

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Jon Takasugi

1 Garo Mardirossian, State Bar No. 101812
2 **MARDIROSSIAN & ASSOCIATES, INC.**
3 6311 Wilshire Boulevard
4 Los Angeles, California 90048-5001
5 Telephone (323) 653-6311
6 E-Mail: Garo@Garolaw.com

7 David M. deRubertis, State Bar No. 208709
8 **THE deRUBERTIS LAW FIRM, APC**
9 4219 Coldwater Canyon Avenue
10 Studio City, California 91604
11 Telephone (818) 761-2322
12 E-Mail: David@deRubertisLaw.com

13 Attorneys for Plaintiff
14 **KELLI TENNANT**

15
16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**
18

19 **KELLI TENNANT, an individual,**

20 Plaintiff,

21 vs.

22 **LUKE WALTON, an individual; and**
23 **DOES 1 through 50 Inclusive,**

24 Defendants.
25
26

COMPLAINT FOR DAMAGES

- 27 1) Sexual Battery
(Civ. Code §1708.5)
- 28 2) Gender Violence
(Civ. Code §52.4)
- 3) Violation of the Ralph Act
(Civ. Code §51.7)
- 4) Sexual Assault
- 5) Battery
- 6) Assault

DEMAND FOR JURY TRIAL

1 **INTRODUCTION**

2 1. Like women in so many other industries, from Hollywood to politics,
3 women connected to the National Basketball Association (NBA) have long had to
4 suffer in silence through the indignities of gender abuse and sexual exploitation
5 at the hands of famous, wealthy and powerful men. Aided by their enormous
6 fame, money and power, and motivated by a culture that tolerates misogynistic
7 gender-bias, too many men in professional basketball think their fame, wealth
8 and power entitles and gives them a license to sexually exploit and degrade
9 women whenever they want. There is another sad truth: the more powerful,
10 wealthier and more famous, the more this pattern tends to prove true.
11 Defendant Luke Walton – a former professional basketball player and the former
12 Head Coach of the Los Angeles – is one of these men. And Plaintiff Kelli Tennant
13 – a former rising star sports broadcaster – is a woman who has had to tolerate,
14 endure and suffer in silence from the abuse she suffered at the hands of
15 Defendant Walton. But no longer. By this lawsuit, Ms. Tennant speaks up and
16 says #timesup to the culture of abuse of women in the NBA that is demonstrated
17 by the conduct of Defendant Luke Walton detailed below.

18 **IDENTIFICATION OF THE PARTIES**

19 2. Plaintiff Kelli Tennant is, and at all relevant times herein was, an
20 individual residing in the City of Santa Monica, County of Los Angeles, State of
21 California. Previously, Ms. Tennant Plaintiff was employed as a sports reporter,
22 broadcaster and television host by Spectrum SportsNet and SportsNet LA. In
23 that employment, she was required to and did engage in sports reporting and
24 interviews with the players and management of the Los Angeles Lakers.

25 3. Plaintiff is informed and believes, and thereon alleges, that
26 Defendant Luke Walton was and is an individual residing in the City of
27 Manhattan Beach, County of Los Angeles, State of California. He was previously
28 the Head Coach of the Los Angeles Lakers professional basketball team.

1 4. The true names and capacities of Defendants sued herein as Does 1
2 through 50, inclusive, are unknown to Plaintiff, who therefore sues such
3 Defendants by such fictitious names pursuant to Code of Civil Procedure §474.
4 Plaintiff alleges that each fictitiously named Defendant acted or failed to act in a
5 manner that was intentional, negligent or otherwise responsible at law for the
6 injuries suffered by Plaintiff as alleged herein, and that each fictitiously named
7 Defendant was a substantial factor in causing the damages to Plaintiff as herein
8 alleged. Plaintiff will seek leave of Court to amend this Complaint to set forth
9 their true names and capacities when ascertained. The DOE defendants are both
10 individuals and/or entities.

