

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Maureen Duffy-Lewis

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7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES**

11 VIOLETA LEWIS,  
12  
13 Plaintiff,

14 vs.

15 CITY OF LA PUENTE, a corporation;  
16 CHARLES KLINAKIS, an individual;  
17 ROBERT LINDSEY, an individual; DOES  
1 through 100,

18 Defendants.

Case No. **21STCV18841**

HONORABLE JUDGE \_\_\_\_\_

**COMPLAINT FOR DAMAGES:**

1. VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT - DISCRIMINATION BASED ON GENDER/RACE;
2. VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT – HARASSMENT BASED ON GENDER/RACE;
3. VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT – RETALIATION;
4. VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT – FAILURE TO INVESTIGATE/PREVENT/CORRECT FEHA VIOLATIONS;
5. ASSAULT; AND
6. AIDING AND ABETTING

**JURY TRIAL DEMANDED**

ABROLAT LAW PC  
ATTORNEYS AT LAW

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1 COMES NOW, Plaintiff Violeta Lewis (“Plaintiff” or “Lewis”) states and alleges in her  
2 complaint against Defendants City of La Puente, Charlie Klinakis (“Defendant Klinakis”), Robert  
3 Lindsey (“Lindsey”), and DOES 1 through 100 (collectively, “Defendants”), as follows:

4 **NATURE OF THE ACTION**

5 1. Plaintiff’s Complaint is for violations of the California Fair Employment and  
6 Housing Act (“FEHA”) based on gender, and race including discrimination, harassment,  
7 retaliation, failure to investigate/prevent/correct FEHA violations (California Cal. Government  
8 Code §§ 12920 *et seq.*), assault, and aiding and abetting.

9 2. In May 2021, Plaintiff filed a timely complaint against Defendants with the State  
10 of California, Department of Fair Employment and Housing ("DFEH") in which she alleged each  
11 of the above referenced FEHA violations under California law, and based thereon requested and  
12 received a right to sue letter. Plaintiff thus exhausted all administrative remedies available to her.

13 **JURISDICTION**

14 3. This court has jurisdiction of this matter pursuant to Cal. Government Code §  
15 12920 *et seq.* and Cal. Code of Civil Procedure § 395(a). Plaintiff was employed by Defendant  
16 City of La Puente within the County of Los Angeles, State of California. The amount in  
17 controversy is within the jurisdiction of this Court.

18 **THE PARTIES**

19 4. Defendant City of La Puente was and is a general municipal city incorporated in  
20 the County of Los Angeles, in the State of California, formed under the laws of the State of  
21 California, with its corporate headquarters located at 15900 E. Main Street La Puente, CA 91744,  
22 and was and is an employer as defined in Cal. Government Code § 12926.

23 5. Defendant Klinakis, at all material times herein, has resided in the State of  
24 California, and whenever his name is mentioned in this Complaint, he is sued both in his  
25 individual capacity and as an agent of City of La Puente and DOES 1 through 100, who acted in  
26 the course and scope of his employment.

27 6. Defendant/Harasser Lindsey, at all material times herein, has resided in the State  
28 of California, and whenever his name is mentioned in this Complaint, he is sued both in his

1 individual capacity and as an agent of City of La Puente DOES 1 through 100, who acted in the  
2 course and scope of his employment.

3 7. The full extent of the facts linking the fictitiously designated Defendants DOES 1  
4 through 100 with the causes of action alleged herein are unknown to Plaintiff at this time. In  
5 addition, the true names and capacities, whether individual, plural, corporate, partnership,  
6 associate, or otherwise, are also unknown to Plaintiff at this time. Plaintiff, therefore, designates  
7 such Defendants as DOES 1 through 100, inclusive, and sues them under those fictitious names.

8 8. To the extent such DOE Defendants are corporate entities, Plaintiff sues them in  
9 that capacity and such corporate entities are responsible for all acts of their employees, agents,  
10 representatives and principals as all alleged actions were done within the course and scope of  
11 their employment. To the extent such DOE Defendants are individuals, Plaintiff sues them in that  
12 capacity and alleges that they took the actions as agents of a corporate entity or for the benefit of  
13 themselves.

14 9. Plaintiff alleges that each and every Defendant designated as DOE was responsible  
15 for the events referred to herein and, in some manner, caused injuries to Plaintiff as hereinafter  
16 alleged. Plaintiff will amend this Complaint to state the manner in which each fictitious  
17 Defendant is so responsible and will ask leave of Court to amend this Complaint to show their  
18 respective true names and capacities when ascertained.

19 **FACTS APPLICABLE TO ALL CAUSES OF ACTION**

20 10. The entire world has been touched by the #MeToo Movement. A recognition that  
21 society is no longer willing to sit on the sidelines allowing individuals, typically men, to commit  
22 sexual assault or sexual harassment against women with no consequences or even worse,  
23 allowing the consequences to fall to the victim, including allowing the victim to suffer  
24 consequences such as loss of reputation and employment.

25 11. The #MeToo Movement has been successful in bringing about wide sweeping  
26 changes at companies throughout the United States. For example, fifty-five percent of companies  
27 have made changes or plan to make changes to how they handle and talk about sexual harassment  
28 in the wake of the global impact of the #MeToo movement.

