

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO**

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Sep-07-2018 10:52 am

Case Number: CGC-18-569532

Filing Date: Sep-07-2018 10:50

Filed by: ROSSALY DELAVEGA

Image: 06486782

COMPLAINT

JENNIFER GALARZA VS. CITY AND COUNTY OF SAN FRANCISCO

001C06486782

**Instructions:**

Please place this sheet on top of the document to be scanned.

**SUMMONS**  
**(CITACION JUDICIAL)**

SUM-100

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**  
CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO FIRE DEPARTMENT, JAMES MIEKLE, TAYLOR MANFREDI, CHELSEA MEYERS, and DOES ONE through FIFTY, inclusive

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**  
JENNIFER GALARZA

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

San Francisco Superior Court  
400 McAllister Street  
San Francisco, CA 94102

CASE NUMBER  
(Número del Caso):

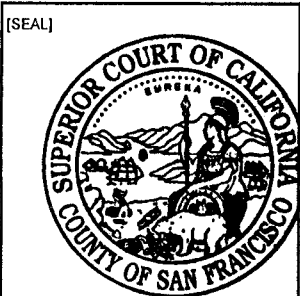
CGC-18-569532

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

BARBARA A. LAWLESS (Bar # 53195) and CAROLE L. OKOŁOWICZ (Bar # 320862)  
LAWLESS & LAWLESS, 354 Pine Street, Fourth Floor, San Francisco, CA 94104  
(415) 391-7555

DATE: **SEP 07 2018** CLERK OF THE COURT Clerk, by DE LA VEGA NAVARRO, Rosalva  
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons. (POS-010))



**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify):  
under:
 

<input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
4.  by personal delivery on (date):

1 BARBARA A. LAWLESS - Bar # 53195  
2 EMILY S. McGRATH - Bar # 289624  
3 CAROLE L. OKOLOWICZ - Bar # 320862  
4 LAWLESS & LAWLESS  
5 354 Pine Street, Fourth Floor  
6 San Francisco, CA 94104  
7 Telephone: (415) 391-7555  
8 Facsimile: (415) 391-4228

9 Attorneys for Plaintiff  
10 JENNIFER GALARZA

**FILED**  
San Francisco County Superior Court

SEP 07 2018

CLERK OF THE COURT  
BY: *[Signature]*  
Deputy Clerk

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 IN AND FOR THE COUNTY OF SAN FRANCISCO  
13 (Unlimited Jurisdiction)

CGC-18-569532

14 JENNIFER GALARZA,

15 Plaintiff,

16 vs.

17 CITY AND COUNTY OF SAN  
18 FRANCISCO, SAN FRANCISCO FIRE  
19 DEPARTMENT, JAMES MIEKLE,  
20 TAYLOR MANFREDI, CHELSEA  
21 MEYERS, and DOES ONE through  
22 FIFTY, inclusive,

23 Defendants.

No.

COMPLAINT FOR DAMAGES ARISING  
FROM SEXUAL ORIENTATION  
DISCRIMINATION, GENDER  
DISCRIMINATION, HOSTILE WORK  
ENVIRONMENT HARASSMENT,  
HARASSMENT BECAUSE OF GENDER  
AND/OR SEXUAL ORIENTATION,  
RETALIATION, INJUNCTIVE RELIEF,  
FOR ATTORNEYS' FEES AND COSTS  
AND FOR PUNITIVE DAMAGES

JURY TRIAL DEMANDED

Amount Demanded Exceeds  
\$25,000 (Gov't. Code § 72055)

24 Plaintiff JENNIFER GALARZA (hereinafter referred to as "PLAINTIFF") complains against  
25 Defendants, and each of them, demands a trial by jury of all issues and for causes of action alleges:

26 **FACTS COMMON TO MORE THAN ONE CAUSE OF ACTION**

27 1. PLAINTIFF is ignorant of the true names or capacities of the Defendants sued here  
28 under the fictitious names DOE ONE through DOE FIFTY, inclusive. PLAINTIFF is informed and

FAX

1 believes that each of DOE Defendants was responsible in some manner for the occurrences and  
2 injuries alleged in this complaint.

