the events and conduct
11 complained of in this action occurred in the Central District.

12 **PRELIMINARY STATEMENT**

13 3. Plaintiffs, an individual street vendor and an organization representing
14 the interests of street vendors, bring this action against the City of Los Angeles
15 (City), individual officers in the Los Angeles Police Department (LAPD), and the
16 Fashion District Business Improvement District (BID) to enjoin the City and BID
17 from illegally seizing and destroying their property.

18 4. The LAPD and the Fashion District BID, working together, have a
19 policy, custom, and practice of seizing and destroying the property of street vendors
20 who sell food and other items to the thousands of people that frequent the streets of
21 the Fashion District in Downtown Los Angeles. The City has been on notice for
22 more than a year that this was occurring and failed to take action to end the unlawful
23 practice. The challenged practice is so widespread in the LAPD’s Central Division
24 that the City cannot deny knowledge of the practice.

25 5. These officers, operating together under color of law and with complete
26 disregard for the constitutional rights of the vendors, seize their property, including
27 not only perishable goods like fruit and ice cream, but also shopping carts, dollies,
28 coolers, umbrellas, utensils cutting boards, and sometimes the personal property that

1 is with the vendors' goods. While the vendors are forced to stand aside, often under
2 threat of citations or arrest, these officers summarily throw the vendors' property into
3 the back of a BID trash truck and haul it away, giving the vendors no opportunity to
4 get the items back, and leaving them no recourse against them.

5 6. The officers who seize and destroy the vendors' property do so with no
6 warrant or legal justification, and without affording the vendors any pre- or post-
7 deprivation due process at all. The seizure and destruction of the vendors' property
8 serves no legitimate government purpose and is patently unreasonable. Instead of
9 affording the vendors rights or following established protocols, the officers seize and
10 destroy the property as a sort of extrajudicial street punishment, meted out against the
11 vendors as the officers see fit. The LAPD and BID act with no judicial oversight and
12 without affording the vendors any way to challenge this punishment or seek the
13 return of their unlawfully seized property before it is discarded or destroyed.

14 7. Because of the officers' complete disregard for the vendors' rights, the
15 individual and organizational plaintiffs have no choice but to bring this fight into the
16 Courtroom, and to seek this Court's assistance to put an end to these illegal practices.

17 **PLAINTIFFS**

18 8. Plaintiff Unión Popular de Vendedores Ambulantes ("Unión") is a
19 member-based unincorporated organization in Los Angeles that fights to protect
20 street vendors, organizes them to advocate for legalization of street vending, and
21 educates them on the laws and rules that affect them. Unión was founded in 2013
22 and has two branches that work with street vendors in the Fashion District and
23 MacArthur Park neighborhoods of Los Angeles. LAPD and BID officers have
24 illegally seized and destroyed the property of Unión's members, without due process,
25 and consistent with LAPD and BID custom, policies and practices. Unión has had to
26 divert limited organizational resources to help members who have been subjected to
27 these illegal practices, including by assisting vendors to seek the return of their
28 confiscated property and by meeting with police and City and County officials to

1 advocate for a cessation of these enforcement practices. As a result of these ongoing
2 practices, Unión is forced to spend time and resources on confiscations that could
3 have been dedicated to its other organizational missions, such as the legalization
4 campaign. Unión brings this action on behalf of itself and its members.

5 9. Plaintiff Aureliano Santiago is a street vendor who sells ice cream on the
6 streets in Los Angeles. He has been cited for street vending and had his property
7 confiscated on five or six occasions in the Fashion District. Each time his property is
8 confiscated, it creates a financial hardship for him and his family, who depend on Mr.
9 Santiago to provide for them, pay rent and bills, and contribute to his daughter's
10 college tuition. Mr. Santiago is an active member of Unión. He has participated in
11 meetings with representatives of the LAPD, the Mayor's office, and other public
12 officials, all to advocate for an end to these unlawful seizures.

13 **DEFENDANTS**

14 10. Defendant the City of Los Angeles (City) is a municipal entity organized
15 under the laws of the State of California. The City is a legal entity with the capacity
16 to sue and be sued. The departments of the City of Los Angeles include the LAPD,
17 employees of which engage in the acts constituting the violations of plaintiffs' rights
18 alleged in this action. The City also created the Fashion District BID and has
19 authorized and/or ratified all of the actions of the Fashion District BID alleged herein.

