

CLAIMS FOR DAMAGES TO PERSON OR PROPERTY

COUNTY OF LOS ANGELES



INSTRUCTIONS:

1. Read claim thoroughly.
2. Fill out claim as indicated; attach additional information if necessary.
3. Please use one claim form for each claimant.
4. Return this original signed claim and any attachments supporting your claim. This form must be signed.

DELIVER OR U.S. MAIL TO:
EXECUTIVE OFFICER, BOARD OF SUPERVISORS, ATTENTION: CLAIMS
500 WEST TEMPLE STREET, ROOM 383,
KENNETH HAHN HALL OF ADMINISTRATION, LOS ANGELES, CA 90012
(213) 974-1440

TIME STAMP
OFFICE USE ONLY

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
FILED

2025 FEB -3 A 9:32

<p>1. <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. LAST NAME FIRST NAME M.I. Lunsford Brock</p> <p>2. ADDRESS OF CLAIMANT [REDACTED]</p> <p>CITY STATE ZIP CODE [REDACTED] [REDACTED] [REDACTED]</p> <p>HOME PHONE ALTERNATE PHONE [REDACTED] [REDACTED]</p> <p>3. CLAIMANT'S BIRTHDATE: 4. CLAIMANT'S SOCIAL SECURITY NUMBER [REDACTED] [REDACTED]</p> <p>5. ADDRESS TO WHICH CORRESPONDENCE SHOULD BE SENT 11520 San Vicente Blvd STREET CITY STATE ZIP CODE Los Angeles CA 90049</p> <p>6. DATE AND TIME OF INCIDENT 12/14/2024 12:00 am</p> <p>7. WHERE DID DAMAGE OR INJURY OCCUR? 211 West Temple Suite 1200 STREET CITY STATE ZIP CODE Los Angeles CA 90012</p> <p>8. DESCRIBE IN DETAIL HOW DAMAGE OR INJURY OCCURRED AND LIST DAMAGES (attach copies of receipts or repair estimates). Please see attached letter.</p> <p>9. WERE POLICE OR PARAMEDICS CALLED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> (IF YES) AGENCY'S NAME _____ REPORT # _____</p> <p>CHECK IF LIMITED CIVIL CASE <input type="checkbox"/></p> <p>TOTAL DAMAGES TO DATE TOTAL ESTIMATED PROSPECTIVE DAMAGES \$ 5,000,000.00 \$ 5,000,000.00</p>	<p>10. WHY DO YOU CLAIM COUNTY IS RESPONSIBLE? Please see attached letter.</p> <p>11. NAMES OF ANY COUNTY EMPLOYEES (AND THEIR DEPARTMENTS) INVOLVED IN INJURY OR DAMAGE (IF APPLICABLE):</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">NAME Nathan Hochman</td> <td>DEPARTMENT District Attorney's Office</td> </tr> <tr> <td>NAME John Lewin</td> <td>DEPARTMENT District Attorney's Office</td> </tr> </table> <p>12. WITNESS(ES) TO DAMAGES OR INJURY: LIST ALL PERSONS AND ADDRESSES OF PERSONS KNOWN TO HAVE INFORMATION:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">NAME Lori Deary</td> <td>PHONE (213) 974-3512</td> </tr> <tr> <td colspan="2">ADDRESS 211 West Temple Suite 1200</td> </tr> <tr> <td>NAME James Garrison</td> <td>PHONE (213) 974-3512</td> </tr> <tr> <td colspan="2">ADDRESS 211 West Temple Suite 1200</td> </tr> </table> <p>13. IF PHYSICIAN(S) WERE VISITED DUE TO INJURY, PROVIDE NAME, ADDRESS, PHONE NUMBER, AND DATE OF FIRST VISIT FOR EACH:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">DATE OF FIRST VISIT</td> <td style="width: 40%;">PHYSICIAN'S NAME</td> <td style="width: 40%;">PHONE</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>STREET</td> <td>CITY</td> <td>STATE ZIP CODE</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>DATE OF FIRST VISIT</td> <td>PHYSICIAN'S NAME</td> <td>PHONE</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>STREET</td> <td>CITY</td> <td>STATE ZIP CODE</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NAME Nathan Hochman	DEPARTMENT District Attorney's Office	NAME John Lewin	DEPARTMENT District Attorney's Office	NAME Lori Deary	PHONE (213) 974-3512	ADDRESS 211 West Temple Suite 1200		NAME James Garrison	PHONE (213) 974-3512	ADDRESS 211 West Temple Suite 1200		DATE OF FIRST VISIT	PHYSICIAN'S NAME	PHONE				STREET	CITY	STATE ZIP CODE				DATE OF FIRST VISIT	PHYSICIAN'S NAME	PHONE				STREET	CITY	STATE ZIP CODE			
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THIS CLAIM MUST BE SIGNED

