

**FILED**

**MAY 18 2021**

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**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**IN AND FOR THE COUNTY OF SHASTA**

**JOHN DOE 1, a minor, by and through  
his Guardian ad Litem;  
JOHN DOE 2, a minor, by and through  
his Guardian ad Litem;  
JOHN DOE 3, a minor, by and through  
his Guardian ad Litem; and  
JOHN DOE 4, a minor, by and through  
his Guardian ad Litem,**

**Plaintiffs,**

**vs.**

**ANDERSON UNION HIGH SCHOOL  
DISTRICT;  
GREG GRANDELL;  
And DOES 1 through 50, Inclusive**

**Defendants.**

**No. 197338**

**COMPLAINT FOR DAMAGES**

**(Unlimited Jurisdiction ~ Excess of \$25,000)**

**(Personal Injury)**

**[1. Negligence – Pursuant to Government  
Code section 815.2; 820 and 820.8]**

**[2. Failure to Supervise Students - Pursuant to  
Government Code section 815.2; 820 and  
820.8]**

**[3. Failure to Supervise Students – Breach of  
Mandatory Duty - Pursuant to Government  
Code section 815.6 and Education Code  
44807-44808]**

**[4. Negligent Supervision, Training and  
Retention of Public Employees - Pursuant to  
Government Code section 815.2; 820 and  
820.8]**

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[5. Gender Discrimination – Violation of Education Code Section 220 - Pursuant to Government Code section 815.2; 820 and 820.8]

[6. Gender Discrimination - Violation of Education Code Section 220 - Breach of Mandatory Duty - Pursuant to Pursuant to Government Code section 815.6]

[7. Breach of Mandated Reporter Laws - Pursuant to Government Code section 815.2; 820 and 820.8]

[8. Breach of Mandated Reporter Laws – Breach of Mandatory Duty - Pursuant to Pursuant to Government Code section 815.6 and Penal Code section 11164, et seq.]

[9. Violation of the Unruh Civil Rights Act – Civil Code section 51-52 - Pursuant to Government Code section 815.2; 820 and 820.8]

[10. Violation of the Unruh Civil Rights Act – Civil Code section 51-52 - Pursuant to Government Code section 815.6]

[11. Violation of the Tom Bane Civil Rights Act – Civil Code section 52.1 - Pursuant to Government Code section 815.2; 820 and 820.8]

[12. Violation of the Tom Bane Civil Rights Act – Civil Code section 52.1 - Pursuant to Government Code section 815.6]

1                   **PLAINTIFFS ALLEGE, ON INFORMATION AND BELIEF:**

2                                   **FACTUAL ALLEGATIONS**  
3                                   **COMMON TO ALL CAUSES OF ACTION**  
4                                   **(As to All Parties)**

5           1.       Greg Grandell, former football coach at West Valley High School (WVHS),  
6           recently gave a speech at a school board meeting ostensibly aimed at regaining his job.<sup>1</sup> During it,  
7           Grandell, a 33-year coaching veteran, professed his love for “all of my players” and, insisted, as  
8           their coach, it was his desire to protect them. Just, apparently, based upon the evidence, not from  
9           one another.

10          2.       WVHS is well-known for its athletic programs, but its pride and joy is the varsity  
11          football team. Since the 1990’s the team has won three Northern Section CIF championships and  
12          nine league titles.

13          3.       However, outside the bright glare of the stadium lights, there was a dark side to  
14          Grandell’s championship varsity football team – a longstanding tradition of hazing, bullying,  
15          intimidation, harassment and physical assault by the dominant members of the team, mostly  
16          upperclassmen and team leaders, against the newer and younger members, who were called  
17          “pups”.  
18

19          4.       This abuse, among other things, included “tea bagging” (where one player places  
20          his bare scrotum on another’s face), simulating sexual acts such as “dry-humping”, forced boxing  
21          matches, and, worse, assault with the “PIYA” stick.  
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23                   **The Word “PIYA”**

24          5.       PIYA is the team’s motto. Players chant and swear on “PIYA” – even at  
25          graduations, weddings and funerals.  
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<sup>1</sup> WVHS is located in Shasta County and is part of the Anderson Union High School District (“the District”).

1           6.       The term is considered sacred by the team and its coaches, and they have worked  
2 hard to keep it a secret. The coach who claims to have originated the word has publicly vowed  
3 never to share the meaning with anyone, not even his wife. But the players have not kept its  
4 meaning secret: the team knew that PIYA referred to female students' genitalia. The importance  
5 placed on this motto by the coaches and the secrecy surround its meaning contributed to a cult-  
6 like mentality where separation and isolation from others – but loyalty to the team – was  
7 paramount while anyone who dared to complain was punished.

9                   **The “PIYA” Stick**

10           7.       To keep the team, especially “pups”, in line, team leaders would resort to the use  
11 of the “PIYA stick”. The PIYA stick was a piece of PVC pipe approximately two to three feet  
12 long and three-quarters of an inch round, with a tennis ball attached to one end, and exposed pipe  
13 at the other. The PIYA stick was prominently displayed in an open locker near the entrance to the  
14 team's exclusive locker room.

16                   **The Hazing Tradition with the PIYA Stick**

17           8.       The PIYA stick was routinely used as a weapon of dominance and control by team  
18 leaders. Specifically, they used it to assault other members of the team. During such an assault,  
19 multiple older boys would grab a player's arms and legs, push him to the ground and hold him  
20 down with legs spread-eagle. While in that position, the PIYA stick would be jabbed into the  
21 victim's buttocks and rectal area. This typically happened over the victim's underwear or gym  
22 shorts. Which end of the stick was used depended upon the whim and mood of the assailant  
23 wielding the stick. Needless to say, as the District conceded after its own investigation, this  
24 “contact was not welcomed by the receiving player.”<sup>2</sup>

26           9.       Situations in which the PIYA stick was most often used included promotion to the  
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\_\_\_\_\_  
<sup>2</sup> The District initiated an investigation following disclosure by the plaintiffs.

1 varsity team; a birthday; when a “pup” disrespected or upset an older team leader; or, when a  
2 “pup” one-upped or threatened an upperclassman’s position on the team.

3 10. Further, there were instances of upperclassmen or team leaders forcing “pups” to  
4 use the PIYA stick at their direction against other teammates, or risk having it used on them. This  
5 is a common hazing strategy as it creates a situation where the victim becomes the perpetrator,  
6 making it less likely they will disclose their own abuse.  
7

8 **Knowledge by Defendants of the Tradition**

9 11. Use of the PIYA stick – as the District noted upon the completion of its own  
10 investigation – was going on for years. It appears to have been an open secret, as freshman football  
11 players were commonly made aware of it and knew it would be an issue they would have to  
12 contend with if they joined the varsity team.  
13

14 12. Administrators at WVHS and the district office claim they had no knowledge of  
15 the years-long pattern of abuse until they were informed by police.

16 13. Coach Grandell has publicly asserted his ignorance, as well.

17 14. But, in June of 2019 a parent – who also happened to be a current law enforcement  
18 officer and former West Valley High School football player – learned about this perverse,  
19 embarrassing and dangerous ritual from his son.  
20

21 15. This parent sounded the alarm and reported the hazing to the school’s on-campus  
22 resource officer, who, in turn, raised the issue with then-head coach Greg Grandell.

23 16. But, instead of acknowledging this parent’s concern for his son’s safety (and that  
24 of his teammates), Grandell launched a cover-up.

25 17. Hours later, Grandell held a team meeting where he stated he heard a rumor about  
26 PIYA, and if anyone was spreading rumors about, defaming or even discussing PIYA with anyone  
27 outside of the team, they would be kicked off the team. The student who complained about the  
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1 ritual to his father understood this conversation as being a threat by Grandell for reporting the  
2 ritual and was discouraged from speaking about it any further for fear of retaliation.

3 18. Importantly, Grandell did not investigate. He told no one. He did nothing to stop it.  
4 That is, he took no steps to stop the sexualized hazing, and protect his vulnerable young players.  
5 The PIYA stick remained in plain sight in the locker room. Grandell's only reaction was his  
6 forceful, unequivocal threat of retribution against any player who talked publicly about PIYA.  
7

8 19. So, sexual hazing of new varsity team members continued.

9 20. However, the cover-up began to unravel more than a year later. The turning point  
10 was an assault on John Doe #1 in August 2020. That assault was especially upsetting for his  
11 teammates. His assailants -- the older, bigger varsity players -- chased him down and dragged him  
12 to the locker room. The forceful takedown and attack was too much for the younger players who  
13 witnessed the hazing. Consequently, they defied Coach Grandell's demand for secrecy. Four of  
14 them first told their parents, then they reported to law enforcement.  
15

16 21. The four boys took that risk because it was the right thing to do. They wanted the  
17 abuse to stop, and to ensure other, younger players would not have to suffer like they did just to  
18 play the sport they loved.

19 22. These are their stories:

20 **John Doe #1**

21  
22 23. Making the varsity football team should be a cause for celebration. But when John  
23 Doe #1 learned he had made the team, he just wanted to stay home. He was worried that he would  
24 be attacked by an older player wielding the PIYA stick. But rather than miss out on his dream  
25 season, John Doe #1 instead did his best to avoid the team leaders.