20 11. Defendant Fashion District BID is a Business Improvement District
21 initially created by the City of Los Angeles in 1998, pursuant to California Streets
22 and Highways Code Section 36600 *et seq*, and last renewed in 2013. *See* Los
23 Angeles Municipal Ords. 172180, 182651. The Fashion District BID is funded by the
24 City of Los Angeles through an assessment on property owners located within the
25 BID, and the purpose of the BID, as outlined in the current Management District
26 Plan, is to provide increased municipal services to those properties, including
27 primarily safety and maintenance services.

28

1 12. Defendant Downtown Los Angeles Property Owners Association, Inc.,
2 (“the Owner’s Association”) is a 501(c)(6) not-for-profit business corporation
3 contracted by the City of Los Angeles to manage the Fashion District BID. The
4 Owner’s Association maintains offices in the City of Los Angeles. The Fashion
5 District BID and the Owner’s Association act as agents of the City and have
6 conspired with the City to violate plaintiffs’ rights.

7 13. Officer Linton is an officer with LAPD and is sued in her official and
8 individual capacities. She was and continues to be an officer in the Central Division
9 of LAPD at all relevant times in this complaint.

10 14. Officer Owen is an officer with LAPD and is sued in her official and
11 individual capacities. She was and continues to be an officer in the Central Division
12 of LAPD at all relevant times in this complaint.

13 15. The identities and capacities of defendants DOES 1 through 10 are
14 unknown to plaintiffs. Plaintiffs, therefore, sue these defendants by fictitious names.
15 As to all defendants sued by fictitious names, plaintiffs will give notice of this
16 Complaint and their true names and capacities when ascertained. Plaintiffs are
17 informed, believe, and thereon allege that DOES 1 through 10 are, and were at all
18 times relevant herein, other corporate or business entities, agents, successors in
19 interest, assigns, representatives, principals and/or employees of the defendants and
20 are responsible for the acts and omissions resulting in the violations alleged in this
21 complaint. Defendants DOES 1 through 10 are sued in both their official and
22 individual capacities.

23 16. Each of the defendants acted as joint actors with joint obligations, and
24 each defendant was and is responsible for the conduct and injuries herein alleged.

25 17. Each of the defendants acted, alone or together jointly, under color of
26 law. The City has delegated traditional municipal functions, including additional
27 sanitation and security services, to the Fashion District BID, through the adoption of
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1 ordinances and pursuant to state law as well as through the direct delegation to BID
2 officers in the course of performing their duties. The Owner's Association, acting as
3 an agent of the Fashion District BID, performs those municipal functions at the
4 direction and behest of the City and with the presence and authority of the LAPD.

5 **ALLEGATIONS**

6 18. In Downtown Los Angeles, a series of Business Improvement Districts
7 (BIDs) cover seven districts that correspond roughly to neighborhoods downtown:
8 the Arts District, Bunker Hill (Downtown Center), the Historic Core, Skid Row (Los
9 Angeles Downtown Industrial District), South Park, Little Tokyo, and the Fashion
10 District.

11 19. The Fashion District BID was the first BID created in Los Angeles. It
12 covers the area known as the Fashion District because of the large number of
13 wholesale clothing stores, garment factories, and fabric retailers in the area.

14 20. The Fashion District BID consists of approximately 90 blocks in the
15 southern central area of downtown Los Angeles bounded on the west by Main Street,
16 Broadway and Spring Street; on the North by 8th Street, 7th Street, 6th Street and 9th
17 Street; on the east by San Pedro Street, Towne Avenue, Stanford Avenue, Griffith
18 Street and Paloma Street; and on the south by 17th Street and 18th Street. The BID
19 also covers Santee Alley, known for its bargain shopping and bazaar-like atmosphere.

20 21. Like all of the BIDs in Downtown Los Angeles and throughout the City,
21 the Fashion District BID is created and overseen by the City of Los Angeles pursuant
22 to state and municipal law and is funded by assessments levied on property owners in
23 the district. The Fashion District BID employs a team of maintenance and safety
24 officers to provide services that ordinarily would be provided by the Bureau of
25 Sanitation and the LAPD. The Fashion District officers wear yellow shirts to
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27
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1 distinguish them from other BID officers in other districts and are known colloquially
2 as “yellow shirts.”¹

3 22. The Fashion District BID officers support and work in concert with, and
4 at the direction of, the LAPD to extend the reach of the LAPD in the Fashion District.
5 They supplement ongoing police patrol efforts within the District. They maintain
6 communication with the LAPD area patrols, and work with the LAPD to deter and
7 conduct enforcement actions against street vendors.