NOTE: PRESENTATION OF A FALSE CLAIM IS A FELONY (PENAL CODE SECTION 72)

CLAIMS FOR DEATH, INJURY TO PERSON OR TO PERSONAL PROPERTY MUST BE FILED NOT LATER THAN 6 MONTHS AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)

ALL OTHER CLAIMS FOR DAMAGES MUST BE FILED NOT LATER THAN ONE YEAR AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)

14. PRINT OR TYPE NAME Carney Shegerian (For Brock Lunsford)	DATE	15. SIGNATURE OF CLAIMANT OR PERSON FILING ON HIS/HER BEHALF GIVING RELATIONSHIP TO CLAIMANT	DATE
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February 3, 2025

SENT VIA PERSONAL SERVICE AND CERTIFIED U.S. MAIL

Executive Officer Board of Supervisors
Attn: Claims
Los Angeles County Board of Supervisors
County of Los Angeles
500 West Temple Street, Room 383
Los Angeles, California 90012

211 West Temple Street
Suite 1200
Los Angeles, CA 90012

***Re: Tort Claim Form for Brock Lunsford—Pursuant to California
Government Code Section 910***

To whom it may concern:

Please be advised that my office has been retained to represent Brock Lunsford (“Lunsford”) in connection with his employment with the County of Los Angeles (“COLA”) and the Los Angeles District Attorney’s Office (“LACDA”) (collectively “Entity Defendants”). By this letter, we present the following claim for damages on his behalf in what is commonly referred to as a tort claim form.

INDIVIDUALS AND ENTITIES AGAINST WHOM CLAIMS ARE BROUGHT

The names of the public entities and public employees who caused Lunsford injuries include but are not limited to: COLA; LACDA; Nathan Hochman and John Lewin.

FACTS SUPPORTING CLAIMS

Brock Lunsford began his distinguished career with the Entity Defendants in June 2000, dedicating over two decades to public service with the goal of fostering a safer and more just Los Angeles County. Rising through the ranks of the District Attorney’s Office, Lunsford ultimately attained a supervisory position in the Resentencing Unit.

145 S Spring Street, Suite 400
Los Angeles, California 90012

650 California Street, Suite 4-137
San Francisco, California 94108

11520 San Vicente Boulevard
Los Angeles, California 90049

90 Broad Street, Suite 804
New York, New York 10004

6205 Lusk Boulevard, Suite 200
San Diego, California 92121

3764 Elizabeth Street
Riverside, California 92506

Despite his notable career achievements, Lunsford's professional trajectory has been derailed due to retaliation and defamation stemming both from his insistence that the County of Los Angeles comply with the law and his opposition to harassment and discrimination.

Lunsford Exemplary Employment

Lunsford most recent assignment with Entity Defendants was post-conviction litigation and discovery. Lunsford was an exemplary employee throughout his employment with Entity Defendants. Throughout his employment, Lunsford never received poor performance review.

