

FORM CONT. 100-A (Rev. 7/01)

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2).
2. Claims for damages relating to any other type of occurrence must be filed not later than one year after the occurrence. (Gov. Code Sec. 911.2).
3. Read entire claim before filing. Claim can be mailed or filed in person. No faxes accepted.
4. See Page 3 for diagram upon which to locate place of accident.
5. This claim form must be signed on Page 3 at bottom.
6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.
7. Fill out in duplicate. ONE COPY TO BE RETAINED BY CLAIMANT.
8. Claim must be filed with CITY CLERK, (Gov. Code Sec. 915A)
200 NORTH SPRING STREET, ROOM 395, CITY HALL, LOS ANGELES, CA 90012

TO: CITY OF LOS ANGELES

RESERVE FOR FILING STAMP

CLAIM NO. _____

RECEIVED
CITY CLERK'S OFFICE
2007 MAY -4 AM 9:15
CITY CLERK
BY _____
DEPUTY

Name of Claimant

Patricia Lynn Ballaz

Age of Claimant

48

Home address of Claimant

City, State and Zip Code

Home Telephone Number

Business address of Claimant

City, State and Zip Code

Business Telephone Number

1999 South Bundy Drive, Los Angeles, California 90025

(310) 584-2025

Give address to which you desire notices or communications to be sent regarding this claim:

Greene Broillet & Wheeler, 100 Wilshire Blvd., 21st Floor, P. O. Box 2131, Santa Monica, CA 90047

How did DAMAGE or INJURY occur? Please include as much detail as possible.
(See Government Claim attached hereto as Exhibit "1")

When did DAMAGE or INJURY occur? Please include the date and time of the damage or injury.
May 1, 2007, during the late afternoon - early evening.

Where did DAMAGE or INJURY occur? Please describe fully, and locate on the diagram on the reverse side of this sheet.

Where appropriate, please give street names and addresses or measurements from specific landmarks:

MacArthur Park, located between 6th Street and 7th Street, and Alvarado Street and Park View Street in Los Angeles, California.

What particular ACT or OMISSION do you claim caused the injury or damage? Please give names of City employees causing the injury or damage and identify any vehicles involved by license plate number, if known.

See Government Claim attached hereto as Exhibit "1")

Please list names and address of Witnesses, Doctors and Hospitals:

See Government Claim attached hereto as Exhibit "1")

SEE PAGE 3

PAGE 2

THIS CLAIM MUST BE SIGNED AT BOTTOM

Robert D. Jarchi, Attorney for Claimant

What DAMAGE or INJURIES do you claim resulted? Please give full extent of injuries or damages claimed: Document hosted at JDSUPRA[™]
(See Government Claim attached hereto as Exhibit "1") <http://www.jdsupra.com/post/documentViewer.aspx?fid=2661ff9a-c9c6-4b50-a4c7-819c84c99edb>

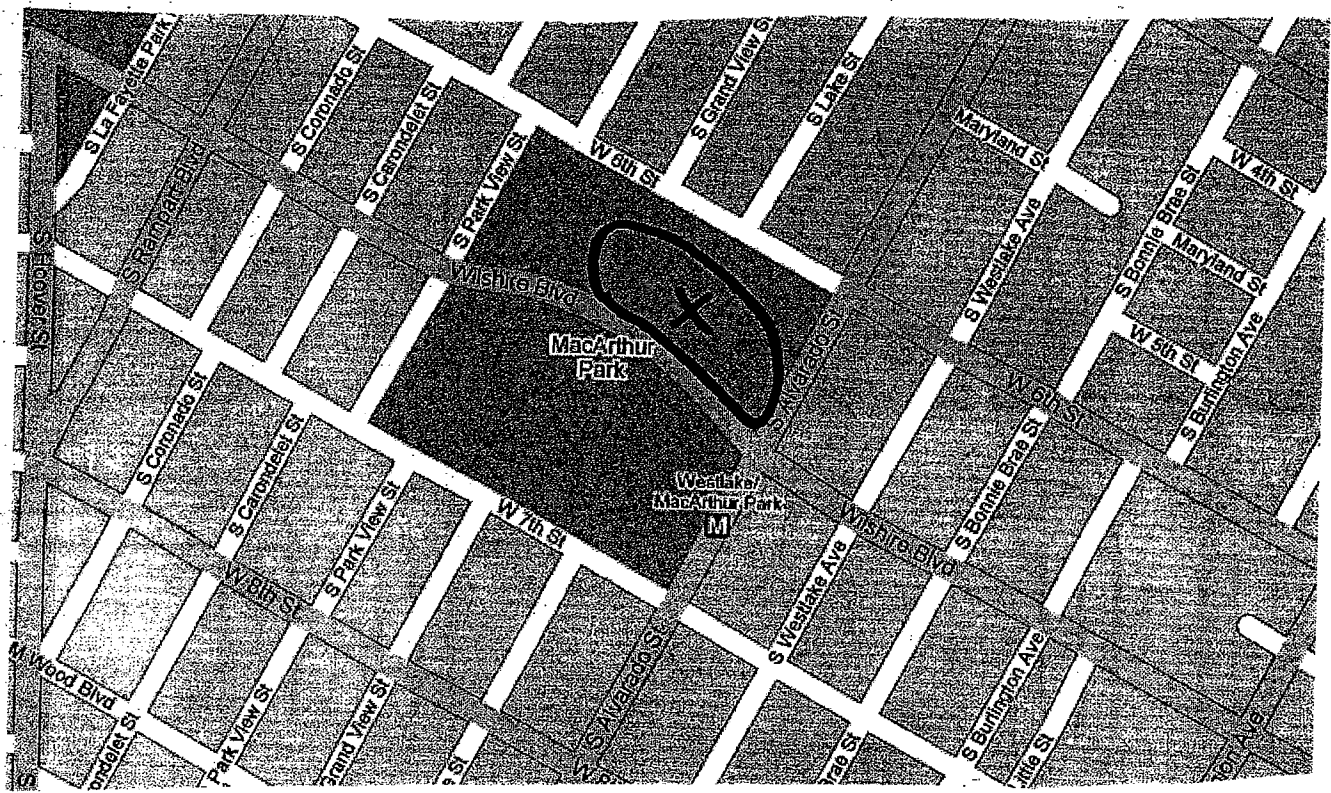
What is the AMOUNT of your claim? Please itemize your damages:
(See Government Claim attached hereto as Exhibit "1")