3           2.       At all times mentioned in the causes of action into which this paragraph is  
4 incorporated by reference, each and every defendant was the agent or employee of each and every  
5 other defendant. In doing the things alleged in the causes of action into which this paragraph is  
6 incorporated by reference, each and every defendant was acting within the course and scope of this  
7 agency or employment and was acting with the consent, permission, and authorization of each of the  
8 remaining Defendants. All actions of each defendant alleged in the causes of action into which this  
9 paragraph is incorporated by reference were ratified and approved by the officers or managing agents  
10 of every other defendant.

11           3.       At the pertinent times mentioned in this complaint, Defendants CITY AND  
12 COUNTY OF SAN FRANCISCO AND SAN FRANCISCO FIRE DEPARTMENT, was a  
13 municipality or part of a municipality in the State of California. Defendant CITY AND COUNTY OF  
14 SAN FRANCISCO and SAN FRANCISCO FIRE DEPARTMENT will be referred to jointly as  
15 defendant "FIRE DEPARTMENT."

16           4.       At the pertinent times mentioned in this complaint, Defendants JAMES MIEKLE,  
17 TAYLOR MANFREDI, and CHELSEA MEYERS were residents of the State of California. These  
18 Defendants will be referred to as the "Individual Defendants" or by their names.

19           5.       In or about April of 2016, defendant FIRE DEPARTMENT hired PLAINTIFF,  
20 Jennifer Galarza, who was at the relevant times in question a lesbian woman, for the position of  
21 Emergency Medical Technician.

22           6.       From the time PLAINTIFF was hired until the time of her termination, PLAINTIFF  
23 worked for Defendants in the city of San Francisco in the county of San Francisco in California.

24           7.       During PLAINTIFF's employment, PLAINTIFF received no significant criticism of  
25 her work.

26           8.       During PLAINTIFF's one year employment, she was bullied, belittled and treated  
27 with hostility by her colleagues including the Individual Defendants.

28           9.       PLAINTIFF was subjected to many inappropriate and sexist comments about

1 women in the Department, as well as negative comments about her sexual orientation by manager and  
2 employees of the San Francisco Fire Department. PLAINTIFF'S coworkers and those who outranked  
3 her constantly criticized her for insignificant matters, laughed at her, shunned or ignored her in an  
4 concerted effort to make her life so miserable she would quit.

5 10. On one occasion, Defendants MIEKLE and MANFREDI made gagging noises in  
6 her presence when PLAINTIFF approached them.

7 11. On or about May 12, 2017, PLAINTIFF found a notebook belonging to Defendant  
8 MIEKLE which contained many false statements and observations about her. Management had  
9 requested Defendant MIEKLE to keep the notebook or collect information about PLAINTIFF to make  
10 her look like she was not performing satisfactorily, so she could be fired because she was a lesbian -  
11 female. PLAINTIFF further believes that Defendant MANFREDI and others, including management,  
12 were collectively involved in this effort.

13 12. On the same day PLAINTIFF found Defendant MIEKLE's notebook, he went to  
14 speak with the Captain of the Department. The next day, PLAINTIFF was placed on light duty and  
15 was instructed not to report to work as previously scheduled. PLAINTIFF was also told she was under  
16 investigation but, she was never given a reason why and she was not interviewed.

17 13. On or about May 26, 2017, PLAINTIFF was terminated without being given a  
18 reason.

19

20

**FIRST CAUSE OF ACTION  
Sexual Orientation Discrimination in Violation of  
the California Fair Employment and Housing Act**

21

22 As a first, separate and distinct cause of action, plaintiff complains against Defendants FIRE  
23 DEPARTMENT and DOES ONE through FIFTY, and each of them, and for a cause of action alleges:

24 14. PLAINTIFF hereby incorporates by reference Paragraphs 1 through 13, inclusive, as  
25 though set forth in full.

26 15. Defendants FIRE DEPARTMENT and DOES ONE through FIFTY are employers  
27 in the State of California, as defined in the California Fair Employment and Housing Act ("FEHA").