1           12. To be successful in advancing the #MeToo Movement, it is important to have the  
2 support and commitment from the company’s leadership because Human Resources does not  
3 make the final decisions. To this end, seven percent of companies have the CEO leading the  
4 charge for real change for the #MeToo Movement and sixty-nine percent of companies have  
5 either initiated or enhanced how their executives respond to complaints or are planning to make  
6 those changes within the next year. This acknowledges that a strong HR department is only as  
7 good as the CEO who will follow or not follow HR’s advice.

8           13. It is within the backdrop of the #MeToo Movement that Plaintiff brings this sexual  
9 harassment/retaliation lawsuit. The City of La Puente, as a government employer using taxpayer  
10 funds, is expected – and legally required – to set the example for compliance with sexual  
11 harassment and discrimination laws for the private section.

12           14. Unfortunately, Defendant Klinakis, who yields significant power and influence in  
13 the City of Puente, does not embrace or otherwise believe in the policies behind the #MeToo  
14 Movement. Instead, Defendant Klinakis has continued business as usual by employing,  
15 protecting, and favoring sexual harassers and blaming and punishing the sexual harassment  
16 victim. Indeed, Defendant Klinakis provides safe harbor for sexual harassers – Defendant  
17 Klinakis has engaged in a pattern of hiring and employing men who have been terminated from  
18 other jobs for sexual harassing women at the workplace. For example, Defendant Klinakis have  
19 given safe harbor at the City to John Solis, Milan Mrakich and David Carmany, who have sexual  
20 harassment issues in their past.

21           15. Defendant Klinakis literally feels that he is above the law and enjoys protections  
22 and privileges from the Sheriff’s department that are inappropriate and unlawful. Some examples  
23 include:

- 24           a. Defendant Klinakis is provided with Sheriff Department business cards even  
25 though he is not employed with the department but a volunteer with the Industry  
26 Youth Activities League, a non-profit organization.
- 27           b. Defendant Klinakis periodically uses and drives the Yal trucks, marked black and  
28 white vehicles that are equipped similar to a patrol vehicle with decals, emergency

1 light bar, sirens that only sworn personnel drive.

2 c. Defendant Klinakis is permitted to drive his car without a proper license plate.

3 d. Defendant Klinakis has been provided the ability to enter the Industry Sheriff's  
4 station through the back door utilizing a code which s for employees only for may  
5 years.

6 16. On April 10, 2012, the City of La Puente elected Plaintiff to its City Council. As a  
7 Council Member, Plaintiff, along with the four other Council members, rotate as Mayor.

8 17. On October 19, 2018, the City hired Defendant/Harasser Lindsey as Transition  
9 Manager for the City of La Puente and assigned him to report to Plaintiff as the Mayor.  
10 Defendant/Harasser Lindsey's job responsibilities included to assist Plaintiff, Mayor Lewis, in the  
11 development of policies, goals and objectives of the City of La Puente, to keep Plaintiff informed  
12 of important community issues and to ensure that the City Council's, including Plaintiff's,  
13 directions and needs were fulfilled.

14 18. Several months after his hire, Defendant/Harasser Lindsey began sexually  
15 harassing Plaintiff. Defendant/Harasser Lindsey aggressively pursued a sexual relationship with  
16 Plaintiff, made sexually offensive, unwelcomed comments and leered at her body in an offensive,  
17 sexual manner.

18 19. For example, Lindsey would create circumstances to be alone with Plaintiff, such  
19 as insisting that Plaintiff come to City Hall after hours for "urgent meetings," but when Plaintiff  
20 arrived, there was nothing urgent. Instead, Defendant/Harasser Lindsey would use the opportunity  
21 to make sexual advances toward Plaintiff. Defendant/Harasser Lindsey would try to "come onto"  
22 Plaintiff by being overly complimentary to Plaintiff to the point of making Plaintiff  
23 uncomfortable and offending her, such as stating to Plaintiff, "If we ran the world, it would be  
24 perfect," and telling Plaintiff that he loved her.

25 20. Plaintiff was highly offended and disturbed by Defendant/Harasser Lindsey's  
26 sexual misconduct and advances toward her and complained directly to him. Plaintiff scheduled a  
27 meeting with Defendant/Harasser Lindsey at her home during the daytime when Plaintiff's  
28 husband was present. During this meeting, Plaintiff told Defendant/Harasser Lindsey that she

1 found his sexual advances and harassment to be offensive and that he needed to stop and to treat  
2 Plaintiff in a professional manner.

3 21. In response and as retaliation to Plaintiff for complaining about his sexual  
4 harassment and rejecting his sexual advance, Defendant/Harasser Lindsey flew into a fury,  
5 became enraged and pointed his finger at Plaintiff's face and began yelling and screaming at her  
6 as to "how dare she." Plaintiff told Defendant/Harasser Lindsey not to point his finger at her  
7 again and requested that he act civilly and professionally. Defendant/Harasser Lindsey agreed,  
8 but he did not keep his word.

9 22. Immediately following the sexual harassment complaint meeting,  
10 Defendant/Harasser Lindsey, a spurned man, launched into a vicious campaign of retaliation  
11 against Plaintiff. Defendant/Harasser Lindsey's retaliation campaign included attempting to  
12 destroy Plaintiff's reputation, trying to sabotage Plaintiff's job performance and appearance of job  
13 performance, constantly ridiculing and criticizing Plaintiff, trying to turn other employees against  
14 Plaintiff, assaulting Plaintiff, making comments and written communications that were  
15 condescending, demoralizing, and intended to injure Plaintiff, among other retaliatory acts.