11 5. Plaintiff is informed and believes, and based upon such information
12 and belief alleges, that at all times relevant hereto, each Defendant was the
13 owner, agent, employee or employer of each of its co-Defendants, and in doing the
14 acts hereinafter mentioned, each Defendant was acting within the course and
15 scope of such employment and authority, and with the permission and consent of
16 its co-Defendants, and each of them, and that said acts of each Defendant were
17 ratified by said co-Defendants, and each of them.

18 **ALLEGATIONS PERTINENT TO EACH CAUSE OF ACTION**

19 **A. Kelli Tennant’s athletic background and her work as a highly-**
20 **regarded sports broadcaster covering the National Basketball**
21 **Association and, particularly, the Los Angeles Lakers**
22 **basketball.**

23 6. Plaintiff Kelli Tennant was previously an accomplished amateur
24 volleyball player. A former high school All-American and 2003 Division I CIF
25 Volleyball Champion, she was recruited by the University of Southern California
26 to play on its women’s volleyball team where she served as the team’s co-captain.
27 While still a student at the University of Southern California, Ms. Tennant not
28 only pursued her love of athletics, but she also pursued her passion of sports

1 broadcasting by serving as an on-camera interviewer for TrojanTV All-Access,
2 which provided online broadcast coverage of the University's sporting events
3 including certain basketball games.

4 7. After graduating from the University of Southern California, Ms.
5 Tennant went on to pursue her dream of working as a television host and
6 reporter. At twenty-one years-old, she was hired by ESPN as an analyst for
7 college volleyball. She then went on to work for multiple other networks
8 including, PAC 12 Networks, Fox Sports, and E! News. At twenty-five years-old,
9 Ms. Tennant transitioned to Time Warner/Spectrum Sportsnet in Los Angeles.
10 There, Ms. Tennant spent approximately five years covering the local Los
11 Angeles sports market – including the Los Angeles Lakers. Among other things,
12 there, Ms. Tennant hosted live studio shows and contributed to pre- and post-
13 game coverage for Lakers games that aired on Time Warner/Spectrum Sportsnet.

14 8. During her time at Spectrum Sportsnet, Ms. Tennant was regarded
15 as one of the leading female reporters in sports, and she was personally requested
16 to conduct sit-down interviews with leading sports figures. Through hard work
17 and dedication, Ms. Tennant worked her way up to the lead host of Lakeshow, a
18 pre-game Lakers show, in which she entertained and educated fans with
19 basketball legends like James Worthy, Robert Horry and Derek Fisher.

20 **B. Defendant Luke Walton's career as a National Basketball**
21 **Association professional player and then coach.**

22 9. Defendant Luke Walton is a former National Basketball Association
23 (NBA) player and current NBA Head Coach. He finished his career as a
24 professional athlete during the 2012-2013 season. After his retirement from
25 playing professional basketball, Defendant Walton transitioned into coaching. In
26 the 2014-2015 NBA season, Defendant Walton became an Assistant Coach for the
27 NBA's Golden State Warriors.

1 10. In April 2016, the Los Angeles Lakers hired Defendant Walton as
2 their new head coach. Defendant Walton served as the Head Coach of the Los
3 Angeles Lakers during the 2016-2017, 2017-2018 and 2018-2019 seasons until,
4 upon information and belief, he and the Lakers mutually parted ways on April
5 12, 2019.

6 **C. Before his sexually assaultive and aggressive behavior,**
7 **Defendant Walton a trusted mentor and colleague.**

8 11. Before the events described below, Ms. Tennant had known
9 Defendant Walton and was acquainted with his wife for years. Defendant
10 Walton's wife was a former competitive volleyball player. Ms. Tennant – who
11 spent years deeply involved in the Southern California and then collegiate
12 women's volleyball circuit –was acquainted with her because of their shared
13 involvement in the competitive volleyball circuit.