28 16. Defendants FIRE DEPARTMENT and DOES ONE through FIFTY discriminated

1 against PLAINTIFF on the basis of her sexual orientation, lesbian, and ultimately discharged  
2 PLAINTIFF because of her sexual orientation, lesbian, in violation of the California Fair Employment  
3 and Housing Act. PLAINTIFF was always a good performer and she was suddenly taken out of her  
4 role and not retained.

5 17. PLAINTIFF filed a charge of sexual orientation discrimination with the California  
6 Department of Fair Employment and Housing within one year of the discrimination. The Department  
7 issued PLAINTIFF a right-to-sue letter within one year of the filing of this complaint. PLAINTIFF  
8 has exhausted her administrative remedies.

9 18. PLAINTIFF suffered damages legally caused by these Defendants' sexual orientation  
10 discrimination as described in the section below entitled "DAMAGES," which is incorporated here  
11 to the extent pertinent as if set forth here in full.

12

13 **SECOND CAUSE OF ACTION**  
14 **Gender Discrimination in Violation of the**  
15 **California Fair Employment and Housing Act**

16 As a second, separate and distinct cause of action, PLAINTIFF complains against Defendants  
17 FIRE DEPARTMENT and DOES ONE through FIFTY, and each of them, and for a cause of action  
18 alleges:

19 19. PLAINTIFF hereby incorporates by reference Paragraphs 1 through 13, inclusive, as  
20 though set forth here in full.

21 20. Defendants FIRE DEPARTMENT and DOES ONE through FIFTY are employers in  
22 the State of California, as defined in the California Fair Employment and Housing Act ("FEHA").

23 21. Defendants FIRE DEPARTMENT and DOES ONE through FIFTY discriminated  
24 against PLAINTIFF on the basis of her gender at the relevant times in question, and discharged  
25 PLAINTIFF because of her gender, female, at the relevant times in question, in violation of the  
26 FEHA. Defendants engaged in a pattern and practice of gender discrimination. The policies of  
27 Defendants relating to pay, promotion, hiring, retention, and termination, which were neutral on their  
28 face resulted in a disparate impact on the class of women employees, and PLAINTIFF was treated  
differently because of her gender, female.

1           22.     PLAINTIFF filed a charge of gender discrimination with the California Department  
2 of Fair Employment and Housing within one year of the discrimination. The department issued  
3 PLAINTIFF a right-to-sue letter within one year of the filing of this complaint. PLAINTIFF has  
4 exhausted her administrative remedies.

5           23.     PLAINTIFF suffered damages legally caused by these Defendants' discrimination as  
6 stated in the section below entitled "DAMAGES," which is incorporated here to the extent pertinent  
7 as if set forth here in full.

8  
9

**THIRD CAUSE OF ACTION  
Hostile Work Environment Harassment in Violation  
of the California Fair Employment and Housing Act**

10  
11           As a third, separate and distinct cause of action, PLAINTIFF complains against Defendants  
12 FIRE DEPARTMENT, the Individual Defendants, and DOES ONE through FIFTY, and each of them,  
13 and for a cause of action alleges:

14           24.     PLAINTIFF hereby incorporates by reference Paragraphs 1 through 22, inclusive,  
15 as though set forth here in full.

16           25.     Defendants FIRE DEPARTMENT and DOES ONE through FIFTY are employers  
17 in the State of California, as defined in the California Fair Employment and Housing Act ("FEHA").  
18 The Individual Defendants acted as agents, directly or indirectly, of defendant FIRE DEPARTMENT  
19 in violating the FEHA.

20           26.     Defendants FIRE DEPARTMENT, the Individual Defendants, and DOES ONE  
21 through FIFTY created a hostile work environment for PLAINTIFF on the basis of her sex, female,  
22 and/or sexual orientation, lesbian. Defendants created a sexually charged work environment in which  
23 female employees received benefits because of their engagement in flirtatious behavior and/or  
24 acquiescence to a sexually charged work environment created by male managers. Furthermore,  
25 PLAINTIFF's work environment was humiliating and hostile in that PLAINTIFF was subjected to  
26 many inappropriate and sexist comments about women in the department, as well as negative  
27 comments about her sexual orientation. For example, Defendant MIEKLE wrote down falsehoods  
28 about PLAINTIFF, and with the help of the other Individual Defendants, sought to get PLAINTIFF

1 fired. Throughout PLAINTIFF's employment, she was bullied, belittled and treated with hostility by  
2 others in the Department because of her gender and/or sexual orientation.