16 23. By way of example, in preparation of a Parks Master Plan presentation,  
17 Defendant/Harasser Lindsey submitted incomplete and untimely work to Plaintiff. When Plaintiff  
18 raised her concern about Defendant/Harasser Lindsey's performance, he responded tersely and  
19 disrespectfully, stating, "I am seriously getting tired of always being on the losing end of most of  
20 your comments spending 50 hours a week working our butts off to make you and council look  
21 good. Go to bed. You need some rest." And subsequently chided Plaintiff with, "If not good  
22 enough, then we need to figure out a different path for what makes you happy."

23 24. Defendant/Harasser Lindsey's aggressive, unrelenting retaliation against Plaintiff  
24 continued and was displayed throughout the office for other people to witness, including  
25 Plaintiff's own husband. Indeed, Defendant/Harasser Lindsey verbally attacked Plaintiff's  
26 husband at the City Hall, yelled and screamed at him and told him that Plaintiff is a "bitch."

27 25. Defendant/Harasser Lindsey obvious attacks against Plaintiff created an influential  
28 ripple effect in the office, as Defendant/Harasser Lindsey cultivated a culture of disrespect

1 towards Plaintiff by some of the other men who joined in making inappropriate offensive  
2 comments. After Plaintiff left a meeting a staff member stated to council member Dan Holloway,  
3 “What’s up her ass?” Indeed, Defendant/Harasser Lindsey was openly insubordinate toward  
4 Plaintiff, sending a clear signal that others need not respect her either. For example, when  
5 Plaintiff was not provided a budget binder for the budget meeting, Plaintiff instructed  
6 Defendant/Harasser Lindsey to provide the binder to her at the City in the morning and not to  
7 drop the binder off at her house that night. Lindsey responded that he was drop the binder off at  
8 her house, to which Plaintiff again requested that Lindsey bring it City Hall in the morning. In  
9 complete insubordination of Plaintiff’s direction, his superior, Lindsey appeared at Plaintiff’s  
10 house that night with the budget binder.

11 26. The following day, Defendant/Harasser Lindsey viciously attacked Plaintiff this  
12 time during a budget overview meeting at City Hall between Plaintiff, Defendant Klinakis, and  
13 Defendant/Harasser Lindsey. Defendant/Harasser Lindsey verbally accosted, disparaged and  
14 humiliated Plaintiff for approximately twenty minutes. Defendant/Harasser Lindsey, a man of  
15 large stature and approximately six feet tall, towered over Plaintiff, a petite woman standing at  
16 approximately 4’11”. He turned his chair and began screaming, Defendant/Harasser Lindsey  
17 belligerently and repeatedly pointed his finger at Plaintiff’s face, jabbing it toward her, while  
18 screaming and yelling at her things like, “I don’t even know your schedule! I want to know where  
19 and to whom you dropped off the masks! You knew what you were doing when you ‘replied all’  
20 asking for the budget binders!”

21 27. Defendant/Harasser Lindsey’s attack of Plaintiff placed Plaintiff in extreme fear  
22 for her physical safety and what Defendant/Harasser Lindsey may do physically given his size,  
23 how engaged he was and the belligerence of his behavior. Defendant Klinakis, who oversaw the  
24 entire incident, permitted the attack to occur and did nothing to intervene to control his  
25 subordinate or prevent the attack, instead condoning and ratifying it on behalf of himself and the  
26 City. The budget meeting began once the Finance director arrived and Lindsey glared at Plaintiff  
27 for 90 minutes without saying a word.

28 28. Upon conclusion of the meeting, Plaintiff left work immediately and returned

1 home crying and horribly distraught. She was afraid that Lindsey could become more violent  
2 towards her and realized that he was obsessed with controlling and disparaging her and that it was  
3 not safe for her to talk to him or to be in his presence.

4 29. Consequently, Plaintiff contacted City Attorney Jamie Casso (“Casso” or “City  
5 Attorney Casso”) and complained about Defendant/Harasser Lindsey’s behavior at the budget  
6 meeting. Plaintiff told Casso that she wanted to file a formal complaint against Lindsey. Casso  
7 responded that he would contact her after speaking with the mayor.

8 30. After speaking with the Defendant Klinakis, City Attorney Casso contacted  
9 Plaintiff again and told her that Defendant Klinakis said he needed to think about the matter  
10 overnight and is worried about a severance payment to Defendant/Harasser Lindsey.

11 31. From there, the City immediately began a coverup, starting with a sham  
12 investigation designed to sweep the matter under the rug and to create the illusion of a proper  
13 investigation, which it was not, as follows:

14 a. City Attorney Casso and Defendant Klinakis telephoned Plaintiff and pressured  
15 her not to file a sexual harassment or retaliation complaint against Lindsey. When Plaintiff  
16 explained to them the reasons why she physically feared Lindsey and what he was capable of,  
17 Defendant Klinakis asked Plaintiff if she would withdraw her complaint if Lindsey apologized to  
18 her. Plaintiff responded that she was moving forward with the complaint because she was scared  
19 of Defendant/Harasser Lindsey and that he would physically hurt her and as a result, she could  
20 not work with him again. As a retired law enforcement peace officer, Lindsey retains the ability  
21 to carry a gun and in his obsession and anger towards Plaintiff, there is serious concern that he  
22 may use his weapon to harm Plaintiff. Plaintiff even reminded Defendant Klinakis that he had  
23 witnessed Defendant/Harasser Lindsey attack and threaten Plaintiff.