14 12. During part of her time at Spectrum Sportsnet, Defendant Walton
15 served as one of the lead analysts covering Lakers games and Ms. Tennant had
16 regular contact with him in that capacity. Moreover, in working as a broadcaster
17 with SportsNet LA, Ms. Tennant's employment duties included: frequent
18 interviews with the players and management of the Los Angeles Lakers; serving
19 as the studio host for Los Angeles Lakers; and pre- and post-game programming.
20 In these contexts, Ms. Tennant continued to have regular professional contact
21 with Defendant Walton after he stopped serving as an analyst and began
22 coaching. During these times, Defendant Walton offered Ms. Tennant
23 mentorship and advice, and Ms. Tennant viewed Defendant Walton as a trusted
24 colleague, mentor and even friend.

25 13. At all relevant times, Ms. Tennant knew that Defendant Walton was
26 married, and Ms. Tennant also knew that Defendant Walton and his wife had
27 children together. Ms. Tennant was not interested, romantically or sexually, in
28 Defendant Walton.

1 **D. Ms. Tennant publishes a guide book to help student-athletes**
2 **transition to life after sports and asks Defendant Walton to**
3 **write the foreword to her book. Defendant Walton agrees, but**
4 **then betrays and exploits her trust by using the opportunity**
5 **to sexually assault Ms. Tennant.**

6 14. Ms. Tennant published a book – entitled “The Transition: Every
7 Athlete’s Guide to Life After Sports” – a guide for student athletes making the
8 transition into a world after sports. Before she published her book, Ms. Tennant
9 had discussed with Defendant Walton his personal experience in making the
10 transition from being an athlete to the world after sports. Considering him to be
11 a mentor and friend, and knowing he had personal experience with the book’s
12 subject matter, Ms. Tennant asked Defendant Walton to write the book’s
13 foreword. Defendant Walton agreed, he worked with Ms. Tennant to complete
14 the foreword and the book was published with the foreword credited to him.

15 15. Thereafter, Defendant Walton (who was then coaching for the Golden
16 State Warriors) was in Los Angeles because the Warriors were playing the
17 Lakers. Grateful that he had been willing to assist her with the foreword to her
18 recently-published book, Ms. Tennant contacted Defendant Walton and told him
19 she would like to drop-off a copy of her book for him as a token of her gratitude
20 for his help (as she had done for others who had helped with her book).
21 Defendant Walton told Ms. Tennant to come to the Casa Del Mar Hotel, in Santa
22 Monica, where he was staying and told her that he would meet her downstairs
23 when she arrived.

24 16. Upon arriving at the hotel, Ms. Tennant spotted Defendant Walton
25 outside of the hotel waiting for her. She drove up to him, handed him the book,
26 thanked him and began to say goodbye when he told her to park her car so that
27 they could “catch up.” Ms. Tennant parked her car expecting that they would sit
28 in the hotel lobby and “catch up” briefly. But, as they entered the hotel,

1 Defendant Walton turned towards the elevators leading up to the rooms,
2 prompting Ms. Tennant to ask: “Where are you going?” Defendant Walton
3 responded that they could not visit in the lobby where the players may be, but
4 then assured Ms. Tennant: “It’s fine. Come on up. It’s me.” As she had known
5 Defendant Walton for years, trusted him as a mentor, and knew him to be a
6 married man with children whose wife she was acquainted with, Ms. Tennant
7 agreed.

8 17. Once inside the hotel room Defendant Walton and Ms. Tennant
9 discussed matters including her book, his job, and their families. Suddenly and
10 out-of-nowhere, Defendant Walton pinned Ms. Tennant on the bed, placing his
11 hips and legs over her body. Defendant Walton then began forcing kisses on her
12 neck, face and chest. Terrified, Ms. Tennant immediately yelled “Stop it,” and
13 tried to free herself. Defendant Walton did not stop. Instead, the crushing
14 weight of his six-foot eight-inch, two hundred and thirty-five pound body pinned
15 Ms. Tennant to the bed and she unable to escape. Defendant Walton groped Ms.
16 Tennant’s breasts and groin area, continued to forcibly kiss her face, neck,
17 breasts, etc., and rubbed his erection on her leg.