26 24. He was safe, for a while. But on or about August 27, 2020, John Doe #1 was in the  
27 team room when the team captain chest-bumped him. As John Doe #1 fell backwards, he  
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1 accidentally kneed the captain in the groin. The captain claimed it was intentional and must be  
2 punished. Team leaders tried to grab John Doe #1 and assault him with the PIYA stick. He ran to  
3 the parking lot and jumped a fence to escape the hazing. But his assailants caught him. They  
4 dragged him back to the team room to inflict their punishment.

5           25.     The captain slammed John Doe #1 against the wall, then threw him to the ground.  
6 John Doe #1 tried to fight back, but at least four upperclassmen pinned him down. The assailants  
7 pulled John Doe #1's legs over his head, with his backside exposed.

8           26.     One assailant assaulted John Doe #1 with the PIYA stick, pushing it into his rectum  
9 several times over his clothes. John Doe #1 is sure he avoided penetration only because he clenched  
10 forcefully to prevent it. The assault still left him with abrasions and scratches, but those injuries  
11 were nothing compared to the embarrassment, torment and humiliation he suffered at the hands of  
12 his abusers and their PIYA stick.

13           27.     After that assault, John Doe #1 witnessed upperclassmen and team leaders use the  
14 PIYA stick on other players. He saw team leaders force younger, smaller players to assault  
15 defenseless teammates, and witnessed the PIYA stick being used against players who refused to  
16 participate in the sexualized hazing.

17           28.     John Doe #1 also saw players beat each other with their fists, and batter others with  
18 paddles. One player was bound with rope and his belongings stolen. John Doe #1 did not escape  
19 the constant humiliation: one time, a "teammate" put a bag of feces in his locker.

20           29.     As a result, John Doe #1 lived in constant fear of another attack on himself, or a  
21 younger, even more vulnerable teammate.

22           **John Doe # 2**

23           30.     John Doe #2 also worried about the hazing and assaults when he joined the varsity  
24 team.

1           31. On or about November 15, 2019, those fears became a reality when at least five  
2 upperclassmen grabbed him while he was changing clothes in the team room. They then lifted him  
3 up so another teammate could stick one end of the PIYA stick, then the other, into his rectum, over  
4 his clothes.

5           32. There was nothing John Doe #2 could do to resist. He was outnumbered and his  
6 assailants were bigger and stronger. Despite his clothing, the force of that attack was sufficient to  
7 slightly penetrate his rectum.  
8

9           33. Several days later, a team leader grabbed John Doe #2 from behind while he was  
10 putting on his shorts in the changing room. That upperclassman gave him a “bear hug” and “dry  
11 humped” him from behind. John Doe #2 again tried to fight back, but the team leader was much  
12 stronger. That humiliating attack lasted 10-15 seconds.  
13

14           34. Like his friend John Doe #1, John Doe #2 witnessed upperclassmen and team  
15 leaders similarly assault other, defenseless players. In all, he estimates he saw the PIYA stick used  
16 in 15 assaults.

17           35. As a result, John Doe #2 was constantly terrorized by the fear of another attack. He  
18 considered quitting the team, but decided not to, mainly because he feared doing so would subject  
19 him to even more harassment for the rest of his high school career.  
20

21           **John Doe # 3**

22           36. John Doe #3 also did everything in his power to avoid an assault with the PIYA  
23 stick. He even kept his birthday a secret after learning new varsity players got the PIYA stick as a  
24 perverse “present” from upperclassmen.

25           37. But that strategy failed. In January 2020, several older players cornered John Doe  
26 #3 in the team room and told him “today” was his birthday. John Doe #3 knew what that meant  
27 and tried to escape. His teammates blocked the door, forcibly took hold of his arms and legs,  
28



1 pinned him to the ground, and pulled his legs apart. Another teammate then assaulted John Doe  
2 #3 by alternately pushing both ends of the PIYA stick into his rectum, over his clothes.

3 38. John Doe #3 later witnessed upperclassmen and team leaders use the PIYA stick  
4 on at least four other players.

5 **John Doe # 4**

6  
7 39. John Doe #4 was friends with John Does 1, 2 and 3. Like them, he was a “pup” on  
8 the team, was aware of the PIYA stick tradition, and feared it would be used on him.

9 40. His fear was realized in November 2019 when several teammates grabbed him,  
10 took him to the ground, and forcibly pulled his legs apart. While in this position, another teammate  
11 assaulted John Doe #4 with the PIYA stick by jabbing it into his buttocks, over his clothes.

12 41. After this incident, John Doe #4’s assailants labeled him “the team bitch.”

13  
14 42. On one occasion, several teammates held him down, while another rubbed his  
15 testicles in John Doe #4’s face. In addition to that abuse, John Doe #4 witnessed the PIYA stick  
16 used on numerous other players.

17 43. As a result, John Doe #4 was constantly terrorized by the possibility of another  
18 imminent attack.

19 **Fall-out, Retaliation & Damages**

20 44. Where coaches and administrators failed to take action to stop the abuse, the  
21 plaintiffs, mere boys, stepped in the gap. By disclosing to law enforcement what was known (or  
22 should have been) by defendants, they ended it. It was not easy. They did so, bravely, provoking  
23 the wrath of their team and the coaches.

24  
25 45. Indeed, coaches, team leaders and other players have the audacity to blame these  
26 courageous young men for tarnishing the team’s reputation and negatively impacting the  
27 “dignity” of the program.  
28

1           46.     Plaintiffs have been threatened with physical violence by former teammates and  
2 told to keep quiet.

3           47.     Unfortunately, the toxic culture that permeates the varsity football team has a  
4 foothold in the larger WVHS community, which made it impossible for the boys to remain there.  
5 For example, after the plaintiffs disclosed, a teacher ridiculed them in front of their entire class.  
6 Specifically, when one of the plaintiffs missed class due to fear and embarrassment, the teacher  
7 questioned the other students about the boy's absence. When the teacher learned that the boy  
8 might change schools due to the fallout from reporting the abuse, the teacher said -- in a mocking  
9 manner -- "it must have something to do with the football thing." That teacher also noted that the  
10 school could not have "broomsticks" lying around anymore (referring to the PIYA stick). This is  
11 a prime example of why the plaintiffs were so fearful of coming forward.  
12

13           48.     But the most crushing blow came from Coach Grandell -- a man the boys had  
14 looked up to since childhood. At one school board meeting, Grandell publicly expressed  
15 disappointment that instead of "sitting at the table" with him and "locking arms" (presumably  
16 with their abusers) to "work together to resolve this (issue)" the boys "ran from the table." He  
17 accused them of suing to "make money" and placing "fortune over forgiveness." At the end of  
18 his speech, Grandell, while sniffing, reaffirmed his love for "all my players -- all of them -- all of  
19 them on both sides of this mess." Both, in his words, the "assailants and the victims." He closed,  
20 "I love them all."  
21

22           49.     Unfortunately, the plaintiffs did not feel any love from the West Valley community  
23 following disclosure. Instead, they were exposed to hatred and threats of physical harm.  
24 Therefore, all four plaintiffs left WVHS and transferred to other schools. In transition they  
25 suffered declining grades, emotional instability, depression, and feelings of anxiety,  
26 embarrassment, unease, and stress.  
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**PARTIES**

50. At all times mentioned herein, plaintiff John Doe #1 was a resident of the State of California. John Doe #1 is not plaintiff's true name, but is a pseudonym utilized as privacy protection for victims of childhood sexual harassment, assault and hazing. John Doe #1 is, and at all times pertinent hereto was, a minor, date of birth October 2003, and as such brings these claims through his Guardian ad Litem. An *Application and Order for Appointment of Guardian ad Litem-Civil* will be presented for approval pursuant to the procedure set forth in Code of Civil Procedure section 372.5.

51. At all times mentioned herein, plaintiff John Doe #2 was a resident of the State of California. John Doe #2 is not plaintiff's true name, but is a pseudonym utilized as privacy protection for victims of childhood sexual harassment, assault and hazing. John Doe #2 is, and at all times pertinent hereto was, a minor, date of birth April 2004, and as such brings these claims through his Guardian ad Litem. An *Application and Order for Appointment of Guardian ad Litem-Civil* will be presented for approval pursuant to the procedure set forth in Code of Civil Procedure section 372.5.

52. At all times mentioned herein, plaintiff John Doe #3 was a resident of the State of California. John Doe #3 is not plaintiff's true name, but is a pseudonym utilized as privacy protection for victims of childhood sexual harassment, assault and hazing. John Doe #3 is, and at all times pertinent hereto was, a minor, date of birth July 2004, and as such brings these claims through his Guardian ad Litem. An *Application and Order for Appointment of Guardian ad Litem-Civil* will be presented for approval pursuant to the procedure set forth in Code of Civil Procedure section 372.5.