24 b. Defendant Klinakis felt that Plaintiff should just tolerate or expect this type of  
25 behavior from Defendant/Harasser Lindsey and had essentially “asked for it” because, as stated  
26 by Defendant Klinakis, Plaintiff had recommended him to the City.

27 c. Plaintiff asked Defendant Klinakis when and if he was going to arrange a closed  
28 session meeting to discuss this issue with City Council. Defendant Klinakis never responded to



1 Plaintiff regarding such meeting and instead waited seven days before finally calling a City  
2 Council meeting to discuss the general nature of the allegations against Lindsey. In connection  
3 with this City Council meeting, there was employee discussion that the “shit’s hitting the fan”  
4 with Plaintiff’s sexual harassment complaint and that Plaintiff is not supported like she thinks she  
5 is.

6 d. Prior to the City Council’s meeting regarding Defendant/Harasser Lindsey,  
7 Defendants told Lindsey that a complaint had been filed against him, to which Lindsey guessed  
8 that it had been filed by Plaintiff in an email sent to the Defendant Klinakis. Lindsey proceeded to  
9 defend himself by claiming that he never did anything to Plaintiff. Because Lindsey knew that  
10 Plaintiff had filed the complaint against him, Plaintiff was a target for Defendant/Harasser  
11 Lindsey’s further retaliation. The Defendants did not do anything to protect Plaintiff from  
12 Lindsey’s additional hostility and subsequent retaliation.

13 e. Since the decision was made to conduct a personnel investigation, Defendant  
14 Klinakis and City Attorney Casso are in violation of policy by failing to place Lindsey on  
15 administrative leave, failed to conduct a thorough investigation of all potential witnesses and have  
16 failed to keep Plaintiff informed of the on-goings or the results of the investigation.

17 f. Defendant Klinakis and City Attorney Casso failed to maintain the confidentiality  
18 of Plaintiff’s complaint/investigation by disclosing the complaint/investigation to third parties.  
19 For instance, at a Black Lives Matter demonstration at La Puente City Hall, Councilmember John  
20 Solis and Defendant Klinakis were overheard telling a male attendee that Plaintiff had filed a  
21 lawsuit against the City and that they were “going to get rid of her.” Additionally, Defendant  
22 Klinakis was overheard discussing the personnel investigation with Los Angeles Sheriff  
23 Department Industry Station Captain Wyche while the captain’s door was open, and Defendant  
24 Klinakis identified Plaintiff as the complainant against Lindsey. Defendant/Harasser Lindsey has  
25 also been stating to colleagues that he “will not be attending or participating in meetings that  
26 Mayor Pro Tem Lewis was included in.”

27 32. After Plaintiff filed the complaint against Defendant/Harasser Lindsey, Defendant  
28 Klinakis and City Attorney Casso have retaliated against Plaintiff by subjecting her to a hostile

1 work environment through discriminatory and hostile conduct to prevent Plaintiff from being able  
2 to fulfill her job responsibilities as Mayor Pro Tem with the goal of trying to get Plaintiff to either  
3 resign or forego from running for reelection as described herein:

4 a. Defendants have attempted to pressure third parties into “siding” with  
5 Defendant/Harasser Lindsey to poison the well against Plaintiff, including employees feeling  
6 “stuck in the middle” between Defendant/Harasser Lindsey and Plaintiff. It is clear that the  
7 Defendants have disclosed the investigation to other employees because Plaintiff has maintained  
8 her confidentiality.

9 b. Since Plaintiff filed her complaint, the City has prevented her from fulfilling her  
10 duties as Mayor Pro Tem, including refusing to place items of issue identified by Plaintiff on the  
11 city council agenda that Defendant/Harasser Lindsey criticized and allowing Defendant/Harasser  
12 Lindsey to spread false rumors about Plaintiff removing his social media duties, when in reality,  
13 all social media pertaining to the City of La Puente was handled by Director of Community  
14 Services, Roxanne Lerma, per Defendant/Harasser Lindsey himself.

15 c. The Defendants have curtailed Plaintiff’s ability to manage projects through  
16 directives to coworkers or employees. As the director of the Ad Hoc Communications  
17 Committee, Plaintiff is tasked with ensuring effective ways for employees to telecommunicate via  
18 an adequate video and audio platform. To solve issues the City was having, City Clerk Sheryl  
19 Garcia and Plaintiff decided to implement an alternative video and audio platform, entitled  
20 “Teams Live.” Despite this decision, Defendant/Harasser Lindsey inserted himself, created  
21 confusion about the testing and launching dates of this platform, insisted on talking to Plaintiff  
22 directly about it, in violation of the order not to communicate with Plaintiff, and then unfairly  
23 criticized Plaintiff.

24 d. Defendant/Harasser Lindsey further retaliated against Plaintiff by usurping her  
25 decision to conduct the City Council meeting through the “Teams Live” platform. City Clerk  
26 Sheryl Garcia sent Plaintiff a zoom link to the meeting, to which Plaintiff questioned its use since  
27 a decision had already been made to use “Teams Live.” As a result of Plaintiff merely questioning  
28 why the City Clerk was using Zoom instead of Teams Live, City Attorney Casso informed

1 Plaintiff that the staff does not feel comfortable talking with Plaintiff without an attorney present.  
2 Ultimately, the City permitted Defendant/Harasser Lindsey to veto Plaintiff's decision to use  
3 Teams Live when his only motivation was to retaliate against Plaintiff.