8 23. In performing these tasks, LAPD and BID officers have a custom and
9 practice of violating the constitutional rights of vendors. Working together, LAPD
10 and BID officers seize and destroy the personal property of individuals who they
11 suspect are selling merchandise and food on the streets of the Fashion District. They
12 do so with no warrant or other legal justification for the seizures, and the vendors are
13 afforded absolutely no due process before or after the seizures and no notice before
14 the property is destroyed or sold. The taking of the vendors’ property is done with
15 total disregard for the vendors’ Fourth, Fifth and Fourteenth Amendment rights.

16 24. On information and belief, when LAPD happens upon a street vendor in
17 the Fashion District, officers contact the Fashion District BID, who in turn dispatch
18 members of its safety and clean teams to seize and destroy the vendor’s property.

19 25. After LAPD contacts the Fashion District BID, BID officers arrive on
20 the scene prepared to dispose of the property. The Fashion District BID employs a
21 fleet of trucks used to carry away trash and seized property.

22 26. In other instances, the BID officers first come across street vendors and
23 contact the LAPD, which will dispatch its own officers to the scene. The LAPD
24 officers sometimes cite and arrest vendors while the BID officers seize and dispose of
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26 ¹ Other BIDs are known by the color of their shirts: Los Angeles Downtown
27 Industrial District officers are known as “red shirts,” Downtown Center are “purple
28 shirts,” Arts District are “blue shirts.” BID officers in the Historic Core and South
Park wear green shirts.

1 the vendors' personal property. At other times, LAPD officers will threaten vendors
2 with citation or arrest if they do not allow the property to be confiscated. LAPD
3 officers stand by while the BID officers seize and dispose of the vendors' property.

4 27. LAPD and BID officers also routinely verbally harass the street vendors
5 and insult them, and, on occasion, threaten them with deportation if the vendors
6 protest the seizure of their property.

7 28. Regardless of whether LAPD calls the BID officers or the BID officers
8 contact LAPD, and irrespective of whether the vendor is cited, arrested, or merely
9 threatened with citation or arrest, BID officers take and dispose of the property, and
10 they do so at the instruction or with the support of LAPD officers.

11 29. When the BID officers seize the vendors' property, the vendors are
12 given no opportunity to retrieve it after it is taken. They are not informed that they
13 can contest the seizure, or that their property will be stored. They are not given a
14 receipt for the property that is taken. They are not told where the property is being
15 taken and how they can reclaim it. When the vendors are detained by LAPD, they
16 must stand aside and watch their property be taken and destroyed. If they are not
17 detained, the presence of law enforcement and the threat of criminal prosecution
18 ensures that the vendors not interfere while their property is seized.

19 30. The property is not seized pursuant to a warrant, nor is it being seized for
20 safekeeping. The property is seized and destroyed even if the vendors are not
21 arrested and booked into custody, and even if there are individuals present whom the
22 owner could authorize to take possession of their property.

23 31. The property is not seized as evidence of a crime: it is not inventoried or
24 booked into evidence as required by LAPD policy, nor is it used as evidence against
25 the vendor, who may be charged with violations of the Los Angeles Municipal Code
26 and subsequently prosecuted for those violations. Instead, the property is summarily
27 thrown into the back of the BID trash truck and, then thrown away or disposed of.

28

1 32. The seizures are not consistent with an LAPD Special Order, issued in
2 2006 by the then-Commanding Officer of the Risk Management Group, Commander
3 Stuart Maislin, and the then-Commanding Officer of the Consent Decree Bureau,
4 Gerald Chaleff, and given to all members of the LAPD. The order requires that all
5 seizures of property must comply with LAPD Department Manual Section 5/510.10
6 (“Manual”), which mandates that seized non-perishable property be booked and
7 inventoried on a Property Report Form.