3 27. PLAINTIFF filed a charge of hostile work environment and harassment with the  
4 California Department of Fair Employment and Housing within one year of her experiencing a hostile  
5 work environment. The Department issued PLAINTIFF a right-to-sue letter within one year of the  
6 filing of this complaint. PLAINTIFF has exhausted her administrative remedies.

7 28. PLAINTIFF suffered damages legally caused by these Defendants' harassment as  
8 stated in the section below entitled "DAMAGES," which is incorporated here to the extent pertinent  
9 as if set forth here in full.

10 29. As a legal result of the conduct by Defendants of which PLAINTIFF complains,  
11 PLAINTIFF suffered and continues to suffer substantial losses in earnings and other employee  
12 benefits. PLAINTIFF will seek leave to amend this complaint to state the amount or will proceed  
13 according to proof at trial.

14  
15 **FOURTH CAUSE OF ACTION**  
16 **Harassment Because of Gender and/or Sexual Orientation**  
**in Violation of the California Fair Employment and Housing Act**

17 As a fourth, separate and distinct cause of action, PLAINTIFF complains against  
18 Defendants FIRE DEPARTMENT, the Individual Defendants, and DOES ONE through FIFTY, and  
19 each of them, and for a cause of action alleges:

20 30. PLAINTIFF hereby incorporates by reference Paragraphs 1 through 27, inclusive,  
21 as though set forth here in full.

22 31. Defendants FIRE DEPARTMENT and DOES ONE through FIFTY are employers in  
23 the State of California, as defined in the California Fair Employment and Housing Act ("FEHA"). The  
24 Individual Defendants acted as agents, directly or indirectly, of defendant FIRE DEPARTMENT  
25 in violating the FEHA.

26 32. Defendants FIRE DEPARTMENT, the Individual Defendants and DOES ONE  
27 through FIFTY harassed PLAINTIFF on the basis of her sex, female, and/or sexual orientation in  
28 violation of the FEHA. Defendants FIRE DEPARTMENT and the Individual Defendants harassed



1 PLAINTIFF by bullying and belittling her, making gagging sounds toward her, and shunning her.  
2 Defendants also mocked PLAINTIFF and excluded her. Defendants were trying to make the  
3 workplace so intolerable for PLAINTIFF that she would resign. Defendants engaged in a pattern and  
4 practice of harassment against lesbians and/or women to force them to resign. If they do not resign,  
5 they are not allowed to complete the probationary period satisfactorily.

6 33. PLAINTIFF filed a charge of sex harassment with the California Department of Fair  
7 Employment and Housing within one year of the harassment. The Department issued PLAINTIFF a  
8 right-to-sue letter within one year of the filing of this complaint. PLAINTIFF has exhausted her  
9 administrative remedies.

10 34. PLAINTIFF suffered damages legally caused by these Defendants' harassment as  
11 stated in the section below entitled "DAMAGES," which is incorporated here to the extent pertinent  
12 as if set forth here in full.

13  
14

**FIFTH CAUSE OF ACTION  
Retaliation in Violation of the  
California Fair Employment and Housing Act**

15  
16 As a fifth, separate and distinct cause of action, PLAINTIFF complains against  
17 Defendants FIRE DEPARTMENT and DOES ONE through FIFTY, and each of them, and for a cause  
18 of action alleges:

19 35. PLAINTIFF hereby incorporates by reference Paragraphs 1 through 13, inclusive,  
20 as though set forth here in full.

21 36. Defendants FIRE DEPARTMENT and DOES ONE through FIFTY are employers  
22 in the State of California, as defined in the California Fair Employment and Housing Act ("FEHA").