4 e. The City has permitted Defendant/Harasser Lindsey to repeatedly violate  
5 confidentiality and inform others that Plaintiff filed a sexual harassment complaint against him,  
6 including, for example, in his offensive, rude and unprofessional email to Councilmember Daniel  
7 Holloway referring to Plaintiff as a "complainant."

8 f. The City has also stripped Plaintiff of job responsibilities, including by disbanding  
9 Plaintiff's Ad Hoc Communications Committee which Plaintiff had led for several years prior, a  
10 decision against the best interest of the City but done to hurt Plaintiff which was similar to  
11 Defendant Klinakis refusing to convene meetings for other committees on which Plaintiff's  
12 serves, the Code Enforcement and Public Health Committees.

13 g. As further retaliation, the City has demanded that Plaintiff return to reporting to  
14 City Hall despite her fear of Defendant/Harasser Lindsey attacking her again and the Governor of  
15 the State of California making it illegal to require employees to physically return to work.

16 h. The City has refused Plaintiff's request to City Attorney Casso that all employees  
17 refrain from appearing at Plaintiff's house unannounced, as Plaintiff has concerns that  
18 Defendant/Harasser Lindsey is putting employees up to stopping by her house unannounced, a  
19 recent pattern that has caused Plaintiff to be in continuous fear and extreme distress since she  
20 filed the complaint.

21 33. The City continues to condone and ratify Defendant/Harasser Lindsey's sexual  
22 harassment and vicious retaliation against Plaintiff, continues to refuse to conduct a proper  
23 investigation, and continues to refuse to take any corrective action against Defendant/Harasser  
24 Lindsey. Instead, the City and Defendant Klinakis have chosen to fully embrace and protect  
25 Defendant/Harasser Lindsey, as they have with other sexual harassers.

26 34. In September 2020, Plaintiff was informed that the investigation was closed and  
27 the only recommendation made by Attorney Caso was "Talk to Charlie."

28 35. Defendant Klinakis' willingness not only to cover up for and protect

1 Defendant/Harasser Lindsey, but also harbor other known sexual harassers is particularly  
2 troubling. As Mayor, Defendant Klinakis was responsible for ensuring a sexual harassment free  
3 workplace and to take prompt remedial action in response to sexual harassment. Instead, here,  
4 Defendant Klinakis was not only aware of the sexual harassment, but he personally observed  
5 Defendant/Harasser Lindsey launch into an assault of Plaintiff in which Defendant/Harasser  
6 Lindsey yelled and screamed at Plaintiff while he stood over her.

7 36. Despite having personally observe Defendant/Harasser Lindsey attack Plaintiff in  
8 response to her sexual harassment complaint against him, Defendant Klinakis covered up for  
9 Defendant/Harasser Lindsey and protected him. Defendant Klinakis refused to do the right thing  
10 against a sexual harasser and instead blamed Plaintiff, the victim.

11 37. This is highly troubling because Defendant Klinakis is President of the City of  
12 Industry Sheriff's Youth Activities League a non-profit organization affiliated with Los Angeles  
13 County Sheriff Department. In this role as the Yal Board President, Defendant Klinakis serves as  
14 a steward of the children serving as a role model to help children build good character and  
15 leadership skills. If there are allegations of inappropriate conduct toward one of the children,  
16 Defendant Klinakis will be involved in deciding the responsive action to take.

17 38. Defendants also took retaliatorily action against Plaintiff during the recent  
18 election, forcing Plaintiff to send a Cease and Desist letter, copy attached as Exhibit A. In  
19 October, 2020, Defendants caused robocalls to be made against Plaintiff that were false and made  
20 in retaliation for her sexual harassment/retaliation complaint. The robocalls were an attempt by  
21 Defendants to harm Plaintiff's reputation and prevent her re-election.

22 39. Unfortunately, the City chose to ignore Plaintiff's letter, refused to investigate and  
23 also refused to take any remedial action, opting instead to ratify the illegal conduct including  
24 violations of the Political Reform Act.

25 40. Following the election, Defendants have continued in their course of retaliation  
26 against Plaintiff, establishing that they will not cease or desist in their retaliation against her until  
27 they have removed her from office and destroyed her life as she now knows it to make her pay for  
28 filing a sexual harassment/retaliation complaint. For example, when the newly-elected city

1 council met this year, Defendant Klinakis orchestrated a closed session council meeting that  
2 Plaintiff was never informed of and was barred from attending. At the meeting with the new  
3 council members and in Plaintiff's absence, Defendant Klinakis – who was supposed to have also  
4 been investigated in connection with Plaintiff's sexual harassment and retaliation complaint –  
5 spent over an hour discussing Plaintiff's sexual harassment/retaliation complaints against both  
6 him and his good friend and co-conspirator, Defendant/Harasser Lindsey, complaints that the City  
7 claims were already thoroughly and completely investigated. The City has further announced that  
8 it will conduct an "audit" of the investigation, but will not reopen it, a clear attempt to make  
9 changes to the findings in the investigation that Defendant Klinakis does not like or want to  
10 remain. This meeting provided Defendant Klinakis an opportunity to influence the newly elected  
11 council members to support his versions of past events.