18 18. Ms. Tennant was in shock and fear. She was afraid she was about to
19 be raped. She yelled and pled with Defendant Walton begging him to stop and
20 get off of her. But Defendant Walton did not stop. Instead, he not only continued
21 to sexually assault her but laughed at her pleas to stop.

22 19. Ms. Tennant continued to resist in protest and, eventually,
23 Defendant Walton relented and got off of Ms. Tennant’s body releasing her from
24 his hold. Ms. Tennant immediately turned her body away and swung her legs off
25 the bed and stood up to leave. As she tried to leave, Defendant Walton grabbed
26 her from behind and held her arms against her body. Restrained again by
27 Defendant Walton’s strength, Ms. Tennant was unable to move and Defendant
28 Walton resumed forced kissing of her ears and neck during which Ms. Tennant

1 repeatedly pled for him to stop.

2 20. When Defendant Walton finally stopped and released her, he smiled,
3 laughed again and made the disturbing statement: “Good to see you.”

4 **E. After the initial assault, Defendant Walton continues to**
5 **physically and verbal taunt and harass Ms. Tennant, causing**
6 **more damage and re-igniting the painful wounds of his**
7 **earlier sexual assault of her.**

8 21. After the initial sexual assault, Ms. Tennant did her best to cope with
9 the harm she suffered from Defendant Walton’s abusive attack on her. While she
10 confided in certain people about Defendant Walton’s conduct, she did not report it
11 publicly. Instead, like many survivors of sexual assault and abuse, Ms. Tennant
12 for the most part suffered silently. During this time, Ms. Tennant continued to
13 work as a prominent member of the sports broadcasting community nationally
14 and particularly in the Los Angeles Market. Also during this time, Defendant
15 Walton became the Head Coach of the Los Angeles Lakers.

16 22. Given their respective involvement in the NBA community, Ms.
17 Tennant was required to continue to have regular, frequent contact with
18 Defendant Walton. In these instances, Defendant Walton made implied threats
19 of additional physical assaults and other harm by his continued conduct,
20 including continuing to place his hands on her in ways that made her feel
21 uncomfortable and which he reasonably knew would make her uncomfortable,
22 especially given the previous sexual assault he committed upon her. At many of
23 these events, Defendant Walton could, and should, have greeted Ms. Tennant
24 with a professional greeting, such as a handshake. Instead, frequently and
25 repeatedly when she was required to interact with him, Defendant Walton would
26 impose himself on Ms. Tennant with a big hug or kiss. When he did so,
27 Defendant Walton delivered a clear message to Ms. Tennant: he could dominate
28 and control her, and she was his to put his hands on whenever he wanted. By

1 this additional conduct that continued unabated, Ms. Tennant remained in fear
2 and deterred from taking action against Defendant Walton and relied to her
3 detriment as Defendant Walton intended her to do by his conduct.

4 23. On or about May 24, 2017, Ms. Tennant was involved in the planning
5 and organization of a charity event for a charitable organization of which she was
6 a Board Member. At this event, Defendant Walton and Lakers owner Jeanie
7 Buss were special honorees and Ms. Tennant's duties included interacting with
8 them. When Defendant Walton arrived at the event's venue in his car, Ms.
9 Tennant greeted him. Defendant Walton looked Ms. Tennant up and down very
10 slowly and provocatively, uttered vulgar guttural sounds at her in a lewd manner
11 and remarked "Mmmm...you're killing me in that dress!" Then, when Defendant
12 Walton greeted Ms. Tennant inside the venue, he forced an aggressive hug on
13 her, forced kisses on her check and rubbed his body against hers. Ms. Tennant
14 felt helpless and violated. But she then was required as part of her duties to
15 moderate a panel at which Defendant Walton was being honored.

16 24. Frequently and repeatedly, at various sporting or other events they
17 both attended, Defendant Walton engaged in conduct like that described above by
18 imposing unwanted and unwelcomed hugs and kisses on Ms. Tennant.