53. At all times mentioned herein, plaintiff John Doe #4 was a resident of the State of California. John Doe #4 is not plaintiff's true name, but is a fictitious pseudonym utilized as

1 privacy protection for victims of childhood sexual harassment, assault and hazing. John Doe #4  
2 is, and at all times pertinent hereto was, a minor, date of birth July 2004, and as such brings these  
3 claims through his Guardian ad Litem. An *Application and Order for Appointment of Guardian*  
4 *ad Litem-Civil* will be presented for approval pursuant to the procedure set forth in Code of Civil  
5 Procedure section 372.5.  
6

7 54. Plaintiffs are informed and believe and thereon allege that, at all times pertinent  
8 hereto, defendant ANDERSON UNION HIGH SCHOOL DISTRICT (hereinafter referred to as  
9 “the District”) was a public entity, to wit, a public school district organized and operating as such  
10 in and under the laws of the State of California, with its principal place of business located in the  
11 City of Anderson, County of Shasta, State of California. Plaintiff is further informed and believes  
12 and thereon alleges that, at all times pertinent hereto, WEST VALLEY HIGH SCHOOL  
13 (hereinafter referred to as “WVHS”) was a public high school operating within and under the  
14 auspices of the District and, according to its school profile, “located in rural south Shasta County.”  
15

16 55. On or about October 28, 2020, John Doe #1 presented to the District his fully  
17 executed *Claim for Injury or Damage* for the injuries, losses and damages suffered and incurred  
18 by him by reason of the activities described in this Complaint, all in compliance with the  
19 Government Code. A copy of the claim will be provided to the Court or parties upon request. The  
20 District rejected the claim, by and through its Board of Trustees and Superintendent Victor  
21 Hopper, by written notice dated November 18, 2020. A true and correct copy of the rejection  
22 notice is attached hereto as **Exhibit “A.”**  
23

24 56. On or about October 28, 2020, John Doe #2 presented to the District an  
25 Application for Late Claim and a fully executed *Claim for Injury or Damage* for the injuries,  
26 losses and damages suffered and incurred by him by reason of the activities described in this  
27 Complaint, all in compliance with the Government Code. A copy of the claim will be provided  
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1 to the Court or parties upon request. The District accepted the late claim, but rejected the claim  
2 for damages, by and through its Board of Trustees and Superintendent Victor Hopper, by written  
3 notice dated November 18, 2020. A true and correct copy of the rejection notice is attached hereto  
4 as **Exhibit "B."**

5  
6 57. On or about October 28, 2020, John Doe #3 presented to the District an  
7 Application for Late Claim and a fully executed *Claim for Injury or Damage* for the injuries,  
8 losses and damages suffered and incurred by him by reason of the activities described in this  
9 Complaint, all in compliance with the Government Code. A copy of the claim will be provided  
10 to the Court or parties upon request. The District accepted the late claim, but rejected the claim  
11 for damages, by and through its Board of Trustees and Superintendent Victor Hopper, by written  
12 notice dated November 18, 2020. A true and correct copy of the rejection notice is attached hereto  
13 as **Exhibit "C."**

14  
15 58. On or about October 28, 2020, John Doe #4 presented to the District an  
16 Application for Late Claim and a fully executed *Claim for Injury or Damage* for the injuries,  
17 losses and damages suffered and incurred by him by reason of the activities described in this  
18 Complaint, all in compliance with the Government Code. A copy of the claim will be provided  
19 to the Court or parties upon request. The District accepted the late claim, but rejected the claim  
20 for damages, by and through its Board of Trustees and Superintendent Victor Hopper, by written  
21 notice dated November 18, 2020. A true and correct copy of the rejection notice is attached hereto  
22 as **Exhibit "D."**

23  
24 59. Plaintiffs are informed and believe and thereon allege that, at all times pertinent  
25 hereto, defendant GREG GRANDELL was an employee and/or agent of the District engaged in  
26 the role of a football coach at WVHS. Plaintiffs are informed and believe and thereon allege that,  
27 at all times pertinent hereto, defendant GREG GRANDELL was acting in the scope and course  
28

1 of his aforesaid employment and/or agency with the District.

2 60. That the true names and capacities, whether individual, corporate, associate or  
3 otherwise, of defendant DOES 1 through 50, inclusive, are unknown to plaintiffs, who, therefore,  
4 sue said defendants and thereon alleges that each of the defendants designated herein as a doe is  
5 negligently, intentionally or in some other manner responsible for the events and happenings  
6 herein referred to and negligently, intentionally, or in some other manner caused damages  
7 proximately thereby to plaintiffs as herein alleged.  
8

9 61. That, at all times pertinent hereto, each of the defendants was the agent and/or  
10 employee of each of the remaining defendants and was acting within the purpose and scope of  
11 said agency and/or employment, and each defendant has ratified and/or approved the acts of the  
12 remaining defendants.  
13

14 **STATUTES, ORDINANCES, REGULATIONS, POLICIES AND/OR PROCEDURES**  
15 **RELEVANT TO THIS ACTION**  
**(As to All Parties)**

16 **Relevant California Constitution provisions include, but are not limited to,**

17 62. California Constitution, Article 1, Section 28(f)(1) – *The right to safe schools*

18 63. California Constitution, Article 1, Section 31 – *Prohibition of Discrimination*

19 **Relevant Government Code provisions giving rise to liability include, but are not limited**  
20 **to,**

21 64. Government Code section 815.2(a) – *Injuries caused by act or omission of*  
22 *employee acting in course and scope of employment*

23 65. Government Code section 815.6(a) – *Mandatory duty to protect against particular*  
24 *kinds of injuries*

25 66. Government Code section 820 – *Liability for injuries caused by act or omission of*  
26 *public employee*  
27  
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1           67.     Government Code section 820.8 – *Liability due to injuries caused by negligence*  
2     *act or omission by public employee*

3           68.     Government Code section 11135 – *No person shall be subjected to discrimination*  
4     *under any program or activity that is funded by the state*

5           **Relevant Education Code Provisions include, but are not limited to,**

6           69.     Education Code section 200 – *Right to equal opportunities in educational*  
7     *institutions*

8           70.     Education Code section 201 – *Right to be free from discrimination and harassment*  
9     *in educational institutions*

10          71.     Education Code section 220 – *Prohibition against discrimination in educational*  
11     *institutions*

12          72.     Education Code section 221.8 – *Right to fair and equitable treatment, prohibition*  
13     *of discrimination due to sex/gender, right to equal opportunity and treatment in athletic programs*

14          73.     Education Code section 234 – *Safe Place to Learn Act*

15          74.     Education Code section 234.1 - *Safe Place to Learn Act*

16          75.     Education Code section 260 – *Governing board of school district is responsible for*  
17     *ensuring programs and activities are free from discrimination*

18          76.     Education Code section 262.4 – *Creates private cause of action for violation of the*  
19     *Education Code*

20          77.     Education Code section 32261 – *Right to safe, secure and peaceful campus*

21          78.     Education Code section 32280 – *Duty to have and follow comprehensive school*  
22     *safety plan*

23          79.     Education Code section 32281 - *Duty to have and follow comprehensive school*  
24     *safety plan*

- 1           80.    Education Code section 32282 - *Duty to have and follow comprehensive school*  
2 *safety plan*
- 3           81.    Education Code section 44807 - *Duty to hold pupils accountable for their conduct*
- 4           82.    Education Code section 44808 – *Liability for conduct and/or safety of students*  
5 *during school-sponsored activities on and off the premises*
- 6           83.    Education Code section 48900 – *Grounds for suspension*
- 7           84.    Education Code section 48900.2 – *Additional grounds for suspension: Student*  
8 *committed sexual harassment*
- 9           85.    Education Code section 48900.4 – *Additional grounds for suspension: Student*  
10 *engaged in harassment, threats, or intimidation*
- 11
- 12

13           **Relevant Civil Code Provisions include, but are not limited to,**

- 14           86.    Civil Code section 51 – *The Unruh Civil Rights Act – right to be free from*  
15 *discrimination*
- 16           87.    Civil Code section 52 – *Right to be free from discrimination*
- 17           88.    Civil Code section 52.1 – *The Tom Bane Civil Rights Act*
- 18           89.    Civil Code section 52.4 – *Right to be free from discrimination based on gender*
- 19

20           **Relevant Penal Code Provisions include, but are not limited to,**

- 21           90.    Penal Code section 245.6 – *It is unlawful to engage in any hazing of any former,*  
22 *current or prospective student of any school*
- 23           91.    Penal Code section 11165.7 – *Child Abuse and Neglect Reporting Act*
- 24           92.    Penal Code section 11165.9 – *Child Abuse and Neglect Reporting Act*
- 25           93.    Penal Code section 11166 – *Child Abuse and Neglect Reporting Act*
- 26           94.    Penal Code section 11166.05 – *Child Abuse and Neglect Reporting Act*
- 27
- 28

///



**Relevant District Policies and Procedures include, but are not limited to,**

95. BP 5131 (Students) – *Right to safe and positive learning environment; Prohibition against discrimination, intimidation, bullying, sexual harassment, or any conduct that causes or threatens to cause violence, bodily harm or substantial disruption to the school program*

96. BP 5131.2 (Students) – *Prohibition against bullying*

97. BP 5131.7 (Students) – *Prohibition against weapons and dangerous instruments*

98. BP 5142 (Students) – *Duty to provide safe school environment that is conducive to learning and promotes student safety and well-being, and minimized harm to students*

99. BP 5145.3 (Students) - *Prohibition against discrimination and harassment*

100. BP 5145.7 (Students) – *Prohibition against sexual harassment*

**FIRST CAUSE OF ACTION**

## Negligence

**Pursuant to Government Code section 815.2; 820 and 820.8**  
**(As to all Defendants)**

Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for Damages* as though fully set forth herein.