12 41. Plaintiff has diligently attempted to avoid the need to file this action through on-  
13 going communications with Defendants. However, Defendants have made clear that they will  
14 continue to retaliate against Plaintiff and otherwise break the law, including these most recent  
15 egregious and outrageous violations of law and retaliation by Defendant Klinakis against Plaintiff  
16 which have left Plaintiff with no option but to file this action.

17 **FIRST CAUSE OF ACTION**

18 **VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT,**

19 **CAL. GOV'T CODE § 12940(a)**

20 **(DISCRIMINATION BASED ON GENDER/RACE)**

21 **(AGAINST ALL ENTITY DEFENDANTS AND DOES 1-100)**

22 42. Plaintiff hereby repeats and realleges each and every allegation contained in all of  
23 the other paragraphs of this complaint, and incorporates same by reference with the same force  
24 and effect as though set forth in full herein.

25 43. Defendants' actions as described herein constitute a continuing course of conduct  
26 of discrimination based on gender and race, in violation of the California Fair Employment and  
27 Housing Act, Cal. Gov't Code § 12940 *et seq.* Defendants' discrimination against Plaintiff  
28

1 included taking various adverse employment actions against her based on her gender and her  
2 complaints to the City of La Puente Human Resources employees.

3 44. Defendants took various adverse employment actions against Plaintiff, including  
4 but not limited to, treating Plaintiff differently and hostilely from other similarly situated  
5 employees in terms and conditions of employment due to her gender, and subjecting her to  
6 harassment, discrimination and retaliation, including without limitation, removing work  
7 assignments and job duties, creating and tolerating a hostile work environment, failing to properly  
8 investigate, sabotaging her work for the City, excluding her from important government  
9 functions, withholding vital information from her, casting the blame on her when she was not  
10 involved, prevent and/or correct the harassment, discrimination and retaliation meted out by  
11 Defendants, and retaliating against Plaintiff for protesting and opposing Defendants' FEHA  
12 violations.

13 45. Plaintiff's gender and complaints were substantial motivating reasons for the  
14 various adverse employment actions taken toward Plaintiff as described herein.

15 46. As a direct and proximate result of Defendants' conduct as set forth above, Plaintiff's  
16 emotional well-being has substantially suffered and will continue to suffer. Plaintiff has experienced,  
17 and continues to experience, severe emotional distress, in an amount to be proven at trial. Plaintiff  
18 alleges that she has and will continue to suffer substantial losses in earnings, other employment  
19 opportunities, employment benefits and other damages, the precise amounts to be proven at trial.

20 **SECOND CAUSE OF ACTION**

21 **VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT,**

22 **CAL. GOV'T CODE § 12940(j)**

23 **(HARASSMENT)**

24 **(AGAINST ENTITY DEFENDANTS, LINDSEY AND DOES 1-50 )**

25 47. Plaintiff hereby repeats and realleges each and every allegation contained in all of  
26 the other paragraphs of this complaint, and incorporates same by reference with the same force  
27 and effect as though set forth in full herein.

28 48. Defendants' actions constitute a continuing course of conduct of harassment in

1 violation of the California Fair Employment and Housing Act, Cal. Gov't Code § 12940(j). As  
2 described herein, Plaintiff was subjected to unwanted harassing behavior by Defendants,  
3 including without limitation her colleague Defendant Robert Lindsey, based on her gender and  
4 her complaints to the City of La Puente Human Resources employees, her request for reasonable  
5 accommodations, and her repeated attempts to invoke the interactive process, through highly  
6 hostile treatment and comments.

7 49. Defendants' harassment of Plaintiff was severe and pervasive.

8 50. A reasonable person in Plaintiff's circumstances would have considered the work  
9 environment created by Defendants hostile and abusive.

10 51. Defendants knew or should have known, and actually did know, by reason of  
11 Plaintiff's several complaints to City of La Puente's Human Resources employees, about  
12 Defendant/Harasser Lindsey's acts of harassment, but failed to take immediate and appropriate  
13 corrective actions.

14 52. As a direct and proximate result of Defendants' conduct as set forth above,  
15 Plaintiff's emotional well-being has substantially suffered and will continue to suffer. Plaintiff  
16 has experienced and continues to experience severe emotional distress, in an amount to be proven  
17 at trial. Plaintiff alleges that she has and will continue to suffer substantial losses in earnings,  
18 other employment opportunities, employment benefits and other damages, the precise amounts to  
19 be proven at trial.

20 53. Defendants' conduct was a substantial factor in causing the aforesaid harm to  
21 Plaintiff.

22 54. Defendants' conduct as described herein was despicable, malicious and oppressive  
23 and done with a conscious disregard of Plaintiff's rights. Defendants' acts were designed to  
24 humiliate and oppress Plaintiff; and they had that effect. Thus, Plaintiff is entitled to punitive  
25 damages against Defendant/Harasser Lindsey and DOES 1-100 under California *Civil Code* §  
26 3294.

27 **THIRD CAUSE OF ACTION**

28 **VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT,**

**CAL. GOV'T CODE § 12940(h)**

**(RETALIATION)**

**(AGAINST ENTITY DEFENDANTS AND DOES 1-100)**

55. Plaintiff hereby repeats and realleges each and every allegation contained in all of the other paragraphs of this complaint, and incorporates same by reference with the same force and effect as though set forth herein.