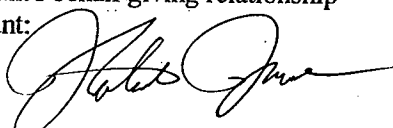
If you have received any insurance payments, please give the names of the insurance companies:
Not applicable at this time.

For all accident claims please place on the following diagram the names of the streets where the accident occurred and the nearest cross-streets; indicate the place of the accident by an "X" and by showing the nearest address and distances to street corners. Please indicate where North is on the diagram.

Note: if the diagram does not fit the situation, please attach your own diagram.

↑N Circled area with "X" indicates the *approximate* location



Signature of Claimant or person filing on claimant's behalf giving relationship to claimant:


Print Name:
Robert D. Jarchi
Attorney for Claimant

Date:
5/3/07

EXHIBIT "1"

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

GREENE BROILLET & WHEELER, LLP

(SPACE BELOW FOR FILING STAMP ONLY)

LAWYERS
100 WILSHIRE BOULEVARD, SUITE 2100
P.O. BOX 2131
SANTA MONICA, CALIFORNIA 90407-2131
TEL. (310) 576-1200
FAX. (310) 576-1220

BROWNE GREENE, State Bar No. 38441
ROBERT D. JARCHI, State Bar No. 204168

Attorneys for Claimants

GOVERNMENT CLAIM

PATRICIA LYNN BALLAZ	}	Claimants,
vs.	}	Respondents.
CITY OF LOS ANGELES, LOS ANGELES		
POLICE DEPARTMENT, AND DOES 1-100, inclusive		

GOVERNMENT CLAIM FOR DAMAGES PURSUANT TO GOVERNMENT CODE SECTIONS 905 AND 910, ET SEQ.

Pursuant to the provisions of sections 905 and 910 et seq. of the California Government Code, demand is hereby made against the CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT, AND DOES 1-100, in an amount in excess of the jurisdictional limits of the Superior Court of the State of California. In support of said claim, on information and belief, the following information is submitted:

1. **Claimant:** Patricia Lynn Ballaz
2. **Address for claimant:** 3900 Filion Street, Los Angeles, 90065.
3. **Address to which all claimants wish correspondence to be mailed:** c/o Robert D. Jarchi, Esq., GREENE, BROILLET & WHEELER, LLP, 100 Wilshire Blvd., 21st Floor, P. O. Box 2131, Santa Monica, CA 90407-2131.
4. **Name of injured party:** Patricia Lynn Ballaz.



1 5. **Nature of Injuries:** As a result of the excessive and unjustified use of force by
2 LAPD officers, Patricia Lynn Ballaz sustained serious injuries, including injuries to her wrist and arm,
3 a fracture to her wrist, left ankle and leg injuries, back and neck injuries, injuries to her torso, injury
4 and bruising on her breast, injuries to both her hands/arms, among other injuries to her body from the
5 unwarranted use of force by LAPD officers, as well as pain, headaches, insomnia, mental and
6 emotional distress.

7 6. **Amount of claimed damages:** In excess of the jurisdictional limits of the
8 Superior Court of the State of California (\$25,000), the exact amount of said losses will be stated
9 according to proof, pursuant to Code of Civil Procedure section 425.10. Claimant seeks damages for
10 general damages, according to proof; medical special damages including hospital, medical,
11 professional and incidental expenses, according to proof; for loss of earnings and loss of earning
12 capacity, according to proof; for prejudgment interest, according to proof; for costs of suit incurred
13 herein; for attorneys fees; for civil rights violation damages, according to proof; and for such other and
14 further relief as the court may deem just and proper.