101. Plaintiffs bring this cause of action against defendants based upon *Government Code* §§ 815.2, 815.6 and 820 which holds a school district vicariously liable for injuries proximately caused by the negligence of its officers, employees and agents.

102. At all times pertinent hereto, defendants, and each of them, had an obligation to comply with the District's policies and procedures. Further, the administration and supervisors in the District had a duty to ensure that the policies and procedures were being followed by all of the coaches, employees and/or staff at WVHS.

103. At all times mentioned herein, the District's policies and procedures provided that "all students have the right to be educated in a safe and positive learning environment free from disruptions" including "conduct that endangers students, staff, or others, including, but not limited

1 to, physical violence, possession of a firearm or other weapon, and terrorist threats” and  
2 “discrimination, harassment, intimidation, or bullying of students or staff, including sexual  
3 harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any  
4 other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm,  
5 or substantial disruption to the school program . . .” District Policy, BP 5131; BP 5131.7; BP 5142;  
6 BP 5145.7.  
7

8 104. The policies define bullying as any act described in Education Code section 48900<sup>3</sup>,  
9 and that it “can be physical, verbal, social/relational” or via electronic means; and “may involve a  
10 single severe act or repetition or potential repetition of a deliberate act”. *Id.*

11 105. It is also the public policy of the District, as well as the State of California to protect  
12 all students from hazing. Hazing is defined by California Penal Code § 245.6 in relevant part as  
13 “any method of initiation or pre-initiation into a student organization or student body, whether or  
14 not the organization or body is officially recognized by an educational institution, which is likely  
15 to cause serious bodily injury to any former, current, or prospective student of any school,  
16 community college, college, university, or other educational institution in this state” in California.  
17 Hazing is prohibited by Penal Code section 245.6.  
18

19 106. To achieve a safe school environment, free from bullying and/or hazing, the  
20 District’s policies and procedures require “school staff [to] be responsible for the proper  
21 supervision of students at all times when students are subject to district rules, including, but not  
22

23  
24 <sup>3</sup> Education Code section 48900 describes bullying as, “any severe or pervasive physical or verbal act or conduct,  
25 including communications made in writing or by means of an electronic act, and including one or more acts  
26 committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one  
27 or more pupils that has or can be reasonably predicted to have the effect of one or more of the following: a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property. b) Causing  
28 a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health. c) Causing a reasonable pupil to experience substantial interference with his or her academic performance. d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

1 limited to, during school hours, school-sponsored activities, before and after-school programs,  
2 morning drop-off and afternoon pick-up, and while students are using district transportation.” BP  
3 5142.

4 107. Further, the District’s policies provide that the responsibility to provide a safe  
5 environment applies to school activities and attendance occurring within a district school, and to  
6 acts which occur off campus or outside of school-related or school-sponsored activities but which  
7 may have an impact or create a hostile environment at school. BP 5145.3.  
8

9 108. The District’s policies and procedures further require that “any employee may take  
10 any weapon or dangerous instrument from the personal possession of a student while the student  
11 is on school premises or under the authority of the District.” BP 5131.7.  
12

13 109. Moreover, any employee who is put on notice of any unlawful harassment,  
14 discrimination, bullying, or hazing must promptly report, investigate and stop said discrimination.  
15 BP 5145.3. (See also mandated reporter provisions under Penal Code section 11165.7, et seq. and  
16 other reporting laws.)

17 110. Any person reporting discrimination has a right to be free from retaliation. “No  
18 individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually  
19 harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against  
20 any student or school personnel, or retaliate against them for filing a complaint or participating in  
21 the complaint resolution process” and “any employee who permits or engages in bullying or  
22 retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.”  
23 *Id.* See also BP 5145.3; District Policy, BP 5131.2; and BP 5145.7.  
24

25 111. The District’s policies and procedures provide that “students should be taught the  
26 difference between appropriate and inappropriate behaviors, how to advocate for themselves, how  
27 to help another student who is being bullied, and when to seek assistance from a trusted adult. As  
28

1 role models for students, staff shall be expected to demonstrate effective problem-solving and  
2 anger management skills.” *Id.*

3 112. Pursuant to the District’s policies, the Superintendent or designee shall ensure that  
4 all district students receive age-appropriate information on sexual harassment including what  
5 constitutes sexual harassment; that it is inappropriate under any circumstance; that students who  
6 *observe* said harassment should report it if the victim has not complained; that harassment will be  
7 investigated and resolved; and that non-compliance will be investigated and resolved. BP 5145.7.

8 113. The District defined sexual harassment as including, but not limited to,

- 9
- 10 a. “unwelcome sexual advances, unwanted requests for sexual favors, or other  
11 unwanted verbal, visual, or physical conduct of a sexual nature made against  
12 another person of the same or opposite sex in the educational setting, under any  
13 of the following conditions: (Education Code 212.5; 5 CCR 4916)
- 14 i. Submission to the conduct is explicitly or implicitly made a term or  
15 condition of a student's academic status or progress.
  - 16 ii. Submission to or rejection of the conduct by a student is used as the  
17 basis for academic decisions affecting the student.
  - 18 iii. The conduct has the purpose or effect of having a negative impact on  
19 the student's academic performance or of creating an intimidating,  
20 hostile, or offensive educational environment.
  - 21 iv. Submission to or rejection of the conduct by the student is used as the  
22 basis for any decision affecting the student regarding benefits and  
23 services, honors, programs, or activities available at or through any  
24 district program or activity.
- 25 b. Examples of types of conduct which are prohibited in the District and which  
26 may constitute sexual harassment include, but are not limited to:
- 27 i. Unwelcome leering, sexual flirtations, or propositions
  - 28 ii. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory  
comments, or sexually degrading descriptions
  - iii. Graphic verbal comments about an individual's body or overly personal  
conversation
  - iv. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings,  
pictures, obscene gestures, or computer-generated images of a sexual  
nature

- v. Spreading sexual rumors
- vi. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
- vii. Massaging, grabbing, fondling, stroking, or brushing the body
- viii. Touching an individual's body or clothes in a sexual way
- ix. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
- x. Displaying sexually suggestive objects
- xi. Sexual assault, sexual battery, or sexual coercion
- xii. Electronic communications containing comments, words, or images described above

c. Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

BP 5145.7.

114. Defendants, and each of them, breached these aforementioned duties, policies and procedures as discussed in the Factual Allegations above. More specifically:

115. On information and belief, as a member of the male football varsity team at WVHS, plaintiffs encountered a culture or environment that promoted, accepted and tolerated "hazing", bullying and assault as a normal part of the team activities throughout the time they were on the team. The dominant members of the team believed they had a license to not only physically abuse plaintiffs and the other pups, but also to demean them. Efforts by the pups to resist these oppressive practices were often met by further abuse.

116. On information and belief, the District, WVHS and its teachers, administration, coaches and/or staff knew, should have known, tolerated, sanctioned, authorized, allowed, permitted (either implicitly or explicitly) these rituals and/or turned a blind eye to the abuse for years.

1 117. Indeed, at least by June 2019, defendant Grandell and a school resource officer  
2 were informed of the use of the PIYA stick, and failed to report, investigate or prevent it from  
3 occurring again. Moreover, at all times pertinent hereto, the locker room had weapons sitting out  
4 in plain site that were not confiscated by defendants.

5 118. As such, on information and belief, the District and WVHS, particularly the coaches  
6 and staff, had actual knowledge, and at minimum constructive knowledge, of the longstanding  
7 tradition of hazing on the varsity football team and were deliberately indifferent to known "hazing"  
8 on the team that was severe, pervasive and objectively offensive.  
9

10 119. Defendants, and the District's agents, administration, coaches, and staff had the  
11 authority to address the risk posed by this hazing tradition, but they failed to do so, and/or  
12 otherwise acted negligently by, including but not limited to,  
13

- 14 a. Failing to take precautionary measures to prevent the assaults or hazing within  
the school's athletic programs;
- 15 b. Failing to take corrective measure to remedy and prevent the assaults or hazing  
within the school's athletic programs;
- 16 c. Failing to protect the students of WVHS's varsity team, including plaintiffs;
- 17 d. Failing to provide a safe and productive learning environment and safe place to  
engage in extracurricular activities;
- 18 e. Failing to provide and enforce safety policies and procedures intended to  
prevent hazing and bullying;
- 19 f. Failing to implement and comply with policies and procedures to eliminate  
hazing rituals within the school's athletic programs;
- 20 g. Turning a blind eye to the hazing rituals within the school's athletic programs;
- 21 h. Acting with deliberate indifference towards the well-being and rights of  
plaintiffs and others;
- 22 i. Having a complete disregard for player safety from hazing within the school's  
athletic programs;
- 23 j. Failing to control and manage the upperclassmen and team leaders of the varsity  
team;
- 24 k. Failing to train students on what is, and is not, appropriate behavior;
- 25 l. Failing to provide proper instructions, rules and specification regarding  
appropriate and inappropriate interactions amongst team members;
- 26 m. Failing to remove weapons from the locker room that were open and obvious,  
including but not limited to, the PIYA stick, paddle, whips, sword and boxing  
27 gloves;
- 28

120. As a result of defendants' failures, each of the plaintiffs was subjected to hazing, bullying and assault – including use of the PIYA stick as members of the team between 2019 and 2020; witnessed other students assaulted; and remained in constant fear of further abuse during their time on the team as described in the case-specific allegations above.

121. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs had to withdraw from WVHS and transfer to another school. Consequently, their education was disrupted, and they suffered a decline in their grades and emotional stability. They also suffered anxiety, embarrassment, and unease.

122. As a direct, proximate and foreseeable result of the negligence of defendants, plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic damages, including general damages such as emotional distress and mental suffering, in excess of the minimum jurisdiction of this Court.

123. Plaintiffs are informed and believe and thereon allege that defendants, and each of them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs discover the other acts and/or omissions of said defendants constituting such negligence.

## SECOND CAUSE OF ACTION

### **Failure to Supervise Students**

**Pursuant to Government Code section 815.2; 820 and 820.8**

**(As to all Defendants)**

Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for Damages* as though fully set forth herein.

124. Plaintiffs bring this cause of action against defendants based upon *Government Code* §§ 815.2, 815.6 and 820 which holds a school district vicariously liable for injuries proximately caused by the negligence of its officers, employees and agents.

1           125. Defendants, acting through employees, managing agents and school administrators,  
2 had a duty to protect plaintiffs when they were entrusted to their care.

3           126. Plaintiffs' care, welfare, and/or physical custody was temporarily entrusted to  
4 defendants and defendants voluntarily accepted the entrusted care of plaintiffs. As such,  
5 defendants owed plaintiffs a special duty of care, in addition to a duty of ordinary care, and owed  
6 plaintiffs the higher duty of care that adults dealing with children owe to protect them from harm.  
7

8           127. The District's policies and procedures provide that in order to achieve a safe school  
9 environment, "school staff [is to] be responsible for the proper supervision of students at all times  
10 when students are subject to district rules, including, but not limited to, during school hours,  
11 school-sponsored activities, before and after-school programs, morning drop-off and afternoon  
12 pick-up, and while students are using district transportation." BP 5142. This includes when the  
13 students are on and off campus for school related activities. BP 5145.3.  
14

15           128. The defendants breached these aforementioned duties as discussed in the factual  
16 allegations above by failing to adequately supervise the students on or off campus, during school  
17 sanctioned activities; allowing the varsity team carte blanche access and use of the team room  
18 without adequate supervision; failing to take effective corrective action to end the hostile  
19 educational environment plaintiffs and others were experiencing due to the hazing rituals, bullying  
20 and assault; and failing to confiscate the weapons sitting in plain view in the locker room.  
21

22           129. As a result of defendants' failures, each of the plaintiffs was subjected to hazing,  
23 bullying and assault – including use of the PIYA stick as members of the team between 2019 and  
24 2020; witnessed other students assaulted; and remained in constant fear of further abuse during  
25 their time on the team as described in the case specific allegations above.

26           130. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
27 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
28



1 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
2 anxiety, embarrassment, and unease.

3 131. As a direct, proximate and foreseeable result of the negligence of defendants,  
4 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
5 damages, including general damages such as emotional distress and mental suffering, in excess of  
6 the minimum jurisdiction of this Court.  
7

8 132. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
9 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
10 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
11 discover the other acts and/or omissions of said defendants constituting such negligence.  
12

### 13 THIRD CAUSE OF ACTION

#### 14 Failure to Supervise Students

#### 15 Pursuant to Government Code section 815.6; Education Code section 44807-44808

#### 16 (As to all Defendants)

17 Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for*  
18 *Damages* as though fully set forth herein.

19 133. Government Code section 815.6, provides "where a public entity is under a  
20 mandatory duty imposed by an enactment that is designed to protect against the risk of a particular  
21 kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure  
22 to discharge the duty unless the public entity establishes that it exercised reasonable diligence to  
23 discharge the duty."

24 134. At all times mentioned herein, California Education Code provided that defendants,  
25 and each of them, had mandatory and affirmative duties to supervise pupils on school property or  
26 during any school-sponsored activity off premise. Such statute was designed to  
27 protect students against the risk of the particular kind of injury as alleged herein, including hazing,  
28

1 harassment, abuse, bullying and assault. See California Education Code section 44807- 44808.

2 135. The California Education Code further provides that all students have the right to  
3 attend a campus that is safe, secure and peaceful. Education Code section 32261.

4 136. Defendants, and each of them, breached these aforementioned policies and  
5 procedures as discussed in the factual allegations above by failing to provide adequate supervision  
6 of the varsity football team during school hours, while on school property and/or while  
7 participating in school-sponsored activities off premise.

8  
9 137. Defendants further failed to provide a campus that was safe, secure and peaceful.

10 138. As a result of defendants' failures, each of the plaintiffs was subjected to hazing,  
11 bullying and assault – including use of the PIYA stick as members of the team between 2019 and  
12 2020; witnessed other students assaulted; and remained in constant fear of further abuse during  
13 their time on the team as described in the case specific allegations above.

14  
15 139. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
16 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
17 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
18 anxiety, embarrassment, and unease.

19 140. As a direct, proximate and foreseeable result of the negligence of defendants,  
20 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
21 damages, including general damages such as emotional distress and mental suffering, in excess of  
22 the minimum jurisdiction of this Court.

23  
24 141. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
25 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
26 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
27 discover the other acts and/or omissions of said defendants constituting such negligence.  
28

**FOURTH CAUSE OF ACTION**  
**Negligent Hiring, Training, Supervision and Retention of Public Employees**  
**Pursuant to Government Code section 815.2, 820 and 820.8**  
**(As to Defendants District, and DOES 1-25)**

Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for Damages* as though fully set forth herein.

142. Plaintiffs bring this cause of action against defendants based upon *Government Code* §§ 815.2, 820 and 820.8, which holds a school district vicariously liable for injuries proximately caused by the negligence of its officers, employees, and agents.

143. At all times mentioned herein, the District had an obligation to staff common areas, including locker rooms, with competent, adequately trained staff.

144. At all times mentioned herein, the District had a duty to train such staff to ensure that they were aware of their obligations under the law, and the District's own policies and procedures, including but not limited to, Education Code section 220; 234; 234.1; 260, and District Policy, BP 5131; BP 5131.7; BP 5142; BP 5145.7.

145. At all times mentioned herein, the District had a duty to supervise such staff to ensure they were competently performing their supervisory functions. Including, but not limited to, obligations under Education Code section 220; 234; 234.1; 260. District Policy, BP 5131; BP 5131.7; BP 5142; BP 5145.7.

146. On information and belief, the District, WVHS administration (including the athletic director) failed to adequately train and supervise the defendant coaches.

147. Plaintiffs are informed and believe and thereon allege that defendants' failure to adequately train, supervise and retain its staff, including the defendant coaches, gave rise to a longstanding tradition of harassment, bullying, hazing, abuse and assault.

148. On information and belief, the defendant coaches were not properly trained or

1 supervised with regard to, including but not limited to, anti-bullying procedures and methods; how  
2 to adequately supervise students on school premises and during school activities; how to intervene  
3 and deescalate harassment; of the need to confiscate any weapons that they become aware are  
4 present on school premises; obligations as mandated reporters; how to address in-class, on-campus  
5 or reports of harassment, hazing or bullying.  
6

7 149. On information and belief, Grandell had a history of being verbally demeaning to  
8 students on the varsity team if they made a mistake; had a history of pressuring teachers to change  
9 football players' grades so that they could play; had a history of drinking on school campus and  
10 during school activities; and had a history of allowing upperclassman to control the team and team  
11 room as they saw fit. Also, there was a history of violence in the team room under Coach Grandell's  
12 leadership. For instance, in February of 2020, a team member was hit in the head so severely with  
13 a paddle that medical personnel had to be called. Yet, despite all this, the District/athletic director  
14 kept Grandell and the other defendant coaches in their positions because, apparently, it valued  
15 winning football games over student safety.  
16

17 150. Plaintiffs are informed and believe, and based on that information and belief allege,  
18 that defendants knew or should have known that its failure to properly train, supervise, hire, retain  
19 and control WVHS personnel and/or formulate, implement and/or enforce policies and procedures  
20 on anti-bullying, anti-hazing, and methods to supervise students on school premises and during  
21 school sponsored activities off campus, could cause and/or contribute to such injuries as described  
22 herein.  
23

24 151. As a result of defendants' failures, each of the plaintiffs was subjected to hazing,  
25 bullying and assault – including use of the PIYA stick as members of the team between 2019 and  
26 2020; witnessed other students assaulted; and remained in constant fear of further abuse during  
27 their time on the team as described in the case specific allegations above.  
28

1           152. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
2 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
3 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
4 anxiety, embarrassment, and unease.