19 25. When he engaged in the conduct described above, Defendant Walton
20 knew that he had previously sexually assaulted Ms. Tennant at the Casa Del
21 Mar Hotel. He knew, based on her reaction at the Hotel, that his sexual assault
22 was unwelcomed and unwanted. He also knew that Ms. Tennant had no interest
23 in being touched, man-handled, assaulted or otherwise sexually taunted by
24 Defendant Walton. He further knew that continuing to do these things would
25 cause Ms. Tennant severe emotional distress including, *inter alia*, because it
26 would re-trigger the wounds of the earlier sexual assault at the Casa Del Mar
27 Hotel. Despite knowing all of this, Defendant Walton did it anyway, continuing
28 to physically assault her by conduct and actions that demonstrated his view that

1 she was simply a “piece of meat” available for his pleasure, despite her clear lack
2 of consent or interest. Indeed, all of the foregoing conduct by Defendant Walton
3 was part and parcel of an ongoing and continuous pattern of mistreatment
4 directed at Ms. Tennant.

5 **FIRST CAUSE OF ACTION**

6 **SEXUAL BATTERY**

7 **(By Plaintiff Against All Defendants)**

8 **(Cal. Civ. Code §1708.5)**

9 26. Plaintiff re-alleges each and every allegation contained in this
10 Complaint, and by this reference, incorporates said allegations as though fully set
11 forth herein.

12 27. California Civil Code section 1708.5 prohibits committing sexual
13 battery upon another, which includes: (a) acting with the intent to cause a
14 harmful or offensive contact with an intimate part of another, and a sexually
15 offensive contact with that person results directly or indirectly; (b) acting with
16 the intent to cause a harmful or offensive contact with another by use of one’s
17 own intimate part, and a sexually offensive contact with that person results
18 directly or indirectly; and (c) acting with the intent to cause imminent
19 apprehension of a harmful or offensive contact with an intimate part of another
20 or by one’s own intimate part, and a sexually offensive contact with that person
21 results directly or indirectly.

22 28. California Civil Code section 1708.5(d) defines an “intimate part” as
23 the sexual organ, anus, groin, or buttocks of any person and the breast of a
24 female. Subdivision (f) of the same statute defines an “offensive contact” as one
25 “that offends a reasonable sense of personal dignity.”

26 29. By engaging in the conduct described hereinabove, Defendant Walton
27 and DOES 1 through 50, inclusive, committed sexually battery upon Plaintiff in
28 violation of California Civil Code section 1708.5.

1 30. As a direct and proximate result of Defendants' unlawful conduct as
2 alleged hereinabove, Plaintiff sustained injuries to her mind and body, shock and
3 injury to her nervous system and person, and both personal physical injuries and
4 mental suffering and emotional distress, all of which said injuries have caused,
5 and continue to cause, Plaintiff to suffer damages including, but not limited to,
6 loss of quality of life, in an amount to be determined according to proof at trial,
7 but in an amount greater than this court's minimum jurisdictional limit.

8 31. As a further direct and proximate result of Defendants' unlawful
9 conduct as alleged hereinabove, Plaintiff has suffered economic harm, in an
10 amount to be determined according to proof at trial, but in an amount greater
11 than this court's minimum jurisdictional limit.

12 32. The aforementioned conduct by Defendants was malicious,
13 oppressive, fraudulent and was done in conscious disregard for the probability
14 that the conduct would result in harm to others. This conduct was so base and
15 contemptible that it would be looked down upon and despised by ordinary, decent
16 people. Therefore, Plaintiff is entitled to recovery of exemplary damages against
17 Defendants and each of them.

18 **SECOND CAUSE OF ACTION**
19 **GENDER VIOLENCE**
20 **(By Plaintiff Against All Defendants)**
21 **(Cal. Civ. Code §52.4)**

22 33. Plaintiff re-alleges each and every allegation contained in this
23 Complaint, and by this reference incorporates said allegations as though fully set
24 forth herein.