56. Defendants' actions constitute a continuing course of conduct of retaliation in violation of the California Fair Employment and Housing Act, Cal. Gov't Code § 12940(h). Defendants subjected Plaintiff to discrimination based on disability and gender, and additional FEHA violations as described herein, and then retaliated against Plaintiff in violation of FEHA based on Plaintiff's objections to and complaints about said FEHA violations.

57. As a result of Plaintiff's complaints about Defendant/Harasser Lindsey's discriminatory and harassing conduct, Plaintiff was subjected to an on-going pervasive hostile work environment. Plaintiff's complaints about these various FEHA violations were a substantial motivating reason for the pervasive hostile work environment.

58. Defendants' conduct was a substantial factor in causing the aforesaid harm to Plaintiff.

59. As a direct and proximate result of Defendants' conduct as set forth above, Plaintiff's emotional well-being has substantially suffered and will continue to suffer. Plaintiff has experienced and continues to experience severe emotional distress, in an amount to be proven at trial. Plaintiff alleges that she has and will continue to suffer substantial losses in earnings, other employment opportunities, employment benefits and other damages, the precise amounts to be proven at trial.

**FOURTH CAUSE OF ACTION**

**VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT,**

**CAL. GOV'T CODE § 12940(k)**

**(FAILURE TO INVESTIGATE, PREVENT AND/OR CORRECT FEHA VIOLATIONS)**

**(AGAINST ALL ENTITY DEFENDANTS AND DOES 1-100)**





1 effect as though set forth fully herein.

2 65. Defendant/Harasser Lindsey intended to cause harmful or offensive contact, or  
3 threatened to touch Plaintiff in a harmful or offensive manner when he was standing directly in  
4 front of Plaintiff while screaming at her and repetitively shaking his finger in her face.

5 66. Defendant Klinakis knew or should have known that the assault was occurring to  
6 Plaintiff as he was present during the assault and failed to stop or attempt to stop  
7 Defendant/Harasser Lindsey from engaging the acts described hereinabove.

8 67. As a result of Defendant/Harasser Lindsey's acts, Plaintiff was in fact, placed in  
9 great apprehension of imminent harmful and offensive contact with her person.

10 68. At no time did Plaintiff consent to any of the acts by Defendant/Harasser Lindsey  
11 as alleged hereinabove.

12 69. Defendant/Harasser Lindsey's conduct as described above caused Plaintiff to be  
13 apprehensive that Defendant would subject her to further intentional invasions of her right to be  
14 free from offensive and harmful contact and demonstrated that at all times material herein,  
15 Defendant/Harasser Lindsey had a present ability to subject her to an intentional offensive and  
16 harmful touching.

17 70. As a direct and proximate result of Defendants' conduct as set forth above,  
18 Plaintiff's emotional well-being has substantially suffered and will continue to suffer; Plaintiff  
19 has experienced and continues to experience severe emotional distress, in an amount to be proven  
20 at trial.

21 71. Plaintiff alleges that she has and will continue to suffer substantial losses in  
22 earnings, other employment opportunities, employment benefits and/or other damages, the precise  
23 amounts to be proven at trial.

24 72. Defendants' despicable conduct as described herein was malicious and oppressive  
25 and done with a conscious disregard of Plaintiff's rights. Defendant acts were designed to  
26 humiliate and oppress Plaintiff; and they had that effect. Thus, Plaintiff is entitled to punitive  
27 damages against Defendant/Harasser Lindsey and DOES 1-100 under California Civil Code §  
28 3294.

**SIXTH CAUSE OF ACTION**

**AIDING AND ABETTING**

**(AGAINST ALL DEFENDANTS AND DOES 1-100)**

1  
2  
3  
4 73. Plaintiff hereby repeats and re-alleges each and every allegation contained in each  
5 paragraph throughout this complaint and incorporate same by reference with the same force and  
6 effect as though set forth fully herein.

7 74. Plaintiff was harmed by Defendant/Harasser Lindsey’s assault and battery and  
8 Defendant Klinakis is responsible for the harm because he aided and abetted Defendant/Harasser  
9 Lindsey in committing the assault and battery.

10 75. Defendant Klinakis is responsible as an aider and abetter because Defendant  
11 Klinakis knew that an assault and battery was being and/or going to be committed by  
12 Defendant/Harasser Lindsey against Plaintiff; Defendant Klinakis gave substantial assistance or  
13 encouragement to Defendant/Harasser Lindsey; and Defendant Klinakis’ conduct was a  
14 substantial factor in causing harm to Plaintiff.

15 76. As a direct and proximate result of Defendants’ conduct as set forth above,  
16 Plaintiff’s emotional well-being has substantially suffered and will continue to suffer. Plaintiff  
17 has experienced and continues to experience severe emotional distress, in an amount to be proven  
18 at trial. Plaintiff alleges that she has and will continue to suffer substantial losses in earnings,  
19 other employment opportunities, employment benefits and other damages, the precise amounts to  
20 be proven at trial.

21 77. Defendants’ despicable conduct as described herein was malicious and oppressive  
22 and done with a conscious disregard of Plaintiff’s rights. Defendant acts were designed to  
23 humiliate and oppress Plaintiff; and they had that effect. Thus, Plaintiff is entitled to punitive  
24 damages against Defendant Klinakis, Defendant/Harasser Lindsey and DOES 1-100 under  
25 California Civil Code § 3294.