5           153. As a direct, proximate and foreseeable result of the negligence of defendants,  
6 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
7 damages, including general damages such as emotional distress and mental suffering, in excess of  
8 the minimum jurisdiction of this Court.

9           154. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
10 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
11 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
12 discover the other acts and/or omissions of said defendants constituting such negligence.  
13

14  
15                                   **FIFTH CAUSE OF ACTION**

16                           **Gender Discrimination - Violation of Education Code section 220**

17                           **Pursuant to Government Code sections 815.2, 820 and 820.8**

18                           **(As to all Defendants)**

19           Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for*  
20 *Damages* as though fully set forth herein.

21           155. Plaintiffs bring this cause of action against defendants based upon *Government*  
22 *Code* §§ 815.2, 820 and 820.8, which holds a school district vicariously liable for injuries  
23 proximately caused by the negligence of its officers, employees, and agents.

24           156. Under Education Code section 220, defendants had a duty to ensure that no student  
25 is "subjected to discrimination on the basis of disability, gender, gender identity, gender  
26 expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic".  
27

28           157. Violation of Education Code section 220 can be enforced through a civil action.

1 See Education Code section 262.4.

2 158. Plaintiffs are informed and believe, and based on such information and belief  
3 allege, that the defendants breached their duty to create an environment free from discrimination.

4 159. As a member of the male varsity team at WVHS, plaintiffs encountered a culture  
5 or environment that promoted, accepted and tolerated “hazing” as a normal part of the team  
6 activities throughout the time they were on the team and were subjected to hazing, bullying, assault  
7 and harassment at the hands of the upperclassman and team leaders.

8 160. “Hazing” as part of male athletic teams thrives in the absence of adult supervision  
9 as a form of self-governance. It is used by the more powerful, usually the “veterans,” (here the  
10 upperclassman and team leaders) to establish and maintain their dominance or superiority over the  
11 less powerful “rookies” (here the “pups”). Power, dominance and superiority help the “veterans”  
12 satisfy the stereotypical expectations of masculinity while the “pups,” the victims of hazing, do  
13 not satisfy the stereotypical expectations of masculinity. Gender stereotyping constitutes sex  
14 discrimination.

15 161. Plaintiffs suffered severe, pervasive and offensive harassment while on the school  
16 campus and/or participating in school sanctioned activities as set forth in the case specific  
17 allegations above. The hazing rituals and other acts of harassment, bullying and assault, in  
18 particular the use of the PIYA stick, amounted to unlawful sexual harassment and discrimination  
19 on the basis of gender, as it is based on gender stereotyping and occurred on the male varsity  
20 football team.

21 162. On information and belief, the District and WVHS, and its agents, administration,  
22 coaches, and/or staff had notice of possible sexual harassment of students sufficient to give rise to  
23 a reasonable suspicion by 2019, but acted with deliberate indifference to the substantial risk that  
24 the varsity team hazing traditions would subject the male team members to further sex-based  
25  
26  
27  
28

1 discrimination or other injury.

2 163. By doing so, defendants, and each of them, particularly the coaches, acted with  
3 deliberate indifference to the hazing rituals/assault and other bullying and dominance techniques  
4 employed by the dominant members of the varsity team, because of long-held and outdated gender  
5 stereotypes about young men in violation of Education Code section 220.  
6

7 164. The defendants and other employees/agents of the District were able to do the  
8 following, without limitation, but failed and refused to do so:

- 9 a. had the authority to halt known hazing, harassment, assault, and bullying on the  
10 varsity team;  
11 b. had the ability to curtail or eliminate the unfettered and unsupervised access  
12 students had to the team room, where the abuse most often took place; and/or  
13 c. they also had the ability to eliminate access to the weapons housed in the team  
14 room which were used in the attacks.  
15

16 165. Additionally, defendants failed to enact and/or disseminate and/or implement  
17 proper or adequate policies to discover, prohibit or remedy the kind of discrimination that plaintiffs  
18 suffered.  
19

20 166. As a result of the indifference of the District and its agents (i.e., administration,  
21 coaches and staff) plaintiffs were subjected to sex-based harassment, hazing, harassment, bullying,  
22 assault and other illegal acts and conduct.

23 167. Further, the actions of defendants in tolerating and promoting "hazing" directed at  
24 certain members of the varsity team, primarily younger males, created a disfavored group and  
25 deprived them of an equal educational opportunity.

26 168. The harassment plaintiffs suffered, as described above, was so severe, pervasive,  
27 and objectively offensive that it deprived them of access to educational opportunities and benefits  
28

1 by creating a permanent and extremely hostile educational environment.

2 169. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
3 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
4 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
5 anxiety, embarrassment, and unease.

6 170. As a direct, proximate and foreseeable result of the negligence of defendants,  
7 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
8 damages, including general damages such as emotional distress and mental suffering, in excess of  
9 the minimum jurisdiction of this Court.

10 171. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
11 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
12 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
13 discover the other acts and/or omissions of said defendants constituting such negligence.  
14

15  
16 **SIXTH CAUSE OF ACTION**

17 **Gender Discrimination - Violation of Education Code section 220**

18 **Pursuant to Government Code section 815.6**

19 **(As to all Defendants)**

20 Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for*  
21 *Damages* as though fully set forth herein.

22 172. At all times pertinent hereto, defendants had a mandatory and non-delegable duty  
23 to ensure that no student within the District be "subjected to discrimination on the basis of  
24 disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual  
25 orientation, or any other characteristic that is contained in the definition of hate crimes set forth  
26 in Section 422.55 of the Penal Code, including immigration status, in any program or activity  
27 conducted by an educational institution that receives, or benefits from, state financial assistance, or  
28



1 enrolls pupils who receive state student financial aid.” Education Code section 220.

2 173. Defendants violated their mandatory duty under Education Code section 220 by  
3 creating or permitting a culture or environment that promoted, accepted and tolerated “hazing” as  
4 a normal part of the team activities throughout the time they were on the team and were subjected  
5 to hazing, bullying, assault and harassment at the hands of the upperclassman and team leaders.  
6

7 174. The hazing rituals and other acts of harassment, bullying and assault, in particular  
8 the use of the PIYA stick, amounted to unlawful sexual harassment and discrimination on the basis  
9 of gender, as it is based on gender stereotyping and occurred on the male varsity football team.

10 175. Defendants, and each of them, particularly the coaches, acted with deliberate  
11 indifference to the hazing rituals/assault and other bullying and dominance techniques employed  
12 by the dominant members of the varsity team, because of long-held and outdated gender  
13 stereotypes about young men in violation of Education Code section 220.  
14

15 176. As a result of defendants’ violation of mandatory duties to prevent discrimination,  
16 plaintiffs suffered severe, pervasive and offensive harassment while on the school campus and/or  
17 participating in school sanctioned activities as set forth in the case specific allegations above.

18 177. The harassment plaintiffs suffered, as described above, was so severe, pervasive,  
19 and objectively offensive that it deprived them of access to educational opportunities and benefits  
20 by creating a permanent and extremely hostile educational environment.  
21

22 178. As a direct, proximate and foreseeable result of defendants’ negligence, plaintiffs  
23 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
24 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
25 anxiety, embarrassment, and unease.

26 179. As a direct, proximate and foreseeable result of the negligence of defendants,  
27 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
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1 damages, including general damages such as emotional distress and mental suffering, in excess of  
2 the minimum jurisdiction of this Court.

3 180. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
4 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
5 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
6 discover the other acts and/or omissions of said defendants constituting such negligence.  
7

8 **SEVENTH CAUSE OF ACTION**

9 **Breach of Mandated Reporter Laws**

10 **Pursuant to Government Code section 815.2; 820 and 820.8**

11 **(As to all Defendants)**

12 Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for*  
13 *Damages* as though fully set forth herein.

14 181. Plaintiffs bring this cause of action against defendants based upon *Government*  
15 *Code* §§ 815.2, 815.6 and 820 which holds a school district vicariously liable for injuries  
16 proximately caused by the negligence of its officers, employees and agents.

17 182. At all times pertinent hereto, defendant District's employees and staff, including  
18 defendant Grandell, had an obligation to report suspected child abuse and/or neglect pursuant to  
19 Penal Code section 11164, et seq.

20 183. On information and belief, defendant Grandell had notice of the hazing rituals,  
21 including use of the PIYA stick, prior to October 2020, but failed to report said abuse, in violation  
22 of his obligations under Penal Code section 11164, et. seq.

23 184. As a result of defendant's failure to report the suspected abuse to proper authorities,  
24 plaintiffs were subjected to hazing, bullying and assault – including use of the PIYA stick as  
25 members of the team between 2019 and 2020; witnessed other students assaulted; and remained  
26 in constant fear of further abuse during their time on the team as described in the case specific  
27  
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1 allegations above.

2 185. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
3 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
4 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
5 anxiety, embarrassment, and unease.

6 186. As a direct, proximate and foreseeable result of the negligence of defendants,  
7 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
8 damages, including general damages such as emotional distress and mental suffering, in excess of  
9 the minimum jurisdiction of this Court.