25 34. California Civil Code section 52.4 provides "gender violence," which is
26 defined as a form of sex discrimination consisting of either: one or more acts that
27 would constitute a criminal offense under state law that has an element the use,
28 attempted use, or threatened use of physical force against the person or property

1 of another, committed at least in part based on the gender of the victim; or, a
2 physical intrusion or physical invasion of a sexual nature under coercive
3 conditions.

4 35. By engaging in the conduct described hereinabove, Defendant
5 Walton and DOES 1 through 50, inclusive, committed “gender violence” within
6 the meaning of the above statute.

7 36. As a direct and proximate result of Defendants’ unlawful conduct as
8 alleged hereinabove, Plaintiff sustained injuries to her mind and body, shock and
9 injury to her nervous system and person, and both personal physical injuries and
10 mental suffering and emotional distress, all of which said injuries have caused,
11 and continue to cause, Plaintiff to suffer damages including, but not limited to,
12 loss of quality of life, in an amount to be determined according to proof at trial,
13 but in an amount greater than this court’s minimum jurisdictional limit.

14 37. As a further direct and proximate result of Defendants’ unlawful
15 conduct as alleged hereinabove, Plaintiff has suffered economic harm, in an
16 amount to be determined according to proof at trial, but in an amount greater
17 than this court’s minimum jurisdictional limit.

18 38. The aforementioned conduct by Defendants was malicious,
19 oppressive, fraudulent and was done in conscious disregard for the probability
20 that the conduct would result in harm to others. This conduct was so base and
21 contemptible that it would be looked down upon and despised by ordinary, decent
22 people. Therefore, Plaintiff is entitled to recovery of exemplary damages against
23 Defendants and each of them.

24 39. Plaintiff has incurred attorney’s fees and costs in prosecuting this
25 action, and she therefore seeks to recovery such attorney’s fees and costs
26 including pursuant to California Civil Code section 52.4(a) which provides that
27 “[a] prevailing plaintiff may also be awarded attorney’s fees and costs.”
28

THIRD CAUSE OF ACTION
VIOLATION OF THE RALPH ACT
(By Plaintiff Against All Defendants)
(Cal. Civ. Code §51.7)

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5 40. Plaintiff re-alleges each and every allegation contained in this
6 Complaint, and by this reference incorporates said allegations as though fully set
7 forth herein.

8 41. California Civil Code section 51.7 provides that all persons have the
9 right to be free from any violence, or intimidation by threat of violence,
10 committed against their persons on account of any characteristic listed or defined
11 in subdivision (b) or (e) of Civil Code section 51, which includes sex and gender.

12 42. By engaging in the conduct described hereinabove, Defendant
13 Walton and DOES 1 through 50, inclusive, committed violence and/or
14 intimidation by threat of violence based on sex and gender against Plaintiff both
15 in connection with the prior events, the May 2017 event, and the other conduct
16 described herein in between and following those two specific events. A
17 reasonable woman in Plaintiff's circumstances would have perceived the events of
18 May 2017 as being acts of actual and/or threatened violence by Defendant Walton
19 including, *inter alia*, because of the previous sexual assault(s) that Defendant
20 Walton perpetrated on Plaintiff.

21 43. As a direct and proximate result of Defendants' unlawful conduct as
22 alleged hereinabove, Plaintiff sustained injuries to her mind and body, shock and
23 injury to her nervous system and person, and both personal physical injuries and
24 mental suffering and emotional distress, all of which said injuries have caused,
25 and continue to cause, Plaintiff to suffer damages including, but not limited to,
26 loss of quality of life, in an amount to be determined according to proof at trial,
27 but in an amount greater than this court's minimum jurisdictional limit.

28 44. As a further direct and proximate result of Defendants' unlawful

1 conduct as alleged hereinabove, Plaintiff has suffered economic harm, in an
2 amount to be determined according to proof at trial, but in an amount greater
3 than this court's minimum jurisdictional limit.

4 45. The aforementioned conduct by Defendants was malicious,
5 oppressive, fraudulent and was done in conscious disregard for the probability
6 that the conduct would result in harm to others. This conduct was so base and
7 contemptible that it would be looked down upon and despised by ordinary, decent
8 people. Therefore, Plaintiff is entitled to recovery of exemplary damages against
9 Defendants and each of them.