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**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays that judgment be entered in her favor and against Defendants, and each of them, jointly and severally as follows:

1. That Defendants be ordered to pay Plaintiff compensatory and general damages according to proof at trial, including without limitation back pay owed;

2. That Defendants be ordered to pay Plaintiff prejudgment interest;

3. That Defendants be ordered to pay Plaintiff's costs;

4. That Defendants Klinakis and Lindsey be ordered to pay punitive damages;

5. That this Court award Plaintiff reasonable attorneys' fees pursuant to, without limitation the FEHA;

6. That this Court order Defendants to pay penalties, interest and any other remedies to Plaintiff pursuant to, without limitation, the Government Code;


7. That this Court order injunctive relief enjoining the FEHA, as alleged herein, by Defendants, including without limitation, appropriate discipline against violators, training provided to managerial, HR and other employees, and appropriate FEHA policies and investigation procedures to be put into place, including a policies that required investigations to be prompt, thorough and neutral, unlike what occurred here; and

9. That this Court awards such further relief as the Court deems just and proper.

Respectfully Submitted,

Dated: May 19, 2021

ABROLAT LAW PC

By:   
\_\_\_\_\_  
Nancy Abrolat  
Attorneys for Plaintiff  
Violeta Lewis

# EXHIBIT A

James M. Casso  
Attorney at Law  
Casso & Sparks, LLP  
13300 Crossroads Parkway N  
Suite 410  
City of Industry, California 91746  
jcasso@cassosparks.com

Via E-mail and U.S. Express Mail

**CEASE AND DESIST**

October 27, 2020

Re: Cease and Desist Illegal Campaign Conduct and Retaliation for  
Sexual Harassment Report

Dear Mr. Casso:

I am contacting you about extremely serious violations of the 2020 Political Reform Act and retaliation due to a report of sexual harassment. **I insist that the City take immediate action to stop this illegal conduct intended to interfere with voting, voters, and our election.**

More specifically, the City and Mayor have been distributing false information about me to disparage my reputation and prevent my re-election as a City Council Member, in violation of law and in retaliation of my sexual harassment report.

**Background:**

On April 22, 2020, I reported to the City that City Manager Robert Lindsey has sexually harassed and intimidated me, including asking me to date him and making comments about my breasts. Mayor Klinakis was present while Mr. Lindsey towered over me, yelling, and screaming at me while threatening me because I refused to date him. Mayor Klinakis watched and did nothing, allowing a man over 6 feet tall to verbally attack me, at under 5 feet, simply because I refused to date him and told him not to talk about my breasts.

The City “investigated” this complaint for over 4 months and found no wrong doing, even though the Mayor and Lindsey continued to retaliate against me throughout these 4 months, such as removing me from committees and interfering with my duties as a council member in violation of the voters’ rights.

**Current Illegal Conduct by the City and Mayor:**

1. Residents Frank Sanchez and Beatriz Kristine reported that on October 15, 2020, they received a robocall simulating an election poll survey that asked the caller to select a particular candidate they would be supporting in the La Puente City Council election.
  - When candidate “Violeta Lewis” was selected, the recording stated “Did you know she has a secret claim against the city for 5 million dollars that the taxpayers will be on the hook for? Knowing this information, would you still vote for her?”
  - Mr. Sanchez further reported that, as a voter, he was very concerned when he heard about this accusation of a secret claim for \$5 mil against the City.
2. I received 3 robocalls with this same message. Two robocalls on Thursday October 15, 2020 at 8:32 p.m. and Friday October 16, 2020 at 9:21 a.m. which originated from the Los Angeles County Public Library phone number (626) 968-4613 and one robocall on October 17, 2020 at 9:42 a.m. which originated from Lassalette School (626) 933-3000.
3. Natalie Reyes reported that on October 17, 2020, she received a polling call asking a question about me making “some kind of compensation claim from the city.”
  - Reyes reported that the robocall call simulated an election poll survey that asked the caller to select a particular candidate they would be supporting in the La Puente City Council election.
  - When candidate “Violeta Lewis” was selected, the recording stated “Did you know she has a secret claim against the city for 5 million dollars that the taxpayers will be on the hook for? Knowing this information, would you still vote for her?”
  - Reyes further reported that the robocall originated from Lassalette School (626) 933-3000. Reyes further reported that, as a voter, she was very concerned when she heard about this accusation of a secret claim for \$5 mil against the City.
4. Mayor Klinakis has also falsely told several community members that I am suing the City for \$1 million dollars.

As you know, these statements made are absolutely false. I do not have a secret claim against the City for \$5 million dollars. This conduct is illegal. The City and Mayor are making up these lies to improperly try to get the voters to not vote for me. The statements in these robocalls made to residents are from, or have been cloned to look like they are from government locations, and it makes it look like these are official government communications. This is a lie, too.

These false statements also hurt my reputation as a nurse and could unfairly hurt my career.

I demand that you have these calls and conduct stopped immediately. I further insist upon a complete investigation done by a fair and neutral third party. I request that I be informed of all actions taken to address and correct this illegal conduct.

Very truly yours,

A handwritten signature in black ink that reads "Violeta M. Lewis". The signature is written in a cursive, flowing style.

Violeta M. Lewis  
Mayor Pro Tem