10 187. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
11 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
12 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
13 discover the other acts and/or omissions of said defendants constituting such negligence.  
14

15  
16 **EIGHTH CAUSE OF ACTION**  
17 **Breach of Mandated Reporter Laws**  
18 **Pursuant to Government Code section 815.6**  
19 **(As to all Defendants)**

20 Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for*  
21 *Damages* as though fully set forth herein.

22 188. Government Code section 815.6, provides "where a public entity is under a  
23 mandatory duty imposed by an enactment that is designed to protect against the risk of a particular  
24 kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure  
25 to discharge the duty unless the public entity establishes that it exercised reasonable diligence to  
26 discharge the duty."  
27

28 ///

1           189. At all times pertinent hereto, defendant District's employees and staff, including  
2 defendant Grandell, had a mandatory duty to report suspected child abuse and/or neglect pursuant  
3 to Penal Code section 11164, et seq.

4           190. On information and belief, defendant District's employees, staff and/or agents, had  
5 notice of the hazing rituals, including use of the PIYA stick, prior to October 2020, but failed to  
6 report said abuse, in violation of their obligations under Penal Code section 11164, et. seq.

7           191. As a result of defendant's failure to report the suspected abuse to proper authorities,  
8 plaintiffs were subjected to hazing, bullying and assault – including use of the PIYA stick as  
9 members of the team between 2019 and 2020; witnessed other students assaulted; and remained  
10 in constant fear of further abuse during their time on the team as described in the case specific  
11 allegations above.

12           192. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
13 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
14 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
15 anxiety, embarrassment, and unease.

16           193. As a direct, proximate and foreseeable result of the negligence of defendants,  
17 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
18 damages, including general damages such as emotional distress and mental suffering, in excess of  
19 the minimum jurisdiction of this Court.

20           194. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
21 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
22 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
23 discover the other acts and/or omissions of said defendants constituting such negligence.

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**NINTH CAUSE OF ACTION**  
**Violation of the Unruh Civil Rights Act – Civil Code section 51-52**  
**Pursuant to Government Code section 815.2; 820 and 820.8**  
**(As to all Defendants)**

Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for Damages* as though fully set forth herein.

195. Plaintiffs bring this cause of action against defendants based upon *Government Code* §§ 815.2, 815.6 and 820 which holds a school district vicariously liable for injuries proximately caused by the negligence of its officers, employees and agents.

196. The Unruh Civil Rights Act states that no business establishment may discriminate with regard to full and equal accommodations, advantages, facilities, privileges, or services. Cal. Civ. Code § 51.

197. A violation of the California Education Code prohibiting gender and disability discrimination also constitute violations of the Unruh Act. Cal. Civ. Code § 51.

198. Plaintiffs are people within the meaning of the Unruh Civil Rights Act whose rights have been infringed upon and violated by the defendants as prescribed by section 51 and 51.5 of the California Civil Code.

199. A separate act in violation of the Unruh Civil Rights Act has been committed whenever defendants knowingly and willfully fail and refuse to investigate, intervene and stop the sexual harassment of plaintiffs by another student.

200. Here, defendants breached their duty under the Unruh Civil Rights Act by denying, or aiding in the denial of, or otherwise discriminating against, failing to investigate and/or prevent the ongoing discrimination and harassment of plaintiffs, thus depriving them of the equal advantages, privileges and services of school.

///

1           201. A substantial motivating factor for the conduct of defendants was plaintiffs' sex  
2 and gender and belief that "this was just football" or "boys being boys".

3           202. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
4 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
5 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
6 anxiety, embarrassment, and unease.

7           203. As a direct, proximate and foreseeable result of the negligence of defendants,  
8 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
9 damages, including general damages such as emotional distress and mental suffering, in excess of  
10 the minimum jurisdiction of this Court.

11           204. Pursuant to Civil Code section 52(a) Plaintiffs are entitled to actual damages, a  
12 minimum statutory penalty of \$4,000 and up to three times actual damages and an award of  
13 attorneys' fees and costs.

14           205. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
15 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
16 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
17 discover the other acts and/or omissions of said defendants constituting such negligence.  
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20

21                           **TENTH CAUSE OF ACTION**

22                           **Violation of the Unruh Civil Rights Act – Civil Code section 51-52**

23                           **Pursuant to Government Code section 815.6**

24                           **(As to all Defendants)**

25           Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for*  
26 *Damages* as though fully set forth herein.

27           206. Government Code section 815.6, provides "where a public entity is under a  
28 mandatory duty imposed by an enactment that is designed to protect against the risk of a particular

1 kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure  
2 to discharge the duty unless the public entity establishes that it exercised reasonable diligence to  
3 discharge the duty.”

4 207. At all times pertinent hereto, defendants had a mandatory duty under the Unruh  
5 Civil Rights Act to ensure that no student is discriminated against with regard to full and equal  
6 accommodations, advantages, facilities, privileges, or services. Cal. Civ. Code § 51.  
7

8 208. Plaintiffs are people within the meaning of the Unruh Civil Rights Act whose rights  
9 have been infringed upon and violated by the Defendants as prescribed by section 51 and 51.5 of  
10 the California Civil Code.

11 209. Defendants knowingly and willfully failed and refused to investigate, intervene and  
12 stop the sexual harassment of plaintiffs by other students. This deprived plaintiffs of the equal  
13 advantages, privileges and services of school.  
14

15 210. A substantial motivating factor for the conduct of defendants was plaintiffs’ sex  
16 and gender and belief that “this was just football” or “boys being boys”.

17 211. As a direct, proximate and foreseeable result of defendants’ negligence, plaintiffs  
18 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
19 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
20 anxiety, embarrassment, and unease.  
21

22 212. As a direct, proximate and foreseeable result of the negligence of defendants,  
23 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
24 damages, including general damages such as emotional distress and mental suffering, in excess of  
25 the minimum jurisdiction of this Court.  
26

27 ///

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1           213. Pursuant to Civil Code section 52(a) Plaintiffs are entitled to actual damages, a  
2 minimum statutory penalty of \$4,000 and up to three times actual damages and an award of  
3 attorneys' fees and costs.

4           214. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
5 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
6 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
7 discover the other acts and/or omissions of said defendants constituting such negligence.  
8

9                                   **ELEVENTH CAUSE OF ACTION**  
10                                  **Violation of the Bane Act – Civil Code section 52.1**  
11                                   **(As to all Defendants)**

12           Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for*  
13 *Damages* as though fully set forth herein.

14           215. Plaintiffs bring this cause of action against defendants based upon *Government*  
15 *Code* §§ 815.2, 815.6 and 820 which holds a school district vicariously liable for injuries  
16 proximately caused by the negligence of its officers, employees and agents.

17           216. Civil Code §52.1 makes it unlawful, whether or not acting under color of law, to  
18 interfere with civil rights by threats, violence, intimidation, or coercion.  
19

20           217. The defendant coaches and/or staff, breached its duties under section 52.1, when,  
21 while in the course and scope of carrying out their official duties, they interfered with and/or  
22 attempted to interfere with plaintiffs' right to have a safe school environment and to be free of  
23 unwanted hazing, harassment, assault, bullying and threats of violence, intimidation and coercion.

24           218. The District is vicariously liable as the employer of defendant coaches and staff for  
25 such unlawful conduct carried out in their official capacities.  
26

27           219. On information and belief, the District, WVHS and its teachers, administration,  
28 coaches and/or staff knew, should have known, tolerated, sanctioned, authorized, allowed,



1 permitted (either implicitly or explicitly) these hazing rituals and assaults or turned a blind eye to  
2 the abuse for years.

3 220. On information and belief, the upperclassmen and team leaders on the varsity  
4 football team believed they had their coaches' explicit and/or implicit permission to resolve  
5 problems or issues within the team by whatever means they felt was most appropriate and to assert  
6 their dominance and control over their younger teammates.  
7

8 221. As a member of the male varsity team at WVHS, plaintiffs believed based on the  
9 established culture or environment that "hazing" was a normal and expected part of the team  
10 activities that the students either had to accept or leave the team.

11 222. On information and belief, the dominant members of the male varsity team believed  
12 they had a license to not only physically abuse the other teammates, but also to demean them.  
13 Indeed, the defendant coaches would routinely demean, embarrass, belittle or harass students who  
14 did not perform up to par or who made mistakes.  
15

16 223. On information and belief, since these hazing traditions were brought into the  
17 public light, defendant Grandell texted and called the victims or their parents numerous times  
18 trying to speak with them. Defendant Grandell tried to convince at least one teammate to drop the  
19 case, by 1) guilting the student by saying how much time the coaches had put into the student, 2)  
20 guilting the student by saying that this is a small community and people could lose their jobs, 3)  
21 trying to meet with the student, 4) telling the student they have the power to stop this if they stop  
22 talking.  
23

24 224. Further, on information and belief, at least one teacher mocked or made fun of  
25 plaintiffs after these rituals were brought into the public light.

26 225. Plaintiffs felt powerless to resist any of the upperclassman or team leaders'  
27 demands and conduct and believed that if they complained Grandell and the other coaches would  
28

1 do nothing to protect them, or they would be kicked off the team.