10 46. Moreover, under Civil Code section 52, there is "[a] civil penalty of
11 twenty-five thousand dollars (\$25,000) to be awarded to the person denied the
12 right provided by Section 51.7 in any action brought by the person denied the
13 right," which Plaintiff hereby seeks in addition to all other remedies sought
14 herein.

15 47. Plaintiff has incurred attorney's fees and costs in prosecuting this
16 action, and she therefore seeks to recovery such attorney's fees and costs
17 including pursuant to California Civil Code section 52, subdivision (b)(3) which
18 provides that a prevailing plaintiff in an action brought under Civil Code section
19 51.7 may recovery "[a]ttorney's fees as may be determined by the court."

20 **FOURTH CAUSE OF ACTION**

21 **SEXUAL ASSAULT**

22 **(By Plaintiff Against All Defendants)**

23 48. Plaintiff re-alleges each and every allegation contained in this
24 Complaint, and by this reference incorporates said allegations as though fully set
25 forth herein.

26 49. In engaging in the conduct described hereinabove, Defendant Luke
27 Walton and DOES 1 through 50, inclusive, engaged in conduct that would
28 constitute a sexual assault within the meaning of the statutes enumerated in

1 California Code of Civil Procedure section 340.16.

2 50. As a direct and proximate result of Defendants' unlawful conduct as
3 alleged hereinabove, Plaintiff sustained injuries to her mind and body, shock and
4 injury to her nervous system and person, and both personal physical injuries and
5 mental suffering and emotional distress, all of which said injuries have caused,
6 and continue to cause, Plaintiff to suffer damages including, but not limited to,
7 loss of quality of life, in an amount to be determined according to proof at trial,
8 but in an amount greater than this court's minimum jurisdictional limit.

9 51. As a further direct and proximate result of Defendants' unlawful
10 conduct as alleged hereinabove, Plaintiff has suffered economic harm, in an
11 amount to be determined according to proof at trial, but in an amount greater
12 than this court's minimum jurisdictional limit.

13 52. The aforementioned conduct by Defendants was malicious,
14 oppressive, fraudulent and was done in conscious disregard for the probability
15 that the conduct would result in harm to others. This conduct was so base and
16 contemptible that it would be looked down upon and despised by ordinary, decent
17 people. Therefore, Plaintiff is entitled to recovery of exemplary damages against
18 Defendants and each of them.

19 **FIFTH CAUSE OF ACTION**

20 **BATTERY**

21 **(By Plaintiff Against All Defendants)**

22 53. Plaintiff re-alleges each and every allegation contained in this
23 Complaint, and by this reference incorporates said allegations as though fully set
24 forth herein.

25 54. In engaging in the conduct described hereinabove, Defendant Luke
26 Walton and DOES 1 through 50, inclusive, intentionally, unlawfully, harmfully
27 and forcefully contacted the person of Plaintiff. Such contact was offensive,
28 against her will, and harmful.

1 55. Plaintiff did not consent to this intentional, unlawful, harmful and
2 forceful contact.

3 56. Plaintiff was harmed by the offensive contact, and the contact was a
4 substantial factor in causing Plaintiff's harm.

5 57. As a direct and proximate result of Defendants' unlawful conduct as
6 alleged hereinabove, Plaintiff sustained injuries to her mind and body, shock and
7 injury to her nervous system and person, and both personal physical injuries and
8 mental suffering and emotional distress, all of which said injuries have caused,
9 and continue to cause, Plaintiff to suffer damages including, but not limited to,
10 loss of quality of life, in an amount to be determined according to proof at trial,
11 but in an amount greater than this court's minimum jurisdictional limit.

12 58. As a further direct and proximate result of Defendants' unlawful
13 conduct as alleged hereinabove, Plaintiff has suffered economic harm, in an
14 amount to be determined according to proof at trial, but in an amount greater
15 than this court's minimum jurisdictional limit.