Lunsford's Political Affiliation

Lunsford openly supported George Gascon as District Attorney and his reelection for that same office. Lunsford supported and attempted to carry out to the best of her ability every lawful policy adopted by Gascon.

Advocacy for Resentencing Under Penal Code Section 1172.1

California Penal Code Section 1172.1 was passed into law in 2022. The law allows a criminal defendant to be resentenced, if among other factors, continued incarceration is no longer in the interest of justice. As explained further below, Lunsford reported both internally to Entity Defendants and externally to the California Courts that Eric and Lyle Menendez should be resentenced because their incarceration is no longer in the interest of justice and that to recommend against resentencing would be a violation of Penal Code Section 1172.1

Lunsford, both in internal communications and court filings, expressed his belief that Eric and Lyle Menendez should be resentenced pursuant to Penal Code section 1172.1. He reasonably believed that any other position would violate the statute. Starting in the beginning of October 2024, Lunsford had meetings of the Executive Team concerning the motion for resentencing. Present at these meetings were Lunsford, Nancy Theberge, George Gascon, the District Attorney at the time; Joseph Iniguez, Gascon's deputy, Head deputy Lori Dery, Director Stephanie Pearl Meyer and the Assistant Deputy DA James Garrison. Lunsford stated during this October 2024 meeting that failure to advocate for resentencing would violate Penal Code Section 1172.1. While Gascon and Iniguez supported Lunsford's position, Lori Deary and James Garrison appeared displeased and said they disagreed with Lunsford and Theberge. Lunsford played a pivotal role as the primary author of a motion advocating for their resentencing. This memorandum, co-authored with Nancy Theberge,

articulated the legal and procedural basis for resentencing. Lunsford's position, based solely on his interpretation of the law, was met with resistance from leadership within the District Attorney's Office

Association with and Advocacy for Nancy Theberge

As a supervisor, Lunsford worked closely with Nancy Theberge, an attorney over 40 years old who is female. Leadership in the District Attorney's Office undermined Theberge in ways not experienced by male or younger employees. Lunsford believed that Theberge was discriminated against because of her age and gender. Recognizing this discriminatory treatment, Lunsford took action to support her. On multiple occasions, he opposed efforts by leadership to violate the chain of command, thereby engaging in protected activity by opposing age and gender discrimination. For example, on or around October 22, 2024, Head deputy Lori Dery, and the Assistant Deputy DA James Garrison attempted to circumvent the chain of command and under Nancy Theberge. Lunsford opposed and prevented this attempt, which he believed was an example of less favorable treatment towards a female and older employee.

Retaliation Against Lunsford

The District Attorney's Office retaliated against Lunsford for at least three unlawful reasons:

1. His report to George Gascon, the District Attorney at the time; Joseph Iniguez, Gascon's deputy, Head deputy Lori Deary, Director Stephanie Pearl Meyer and the Assistant Deputy DA James Garrison. in October 2024 and his motion to the superior court advocacy for the resentencing of Eric and Lyle Menendez under Penal Code section 1172.1 and his internal and external report(s) that there would be a violation of the statute if a contrary position was taken.
2. Nathan Hochman's belief that Lunsford supported his political opponent, a violation of civil service rules and California Statutes prohibiting political discrimination. This belief includes but is not limited to Lunsford's October 2024 motion for resentencing.
3. His association with Nancy Theberge as a female and an older employee and his opposition to the harassment and discrimination directed at her.

Following Hochman's election to District Attorney, Pearl, Deary and Garrison all supported and participated in the decision to demote Lunsford. Lunsford was stripped of all supervisory responsibilities, as of December 14, 2024, he has been reassigned as

a calendar attorney in Department T of the Norwalk Courthouse, a position he had held years earlier with no opportunities for promotion or advancement. This was in retaliation for the protected activities described above. In his new role, Lunsford is required to report to a less experienced attorney and must clear his schedule with other attorneys, a stark demotion from his prior ability to set his own schedule.