8 33. The 2006 notice emphasizes that the requirement to book and inventory
9 seized property, including non-evidence property, applies not only when an
10 individual is arrested, but also to situations in which an individual is detained. In
11 those instances, personal property must be returned immediately after the detention
12 ends. Despite the clear directives in the 2006 notice and the Manual, Defendant City
13 and the individual defendant officers have subverted their legal obligations by
14 directing and authorizing the seizure and immediate destruction of the vendors’
15 property by the BID officers, facilitating this unlawful process by threatening
16 citations or arrest if the vendors attempt to save their property.

17 34. The property seizures are inconsistent with well-established
18 constitutional principles. Defendants have long been on notice that these actions are
19 illegal and that they may not seize property and destroy property without legal
20 justification, and without providing pre- and post-deprivation notice and an
21 opportunity to reclaim ownership of lawfully-confiscated property. The violation of
22 Plaintiffs’ rights is all the more offensive in this instance in light of an existing
23 injunction issued against Defendant City for such actions in *Lavan v. City of Los*
24 *Angeles*, 11-cv- 11-02874 PSG (AJWx). *Lavan* is only the most recent injunction
25 issued against Defendant City for the unlawful seizure and destruction of the
26 personal property of low-income individuals with first providing pre- and post-
27 deprivation notice and an opportunity protect such personal property.

28

RECENT INCIDENTS

1
2 35. On or about the afternoon of September 12, 2015, Plaintiff Aureliano
3 Santiago, other members of Unión, and other vendors were on Maple Street between
4 11th and 12th Street when BID officers descended on the group. The officers arrived
5 on bike and foot and surrounded a number of vendors, including Mr. Santiago. The
6 BID officers positioned their bikes to prevent the vendors, including Mr. Santiago,
7 from accessing their property or removing it from the area. On information and
8 belief, the BID officers contacted the LAPD. Officer Linton and another officer
9 arrived shortly thereafter.

10 36. Working together, the LAPD officers blocked the vendors from
11 accessing their property and threatened them with arrest while the BID officers seized
12 their carts, dollies, umbrellas, utensils, coolers and perishable items and dumped their
13 property into the back of the Fashion District BID's trash truck and pickup truck.

14 37. None of the vendors were given receipts for their property. No efforts
15 were made to identify to whom the property belonged. None of the vendors were told
16 where the property was being taken or how they could reclaim it.

17 38. The experiences of the vendors on September 12 are not isolated.
18 Numerous other vendors and members of Unión have faced similar unlawful
19 confiscations.

20 39. On or about August 21 2015, near 12th Street and Maple Street in the
21 Fashion District, vendor and Unión member Maria del Rosario Caal was selling fruit
22 from her cart. At approximately 12:30 p.m., Officer Linton approached Ms. Caal and
23 informed her that selling fruit there was not permitted and that all of her property
24 would be thrown away. Ms. Caal asked the officer if she could leave, but Officer
25 Linton informed her that she could not, and that she was going to be given a ticket for
26 illegal street vending. Ms. Caal asked that she be able to keep her property, but the
27 officer refused and repeated that it would all be thrown away.

28

1 40. While Officer Linton was writing the citation, she made a phone call; on
2 information and belief, the call was to the Fashion District BID. Approximately five
3 minutes later, about five BID officers in yellow shirts arrived at the scene. LAPD
4 Officer Linton instructed the BID officers to seize and dispose of Ms. Caal's
5 property, including not only the fruit, but also her cart, her utensils, gloves, and other
6 items. The BID officers threw Ms. Caal's property in the back of their truck.

7 41. Ms. Caal was detained while Officer Linton wrote a citation and her
8 property was trashed. After she was given the citation, Ms. Caal was permitted to
9 leave the scene. She was not given a receipt for the property that was taken or
10 informed in writing or orally of the location to which her property was being taken or
11 a process to retrieve any of her property.

12 42. On or about September 25, 2015, vendor and Unión member Juana
13 Rodriguez and her husband, Gregorio Pablo Gomez Velasquez, were selling shaved
14 fruit ice near the intersection of Maple Avenue and 11th St. That afternoon, Ms.
15 Rodriguez stepped away to shop for a pair of shoes for her daughter and left her
16 husband with the cart. While she was in the store, she heard a commotion and left the
17 store in time to see an LAPD officer placing her husband under arrest.