23 37. Defendants FIRE DEPARTMENT and DOES ONE through THIRTY retaliated  
24 against PLAINTIFF on the basis of her complaining about the treatment to which she was subjected  
25 and discharged PLAINTIFF because she complained about the treatment to which she was subjected  
26 in violation of the FEHA. PLAINTIFF kept a notebook where she wrote down incidents of harassment  
27 and disparate treatment because of her sexual orientation and/or gender. The notebook went missing  
28 and PLAINTIFF believes that Defendant FIRE DEPARTMENT located the notebook and when they

1 heard of PLAINTIFF's complaints and read her observations decided to terminate her. PLAINTIFF  
2 was terminated in retaliation for protesting against discrimination and documenting it. Defendants  
3 engaged in a pattern and practice of retaliation. The policies of Defendants which were neutral on their  
4 faces resulted in a disparate impact on the class of individuals who complained or were perceived as  
5 documenting the situation about the treatment to which they were subjected and PLAINTIFF was  
6 treated differently because of her complaints.

7 38. PLAINTIFF filed a charge of retaliation with the California Department of Fair  
8 Employment and Housing within one year of the retaliation. The Department issued PLAINTIFF a  
9 right-to-sue letter within one year of the filing of this complaint. PLAINTIFF has exhausted her  
10 administrative remedies.

11 39. PLAINTIFF suffered damages legally caused by these Defendants' harassment as  
12 stated in the section below entitled "DAMAGES," which is incorporated here to the extent pertinent  
13 as if set forth here in full.

14 40. At the time PLAINTIFF entered into the employment agreement and continuing  
15 thereafter, all parties to the agreement contemplated and it was reasonably foreseeable that breach of  
16 the agreement would cause PLAINTIFF to suffer emotional distress. At all times, it was likely in the  
17 ordinary course of things that breach of the employment agreement would cause PLAINTIFF to suffer  
18 emotional distress. The terms of the employment agreement related to matters which directly  
19 concerned PLAINTIFF's comfort, happiness and personal welfare, and Defendants were aware of this  
20 at the time they entered into the agreement and continuing thereafter. The subject matter of the  
21 employment agreement was such as to directly affect PLAINTIFF's self-esteem and emotional well-  
22 being, and Defendants were aware of this at the time they entered into the agreement and continuing  
23 thereafter.

24 41. PLAINTIFF suffered emotional distress as a legal result of the conduct by Defendants  
25 of which PLAINTIFF complains. PLAINTIFF suffered mental distress, suffering and anguish as a  
26 legal result of Defendants' conduct, reacting to her discharge with humiliation, embarrassment, anger,  
27 disappointment and worry, all of which is substantial and enduring. PLAINTIFF will seek leave to  
28 amend this complaint to state the amount or will proceed according to proof at trial.

1           42.     At all material times, Defendants, and each of them, knew that PLAINTIFF  
2 depended on her wages and other employee benefits as a source of earned income. At all material  
3 times, Defendants were in a position of power over PLAINTIFF, with the potential to abuse that  
4 power. PLAINTIFF was in a vulnerable position because of her relative lack of power, because of her  
5 reliance on Defendants' assurances and forbearance of the possibility of becoming employed  
6 elsewhere, because she had placed her trust in Defendants, because she depended on her employment  
7 for her self-esteem and sense of belonging, because she relied upon her employment as a source of  
8 income for her support, because a wrongful termination of PLAINTIFF's employment would likely  
9 harm PLAINTIFF's ability to find other employment, and because of the great disparity in bargaining  
10 power between PLAINTIFF and her employer. Defendants were aware of PLAINTIFF's vulnerability  
11 and the reasons for it.

12           43.     Notwithstanding such knowledge, the Individual Defendants and DOES ONE through  
13 FIFTY, and each of them, acted oppressively, fraudulently, and maliciously, in willful and conscious  
14 disregard of PLAINTIFF's rights, and with the intention of causing or in reckless disregard of the  
15 probability of causing injury and emotional distress to the PLAINTIFF.

16           44.     The foregoing conduct of the Individual Defendants and DOES ONE through FIFTY  
17 and each of them, was intentional, willful and malicious, and PLAINTIFF is entitled to receive  
18 punitive damages against them only in an amount to conform to proof.