John Lewin was at all times relevant Acting as the Agent of Nathan Hochman

John Lewin is and was a Deputy District Attorney employed by Entity Defendants. Lewin, while acting within the course and scope of his employment with the District Attorney's Office, defamed Theberge. Lewin and Hochman acted in concert. Hochman either authorized Lewin's conduct and/or ratified it. On September 28, 2024, Hochman's website publicly listed John Lewin as a supporter and praised Lewin for "stand[ing] up and be individually counted."

On or around November 27, 2024, while acting within the course and scope of his employment with the District Attorney's Office, John Lewin defamed Lunsford by publicly referring to him as a "quisling," which means a Nazi collaborator. This statement is offensive on its face and has caused significant harm to Lunsford's professional reputation by imputing malice and incompetence to him. Lewin's statement stated outright that Lunsford is incompetent in his profession.

Hochman, after Lewin defamed Lunsford promoted Lewin, effectively ratified this defamatory conduct by promoting Lewin to a position with major crimes.

Lunsford was coerced to republish Defendant's defamatory statement to colleagues and family in order to refute the allegations and protect his professional reputation.

Harm to Lunsford's Career and Reputation

As a direct result of the retaliation and defamation, Lunsford's career has been irreparably harmed. He has been relegated to a position with no potential for advancement, his professional standing has been undermined, and his reputation has been damaged by the baseless and inflammatory statements of a colleague.

POTENTIAL LEGAL THEORIES/CLAIMS

Lunsford anticipates bringing causes of action based on the following legal violations and theories: (1) Associational discrimination and harassment on the basis of

gender and age; (2) Retaliation, including retaliation for complaining about discrimination or harassment; (3) Failure to prevent discrimination, harassment, or retaliation; (4) Violation of California Labor Code section 1102.5; (5) Violation of Labor Code sections 232.5; (7) Violation of Labor Code Section 1101-1102 (8) Defamation; (7) Coerced Self Defamation; (8) Negligent Infliction of Emotional Distress; (9) Intentional Infliction of Emotional Distress; and (10) Negligent hiring, supervision and retention. Additional causes of action and/or theories of relief may be raised on the basis of the facts generally set forth above, as is permitted by *Blair v. Superior Court* (1990) 218 Cal.App.3d 221.

DAMAGES SOUGHT

Lunsford seeks economic damages of over \$250,000 and non-economic damages in an amount over \$5,000,000.00 for total damages of over \$5,000,000.00. Lunsford also seeks interest, attorneys' fees, and costs, although the amounts of such interest, fees, and costs are not known currently. The proper jurisdiction for litigation in this matter is Los Angeles County Superior Court, as an unlimited case.

NOTICE

Lunsford's address is [REDACTED]. Our client requests that all notices concerning this claim be sent to us, his counsel of record,

Shegerian & Associates
11520 San Vicente Boulevard, Los Angeles, California 90049;
telephone: (310) 860-0770;
facsimile: (310) 860-0771.

Our e-mail addresses are as follows:

- Carney Shegerian, Esq., CShegerian@shegerianlaw.com;
- Mahru Madjidi, Esq., MMadjidi@shegerianlaw.com;
- Alex DiBona, Esq., ADibona@shegerianlaw.com;
- Justin W. Shegerian, Esq., JShegerian@shegerianlaw.com.

ACTING ON CLIENT'S BEHALF

Pursuant to Government Code section 910, our firm is "acting on behalf" of Lunsford in submitting this demand. It is hereby signed by Alex DiBona on his behalf, pursuant to Government Code section 910.2.

Thank you for your review and consideration of the above.

Very truly yours,

SHEGERIAN & ASSOCIATES

A handwritten signature in black ink that reads "Alex DiBona". The signature is written in a cursive, slightly slanted style.

Alex DiBona, Esq.