18 43. After her husband was arrested, the officers remained at the scene until
19 BID officers in yellow shirts arrived on bicycles. They were followed quickly by
20 other BID officers arriving with the BID truck.

21 44. Ms. Rodriguez then went over to her cart, but it was surrounded by
22 approximately five BID officers. She asked if she could have her cart back. A BID
23 officer told her that she could not and that LAPD instructed the BID officers to
24 confiscate it. The BID officers then placed the cart and all of her equipment,
25 including an ice shaver, cups, utensils, and supplies into the back of their truck and
26 drove away. Neither she nor her husband were given a receipt for their property.
27 They were never informed where the property was taken or that they could get their
28 property, including their equipment and cart, back from either the BID or the LAPD.

1 **ATTEMPTS TO RETRIEVE CONFISCATED PROPERTY**

2 45. On or about September 21, a number of street vendors who had been
3 cited by the LAPD and had their property taken by the BID officers, including Mr.
4 Santiago and other members of Unión, went to the LAPD Central Division to file
5 police personnel complaints against the LAPD officers who were responsible for the
6 seizure of their property. Mr. Santiago attended that day and made a report to
7 Internal Affairs against Officer Linton and others in the department. An Internal
8 Affairs officer took Mr. Santiago's complaint, but stated that officers were "just
9 doing their job" by citing street vendors and confiscating their property.

10 46. On September 22, 2015, another group of vendors, including Mr.
11 Santiago and other members of Unión, went to the Fashion District BID to try to get
12 the BID to return their property. The vendors spoke to a BID manager who informed
13 them that the BID was working with the LAPD and that the BID seized vendors'
14 property at the direction, and with the authorization of, the LAPD. The manager
15 indicated that the BID retained some of the dollies that had been taken from street
16 vendors, although it was not clear when these dollies were taken or to whom they
17 belonged. The vendors were shown some of the seized property. Mr. Santiago's
18 property was not among the dollies that were produced. The manager also indicated
19 that the BID had turned over other carts, utensils and perishables to the police
20 department. However, on information and belief, the BID has simply thrown away
21 this property, along with other property it seized that day.

22
23 **FIRST CAUSE OF ACTION**
24 **Right to Be Secure From Unreasonable Seizures**
25 **42 U.S.C. §1983 - Fourth Amendment;**
26 **Art. 1, §13, California Constitution**
27 **Against All Defendants**

28 47. Plaintiffs reallege and incorporate the allegations set forth in paragraphs
1 through as 46 as though fully set forth herein.

1 48. Plaintiffs have a vested interest in their property pursuant to state
2 constitutional and statutory law. Defendants violated plaintiffs' Fourth Amendment
3 right to be free from unreasonable seizure of their property by seizing and then
4 discarding plaintiffs' property without a warrant and without any legal justification
5 to do so.

6 49. Defendants' unlawful actions, through the conduct of their employees,
7 were done with the specific intent to deprive plaintiffs of their constitutional rights to
8 be secure in their property. None of the property seized from plaintiffs was
9 contraband or otherwise unlawful to possess.

10 50. Plaintiffs are informed and believe that Defendants' employees and
11 agents were intentional in failing to protect and preserve their property, and that, at a
12 minimum, the City was deliberately indifferent to the likely consequence that the
13 property would be seized and destroyed unlawfully, based on the past circumstances
14 of similar constitutional and statutory violations.

15 51. As a direct and proximate consequence of the acts of defendants' agents
16 and employees, plaintiff Aureliano Santiago has suffered and continues to suffer
17 injury and loss. Mr. Santiago is entitled to compensatory damages for the loss of and
18 damage to property and other injuries to his person that resulted from the violation of
19 his Fourth Amendment and analogous state constitutional rights.

20 52. Plaintiffs are also entitled to injunctive relief prohibiting defendants
21 from unreasonably seizing and destroying their property in the future. Plaintiffs are
22 informed and believe that unless restrained from doing so, defendants will continue
23 to engage in said wrongful conduct for which plaintiffs have no adequate remedy at
24 law. Unión's mission is still frustrated by these policies and practices, and they
25 continue to divert resources as a result of these policies and practices. Unión's
26 members, who continue to vend in the Fashion District BID, are still harmed by
27 these practices. The practices detailed in the preceding paragraphs will continue to
28 violate their constitutional rights.