19

20

**INJUNCTIVE RELIEF**

21           45.     PLAINTIFF has suffered irreparable injury and immediate harm due to Defendants'  
22 acts. PLAINTIFF has no other legal remedy. In addition to the other relief requested in this Complaint,  
23 PLAINTIFF seeks injunctive relief to ensure that Defendants FIRE DEPARTMENT do not  
24 discriminate against, and/or harass other lesbian or female employees because of their sexual  
25 orientation and/or gender.

26 ///

27 ///

28 ///

1 **PRAYER**

2 Wherefore PLAINTIFF prays for judgment against Defendants, and each of them, as follows:

3 1. For a money judgment representing compensatory damages including lost wages,  
4 earnings, equity, retirement benefits and other employee benefits, and all other sums of money,  
5 together with interest on these amounts, according to proof;

6 2. For a money judgment for mental pain and anguish and emotional distress,  
7 according to proof;

8 3. For an award of punitive damages, according to proof against the Individual  
9 Defendants and DOES ONE through FIFTY only;

10 4. For costs of suit and attorney fees;

11 5. For prejudgment and post-judgment interest;

12 6. For injunctive relief;

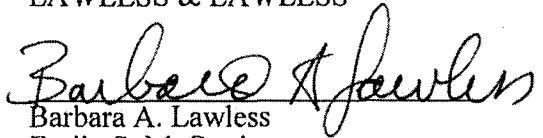
13 7. For any other relief that is just and proper;

14 8. For attorney fees pursuant to Gov't. Code § 12965(b).

15  
16 Dated: September 6, 2018

LAWLESS & LAWLESS

17  
18 By



Barbara A. Lawless  
Emily S. McGrath  
Carole L. Okolowicz  
Attorneys for Plaintiff

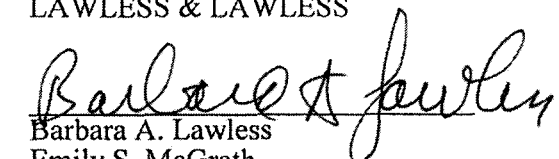
19  
20  
21 **JURY TRIAL DEMANDED**

22 Plaintiff demands trial of all issues by jury.

23 Dated: September 6, 2018

LAWLESS & LAWLESS

24  
25 By



Barbara A. Lawless  
Emily S. McGrath  
Carole L. Okolowicz  
Attorneys for Plaintiff

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
**BARBARA A. LAWLESS (Bar # 53195)**  
EMILY S. McGRATH (Bar # 289624), CAROLE L. OKOLOWICZ (Bar # 320862)  
**LAWLESS & LAWLESS**  
354 Pine Street, Fourth Floor, San Francisco, CA 94104  
TELEPHONE NO.: (415) 391-7555 FAX NO.: (415) 391-4228  
ATTORNEY FOR (Name):

FOR COURT USE ONLY  
**FILED**  
San Francisco County Superior Court  
SEP 07 2018  
CLERK OF THE COURT  
BY: *[Signature]*  
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **San Francisco**  
STREET ADDRESS: **400 McAllister Street**  
MAILING ADDRESS:  
CITY AND ZIP CODE: **San Francisco, CA 94102**  
BRANCH NAME:

CASE NAME: **JENNIFER GALARZA v. CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO FIRE DEPT., JAMES MIEKLE, TAYLOR MANFREDI, CHELSEA MEYERS, ET AL.**

**CIVIL CASE COVER SHEET**  
 **Unlimited** (Amount demanded exceeds \$25,000)  
 **Limited** (Amount demanded is \$25,000 or less)

**Complex Case Designation**  
 **Counter**  **Joinder**  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: **CGC-18-569532**  
JUDGE:  
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive
4. Number of causes of action (specify): **5**
5. This case  is  is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: September 6, 2018

Carole L. Okolowicz

(TYPE OR PRINT NAME)