15 7. **Date of incident:** May 1, 2007 during the later afternoon - early evening.

16 8. **Place Where Damage Occurred:** At or near MacArthur Park, located between
17 6th Street and 7th Street, and Alvarado Street and Park View Street in Los Angeles, California.

18 9. **Governmental Entities Alleged to Be at Fault:** CITY OF LOS ANGELES,
19 LOS ANGELES POLICE DEPARTMENT, AND DOES 1-100 inclusive.

20 10. **Nature of the Case:** Respondents CITY OF LOS ANGELES, LOS ANGELES
21 POLICE DEPARTMENT, AND DOES 1-100 inclusive and their employees, agents, servants and
22 independent contractors, negligently, carelessly, recklessly or in some other actionable manner used
23 excessive, unlawful, and unjustifiable force against Patricia Lynn Ballaz without any provocation or
24 justification whatsoever. Claimant is informed and believes that in approximately 2002 the CITY OF
25 LOS ANGELES / LOS ANGELES POLICE DEPARTMENT ("LAPD") settled a lawsuit by several
26 journalists and recognized 1) that members of the press had a right to cover public protests even if
27 there is an order to disperse; and 2) that LAPD training was inadequate and that LAPD officers needed
28 to be trained on the First Amendment and to recognize the freedom of the press. In light of prior



1 incidents and settlement agreements, senior City and LAPD officials knew that LAPD training was
2 inadequate and that there was a problem with LAPD officer culture in the use of force. At the time
3 of the use of force in the subject incident, Patricia Lynn Ballaz was lawfully on public premises as a
4 member of the media covering the May 1, 2007 immigration rights rally at MacArthur Park. At the
5 time of the use of force, Patricia Lynn Ballaz had a large and obvious video camera in her possession
6 and was wearing several press passes around her neck, including a LAPD Press Pass, a Sheriff Press
7 Pass, and a Press Pass issued specifically for the immigration rights rally event. At all times, Patricia
8 Lynn Ballaz followed officer commands and did not violate any law. LAPD officers negligently,
9 carelessly, recklessly and intentionally used excessive force against Patricia Lynn Ballaz by, among
10 other things, repeatedly pushing and striking Patricia Lynn Ballaz's body, and by knocking Patricia
11 Lynn Ballaz to the ground. LAPD officers' strikes to Patricia Lynn Ballaz's body included the
12 unjustifiable use of powerful baton strikes, including an inappropriate strike by a male officer to
13 Patricia Lynn Ballaz's breast (sex discrimination / harassment). Officers repeatedly struck and pushed
14 Patricia Lynn Ballaz and the camera strapped to her arm, causing further injury as the camera fell
15 and/or was jostled. Patricia Lynn Ballaz's civil rights were violated, and excessive force was used
16 against her because of her status as a member of the media, her association with Hispanic reporter
17 Christina Gonzalez, and the officers' possible perception that Patricia Lynn Ballaz was Hispanic
18 and/or Mexican (race and national origin discrimination). Police officials such as Chief of Police
19 William Bratton and Inspector General Andre Birotte have publicly acknowledged that the officers'
20 actions at MacArthur Park on the day of the incident were "inappropriate" and "troubling"
21 respectively. The police officials who used force against Patricia Lynn Ballaz were negligently,
22 carelessly, recklessly or in some other actionable manner hired, retained, and supervised. Claimant
23 alleges, that the actions set forth above by respondents were negligent, careless and reckless acts or
24 failures to act which proximately resulted in the injuries and damages to claimant, as alleged herein.

25 11. **Witnesses:** claimant, Christina Gonzalez, 1999 South Bundy Drive, Los
26 Angeles, California 90025, LAPD Officer "Clay #31644", Chief of Police William Bratton,
27 Inspector General Andre Birotte, as well as numerous other currently unidentified bystanders,
28 members of the press, LAPD officers, among others. Medical witnesses include: treating



1 physicians at St John's Hospital, Santa Monica; Cedars Sinai Medical Center Doctors, 444 South
2 San Vicente Blvd. suite 104, Los Angeles 90048, including Dr. Moon, and Dr. Gart. In addition,
3 claimant has been treated by Alan Dauer MD, 8635 west 3rd street, 485 W Los Angeles, 90048.
4 Discovery and investigation continues.

5 12. **Reservation of right to amend and/or supplement claim:** Claimants reserve
6 the right to amend and/or supplement this Claim for Damages, including asserting new theories of
7 liability or causes of action, upon discovery of new or additional information or facts.

8
9 DATED: May 3, 2007

GREENE, BROILLET & WHEELER LLP

10
11 

12 BROWNE GREENE
13 ROBERT D. JARCHI
14 Attorneys for Claimants

15
16
17
18
19
20
21
22
23
24
25
26
27
28
GREENE BROILLET & WHEELER, LLP
P.O. BOX 2131
SANTA MONICA, CA 90407-2131