1 **SECOND CAUSE OF ACTION**
2 **Right to Due Process of Law**
3 **42 U.S. C. §1983, Fifth and Fourteenth Amendments;**
4 **Art. I, §7 Calif. Constitution**
5 **Against All Defendants**

6 53. Plaintiffs reallege and incorporate the allegations set forth in paragraphs
7 1 through 46 as though fully set forth herein.

8 54. Defendants owed plaintiffs a duty under the due process clause of the
9 Fifth and Fourteenth Amendments to the U.S. Constitution and Article I, sec. 7 of the
10 California Constitution.

11 55. Defendants provided plaintiffs with no notice that their property was at
12 risk of being seized and/or destroyed. Even when defendants were specifically put on
13 notice that the property was not abandoned and given an opportunity to stop the
14 seizure of plaintiffs' personal items, defendants proceeded with the seizure and the
15 immediate destruction of the property, denying Plaintiffs any pre- or post-deprivation
16 due process to contest the seizure of their property or seek its return.

17 56. Plaintiffs are informed and believe that defendants' employees and
18 agents are seizing property intentionally without a lawful justification, or, at least,
19 defendants were deliberately indifferent to the likely consequence that the property
20 would be seized and destroyed without lawful justification and without due process.

21 57. As a direct and proximate consequence of the acts of defendants' agents
22 and employees, plaintiffs have suffered and continue to suffer injury and loss.
23 Plaintiff Santiago is entitled to compensatory damages for the loss of and damage to
24 property and other injuries to his person that resulted from the violation of his Fifth
25 and Fourteenth Amendment rights.

26 58. Plaintiffs are also entitled to injunctive relief prohibiting defendants
27 from seizing and summarily destroying their property in the future without due
28 process. Plaintiffs are informed and believe that unless restrained from doing so,
defendants will continue to engage in said wrongful conduct for which plaintiffs

1 have no adequate remedy at law. Unión’s mission is still frustrated by these policies
2 and practices, and they continue to divert resources as a result of these policies and
3 practices. Unión’s members, who continue to vend in the Fashion District, are still
4 harmed by these practices. The practices detailed in the preceding paragraphs will
5 continue to violate their constitutional rights.

6
7 **THIRD CAUSE OF ACTION**
8 **Violation of Civil Rights: Interference By Threat, Intimidation or Coercion**
9 **California Civil Code § 52.1**

10 59. Plaintiffs reallege and incorporate the allegations set forth in paragraphs
11 1 through 46 as though fully set forth herein.

12 60. Defendants’ agents and employees have used threats of arrest and
13 intimidation to interfere with plaintiffs’ rights secured by the Constitution of the
14 United States, the Constitution of the State of California, and the statutory laws of the
15 State of California.

16 61. Plaintiffs are entitled to an injunction pursuant to California Civil Code §
17 52.1. Plaintiffs are informed and believe that unless restrained from doing so,
18 defendants will continue to engage in said wrongful conduct for which plaintiffs have
19 no adequate remedy at law. Plaintiffs are also entitled to damages pursuant to Civil
20 Code §§ 52 and 52.1.

21 **WHEREFORE**, plaintiffs pray as follows:

22 1. For a temporary restraining order, a preliminary injunction and a permanent
23 injunction, enjoining and restraining defendants from engaging in the policies,
24 practices and conduct complained of herein;

25 2. For a declaratory judgment that defendants’ policies, practices and conduct
26 as alleged herein violate plaintiffs’ rights under the United States Constitution, the
27 California Constitution and the laws of California;

1 3. For plaintiff Aureliano Santiago, damages in an amount to be determined
2 according to proof and in accord with Cal. Civ. Code §§ 52, 52.1 and Cal.
3 Government Code § 815.6.

4 5. For costs of suit and attorney fees as provided by law;

5 6. For such other relief as the Court deems just and proper.

6
7 Dated: October 28, 2015

Respectfully submitted,

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9 Legal Aid Foundation of Los Angeles
10 ACLU Foundation of Southern California
11 National Lawyers Guild – Los Angeles
12 Schonbrun, Seplow, Harris & Hoffman

13 /s/ Carol A. Sobel

14 By: CAROL A. SOBEL
15 Attorneys for Plaintiffs
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