*[Signature]*  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

<p><b>Auto Tort</b>                  Auto (22)—Personal Injury/Property Damage/Wrongful Death                  Uninsured Motorist (46) <i>(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</i>  <b>Other P/IPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b>                  Asbestos (04)                  Asbestos Property Damage                  Asbestos Personal Injury/Wrongful Death                  Product Liability <i>(not asbestos or toxic/environmental)</i> (24)                  Medical Malpractice (45)                  Medical Malpractice—Physicians &amp; Surgeons                  Other Professional Health Care Malpractice                  Other P/IPD/WD (23)                  Premises Liability (e.g., slip and fall)                  Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)                  Intentional Infliction of Emotional Distress                  Negligent Infliction of Emotional Distress                  Other P/IPD/WD  <b>Non-P/IPD/WD (Other) Tort</b>                  Business Tort/Unfair Business Practice (07)                  Civil Rights (e.g., discrimination, false arrest) <i>(not civil harassment)</i> (08)                  Defamation (e.g., slander, libel) (13)                  Fraud (16)                  Intellectual Property (19)                  Professional Negligence (25)                  Legal Malpractice                  Other Professional Malpractice <i>(not medical or legal)</i>                  Other Non-P/IPD/WD Tort (35)  <b>Employment</b>                  Wrongful Termination (36)                  Other Employment (15)</p>	<p><b>Contract</b>                  Breach of Contract/Warranty (06)                  Breach of Rental/Lease                  Contract <i>(not unlawful detainer or wrongful eviction)</i>                  Contract/Warranty Breach—Seller                  Plaintiff <i>(not fraud or negligence)</i>                  Negligent Breach of Contract/Warranty                  Other Breach of Contract/Warranty                  Collections (e.g., money owed, open book accounts) (09)                  Collection Case—Seller Plaintiff                  Other Promissory Note/Collections Case                  Insurance Coverage <i>(not provisionally complex)</i> (18)                  Auto Subrogation                  Other Coverage                  Other Contract (37)                  Contractual Fraud                  Other Contract Dispute  <b>Real Property</b>                  Eminent Domain/Inverse Condemnation (14)                  Wrongful Eviction (33)                  Other Real Property (e.g., quiet title) (26)                  Writ of Possession of Real Property                  Mortgage Foreclosure                  Quiet Title                  Other Real Property <i>(not eminent domain, landlord/tenant, or foreclosure)</i>  <b>Unlawful Detainer</b>                  Commercial (31)                  Residential (32)                  Drugs (38) <i>(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</i>  <b>Judicial Review</b>                  Asset Forfeiture (05)                  Petition Re: Arbitration Award (11)                  Writ of Mandate (02)                  Writ—Administrative Mandamus                  Writ—Mandamus on Limited Court Case Matter                  Writ—Other Limited Court Case Review                  Other Judicial Review (39)                  Review of Health Officer Order                  Notice of Appeal—Labor Commissioner Appeals</p>	<p><b>Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)</b>                  Antitrust/Trade Regulation (03)                  Construction Defect (10)                  Claims Involving Mass Tort (40)                  Securities Litigation (28)                  Environmental/Toxic Tort (30)                  Insurance Coverage Claims <i>(arising from provisionally complex case type listed above)</i> (41)  <b>Enforcement of Judgment</b>                  Enforcement of Judgment (20)                  Abstract of Judgment (Out of County)                  Confession of Judgment <i>(non-domestic relations)</i>                  Sister State Judgment                  Administrative Agency Award <i>(not unpaid taxes)</i>                  Petition/Certification of Entry of Judgment on Unpaid Taxes                  Other Enforcement of Judgment Case  <b>Miscellaneous Civil Complaint</b>                  RICO (27)                  Other Complaint <i>(not specified above)</i> (42)                  Declaratory Relief Only                  Injunctive Relief Only <i>(non-harassment)</i>                  Mechanics Lien                  Other Commercial Complaint Case <i>(non-tort/non-complex)</i>                  Other Civil Complaint <i>(non-tort/non-complex)</i>  <b>Miscellaneous Civil Petition</b>                  Partnership and Corporate Governance (21)                  Other Petition <i>(not specified above)</i> (43)                  Civil Harassment                  Workplace Violence                  Elder/Dependent Adult Abuse                  Election Contest                  Petition for Name Change                  Petition for Relief From Late Claim                  Other Civil Petition</p>
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