2 226. Defendants knew or should have known of the conduct and ratified such conduct  
3 by failing and refusing to take any action to prevent the hazing rituals and assaults from taking  
4 place, confiscating the weapons sitting in the locker room in plain view, increasing supervision of  
5 students while participating in school activities on campus, and/or otherwise taking any steps to  
6 protect plaintiffs in the denial of a constitutional and state right protected under Civil Code §52.1.  
7

8 227. Such conduct amounted to a deliberate indifference to the state and constitutional  
9 rights and well-being of the plaintiffs.

10 228. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
11 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
12 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
13 anxiety, embarrassment, and unease.  
14

15 229. As a direct, proximate and foreseeable result of the negligence of defendants,  
16 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
17 damages, including general damages such as emotional distress and mental suffering, in excess of  
18 the minimum jurisdiction of this Court.

19 230. Plaintiffs are therefore entitled to damages, penalties, attorneys fees and costs as  
20 set forth in Civil Code §52, et seq.  
21

22 231. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
23 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
24 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
25 discover the other acts and/or omissions of said defendants constituting such negligence.

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**TWELFTH CAUSE OF ACTION**  
**Violation of the Bane Act – Civil Code section 52.1**  
**Pursuant to Government Code section 815.6**  
**(As to all Defendants)**

Plaintiffs incorporate herein by reference all preceding paragraphs of this *Complaint for Damages* as though fully set forth herein.

232. Government Code section 815.6, provides “where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty.”

233. At all times pertinent hereto, defendants had a mandatory duty under not to interfere with civil rights of the plaintiffs through use of threats, violence, intimidation, or coercion.

234. The defendant coaches breached this duty by interfering with and/or attempting to interfere with plaintiffs’ rights to have a safe school environment and to be free of unwanted hazing, harassment, assault, bullying and threats of violence, intimidation and coercion.

235. On information and belief, the District, WVHS and its teachers, administration, coaches and/or staff knew, should have known, tolerated, sanctioned, authorized, allowed, permitted (either implicitly or explicitly) these hazing rituals and assaults or turned a blind eye to the abuse for years.

236. On information and belief, the upperclassmen and team leaders on the varsity football team believed they had their coaches’ explicit and/or implicit permission to resolve problems or issues within the team by whatever means they felt was most appropriate and to assert their dominance and control over their younger teammates.

///

1           237. As a member of the male varsity team at WVHS, plaintiffs believed based on the  
2 established culture or environment that “hazing” was a normal and expected part of the team  
3 activities that the students either had to accept or leave the team.

4           238. On information and belief, the dominant members of the male varsity team believed  
5 they had a license to not only physically abuse their teammates, but also to demean them. Indeed,  
6 the defendant coaches would routinely demean, embarrass, belittle or harass students who did not  
7 perform up to par or who made mistakes.

8           239. On information and belief, since these hazing traditions were brought into the  
9 public light, defendant Grandell texted and called the victims or their parents numerous times  
10 trying to speak with them. Defendant Grandell tried to convince at least one teammate to drop the  
11 case, by 1) guiltig the student by saying how much time the coaches had put into the student, 2)  
12 guiltig the student by saying that this is a small community and people could lose their jobs, 3)  
13 trying to meet with the student, 4) telling the student they have the power to stop this if they stop  
14 talking.

15           240. Further, on information and belief, at least one teacher mocked or made fun of  
16 plaintiffs after these rituals were brought into the public light.

17           241. Plaintiffs felt powerless to resist any of the upperclassman or team leaders’  
18 demands and conduct and believed that if they complained Grandell and the other coaches would  
19 do nothing to protect them, or they would be kicked off the team.

20           242. Defendants knew or should have known of the conduct and ratified such conduct  
21 by failing and refusing to take any action to prevent the hazing rituals and assaults from taking  
22 place, confiscating the weapons siting in the locker room in plain view, increasing supervision of  
23 students while participating in school activities on campus, and/or otherwise taking any steps to  
24 protect plaintiffs in the denial of a constitutional and state right protected under Civil Code §52.1.  
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1           243. Such conduct amounted to a deliberate indifference to the state and constitutional  
2 rights and well-being of the plaintiffs.

3           244. As a direct, proximate and foreseeable result of defendants' negligence, plaintiffs  
4 had to withdraw from WVHS and transfer to another school. Consequently, their education was  
5 disrupted, and they suffered a decline in their grades and emotional stability. They also suffered  
6 anxiety, embarrassment, and unease.

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8           245. As a direct, proximate and foreseeable result of the negligence of defendants,  
9 plaintiffs were injured and suffered, and will continue to suffer, economic and non-economic  
10 damages, including general damages such as emotional distress and mental suffering, in excess of  
11 the minimum jurisdiction of this Court.

12           246. Plaintiffs are therefore entitled to damages, penalties, attorneys fees and costs as  
13 set forth in Civil Code §52, et seq.

14  
15           247. Plaintiffs are informed and believe and thereon allege that defendants, and each of  
16 them, are negligent or in some other way responsible for acts and/or omissions of which plaintiffs  
17 are unaware. Plaintiffs will seek leave of Court to amend this complaint at such time as plaintiffs  
18 discover the other acts and/or omissions of said defendants constituting such negligence.

19           WHEREFORE, plaintiffs pray for judgment against defendants, and each of them, as  
20 follows:

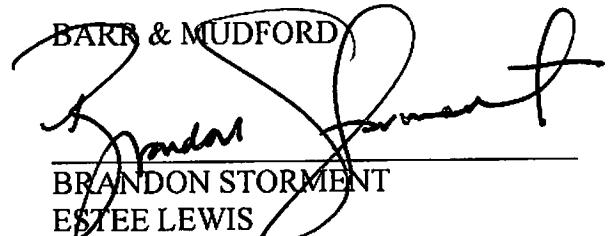
- 21
- 22           1. General damages in excess of the minimum jurisdiction of this Court;
  - 23           2. Medical expenses, according to proof;
  - 24           3. Statutory Penalties;
  - 25           4. For an injunction against hazing and initiation rituals in the future;
  - 26           5. Attorney's fees and costs;
  - 27           6. Prejudgment interest;
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7. Costs of this suit; and

8. Such other and further relief as this Court shall deem just.

DATED: May 18, 2021

BARR & MUDFORD  
  
BRANDON STORMENT  
ESTEE LEWIS  
Attorneys for Plaintiffs



## *Anderson Union High School District*

1469 Ferry St., Anderson, CA 96007 ~ (530) 378-0568 ~ FAX (530) 378-0834

Victor Hopper, Superintendent

November 18, 2020

Estee Lewis  
Barr & Mudford, LLP  
1824 Court Street  
Redding, CA 96001

Re: Claim submitted on behalf of John Doe via his GAL

Dear Ms. Lewis,

The claim you submitted to the Anderson Union High School District on or about October 28, 2020, on behalf of John Doe via his GAL was reviewed and considered by the Board of Trustees on November 17, 2020.

The Board of Trustees voted to reject the claim.

### **WARNING**

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

Please advise claimant and his GAL they have the right to seek the advice of an attorney of their choice in connection with this matter. If they choose to consult an attorney, they should do so immediately.

Please also be advised them that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the School District will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

A handwritten signature in black ink that reads "Victor Hopper".

Victor Hopper,  
Superintendent



## *Anderson Union High School District*

1469 Ferry St., Anderson, CA 96007 ~ (530) 378-0568 ~ FAX (530) 378-0834

---

Victor Hopper, Superintendent

November 18, 2020

Estee Lewis  
Barr & Mudford, LLP  
1824 Court Street  
Redding, CA 96001

Re: Late claim application and claim submitted on behalf of John Doe via his GAL

Dear Ms. Lewis,

The late claim application and claim you submitted to the Anderson Union High School District on or about October 28, 2020, on behalf of John Doe via his GAL was reviewed and considered by the Board of Trustees on November 17, 2020.

The Board of Trustees voted to accept the late claim application and to reject the claim.

### **WARNING**

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

Please advise claimant and his GAL they have the right to seek the advice of an attorney of their choice in connection with this matter. If they choose to consult an attorney, they should do so immediately.

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Sincerely,

A handwritten signature in black ink that reads "Victor Hopper".

Victor Hopper  
Superintendent





## *Anderson Union High School District*

1469 Ferry St., Anderson, CA 96007 ~ (530) 378-0568 ~ FAX (530) 378-0834

Victor Hopper, Superintendent

November 18, 2020

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The late claim application and claim you submitted to the Anderson Union High School District on or about October 28, 2020, on behalf of John Doe via his GAL, was reviewed and considered by the Board of Trustees on November 17, 2020.

The Board of Trustees voted to accept the late claim application and to reject the claim.

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Sincerely,

A handwritten signature in black ink that reads "Victor Hopper".

Victor Hopper  
Superintendent



## *Anderson Union High School District*

1469 Ferry St., Anderson, CA 96007 ~ (530) 378-0568 ~ FAX (530) 378-0834

---

Victor Hopper, Superintendent

November 18, 2020

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The Board of Trustees voted to accept the late claim application and to reject the claim.

### **WARNING**

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

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Please also be advised them that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the School District will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

A handwritten signature in dark ink that reads "Victor Hopper". The signature is written in a cursive, flowing style.

Victor Hopper,  
Superintendent