16 59. The aforementioned conduct by Defendants was malicious,
17 oppressive, fraudulent and was done in conscious disregard for the probability
18 that the conduct would result in harm to others. This conduct was so base and
19 contemptible that it would be looked down upon and despised by ordinary, decent
20 people. Therefore, Plaintiff is entitled to recovery of exemplary damages against
21 Defendants and each of them.

22 SIXTH CAUSE OF ACTION

23 **ASSAULT**

24 **(By Plaintiff Against All Defendants)**

25 60. Plaintiff re-alleges each and every allegation contained in this
26 Complaint, and by this reference incorporates said allegations as though fully set
27 forth herein.

28 61. In engaging in the conduct described hereinabove, Defendant Luke

1 Walton and DOES 1 through 50, inclusive, intentionally, unlawfully, harmfully
2 and forcefully engaged in overt physical acts or conduct that created the
3 reasonable fear on Plaintiff's part of being subjected to an offensive or harmful
4 contact.

5 62. Defendants Luke Walton and DOES 1 through 50, inclusive,
6 intended to either inflict a harmful or offensive contact or to cause Plaintiff to
7 fear such contact.

8 63. Plaintiff was in fact in apprehension of immediate harmful or
9 offensive contact.

10 64. Plaintiff did not consent to this intentional, unlawful, harmful and
11 forceful contact or threatened contact.

12 65. Plaintiff was harmed by the threat and anticipation of being
13 subjected to offensive or harmful contact, and Defendants' conduct was a
14 substantial factor in causing Plaintiff's harm.

15 66. As a direct and proximate result of Defendants' unlawful conduct as
16 alleged hereinabove, Plaintiff sustained injuries to her mind and body, shock and
17 injury to her nervous system and person, and both personal physical injuries and
18 mental suffering and emotional distress, all of which said injuries have caused,
19 and continue to cause, Plaintiff to suffer damages including, but not limited to,
20 loss of quality of life, in an amount to be determined according to proof at trial,
21 but in an amount greater than this court's minimum jurisdictional limit.

22 67. As a further direct and proximate result of Defendants' unlawful
23 conduct as alleged hereinabove, Plaintiff has suffered economic harm, in an
24 amount to be determined according to proof at trial, but in an amount greater
25 than this court's minimum jurisdictional limit.

26 68. The aforementioned conduct by Defendants was malicious,
27 oppressive, fraudulent and was done in conscious disregard for the probability
28 that the conduct would result in harm to others. This conduct was so base and

1 contemptible that it would be looked down upon and despised by ordinary, decent
2 people. Therefore, Plaintiff is entitled to recovery of exemplary damages against
3 Defendants and each of them.

4 **PRAYER**

5 Plaintiff Kelli Tennant prays for judgment, on all causes of action, against
6 all Defendants, as follows:

- 7 1. For economic damages in an amount according to proof; and in excess
8 of the minimum jurisdictional limits of this court;
- 9 2. For non-economic damages in an amount according to proof;
- 10 3. For punitive damages;
- 11 4. For attorney's fees pursuant to statute (on the 2nd and 3rd Causes of
12 Action only);
- 13 5. For civil and/or statutory penalties as permitted (on the 3rd Cause of
14 Action only);
- 15 6. For costs of suit incurred herein;
- 16 7. For interest on such judgment as allowed by law;
- 17 8. For such other and further relief as the Court may deem just and
18 proper.

19
20 Dated: April 22, 2019

MARDIROSSIAN & ASSOCIATES, INC.

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23 By: 

Garro Mardirossian, Esq.

Attorneys for Plaintiff Kelli Tennant


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DEMAND FOR JURY TRIAL

Plaintiff hereby demands jury on all issues so triable in this Complaint or in any other pleading filed in this action by any party.

Dated: April 22, 2019

MARDIROSSIAN & ASSOCIATES. INC.

By: 
Garo Mardirossian, Esq.
Attorneys for Plaintiff Kelli Tennant