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16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 CHARMMAINE CHUA, ET AL.

19 PLAINTIFFS,

20 vs.

21 CITY OF LOS ANGELES, ET AL.,

22 DEFENDANTS.

CASE No: 2:16-cv-00237-JAK-GJS(x)
[HON. JOHN A. KRONSTADT]

DECLARATIONS OF NAMED PLAINTIFFS
IN SUPPORT OF MOTION FOR CLASS
CERTIFICATION

HEARING DATE: OCTOBER 24, 2016
HEARING TIME: 8:30 A.M.
COURTROOM: 750

TRIAL DATE: N/A
TIME: N/A

ACTION FILED: JAN. 13, 2016

1 Attached hereto are declarations of the following named Plaintiffs submitted in
2 support of Plaintiffs' Motion for Class Certification:

3 Charmaine Chua

4 Torie Rivera

5 Lydia Hicks

6 Kyle Todd

7 DATED: July 13, 2016

8 Respectfully Submitted,

9 KAYE, MCLANE, BEDNARSKI & LITT, LLP
10 LAW OFFICES OF CAROL SOBEL
11 SCHOENBRON, DESIMONE, ET AL.

12 By: ___/s/ Barrett S. Litt _____
13 Barrett S. Litt

14 By: ___/s/ Carol A. Sobel _____
15 Carol A. Sobel

16 Attorneys for Plaintiff
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CHARMAINE CHUA

DECLARATION OF CHARMAINE CHUA

I, CHARMAINE CHUA, declare:

1. I am a named plaintiff in this action. This declaration is based on facts of which I have personal knowledge. If called to testify to these facts, I could and would do so competently.
2. On November 26, 2014, I participated in a peaceful demonstration in Downtown Los Angeles to protest the decision of the grand jury not to indict police officer Darren Wilson for the shooting death of Michael Brown in Ferguson, Missouri.
3. Along with other protesters I marched through Downtown Los Angeles. At 6th and Hope Streets, without notice or warning, I was surrounded by LAPD officers and kettled on the sidewalk. I then approached an officer and asked if I was being detained, after which I asked to leave. The officer told me I was not permitted to leave.
4. At about 8:01 p.m. I tweeted, “We’re completed barricaded. Cops aren’t letting anyone through anywhere.” At about 8:15 p.m. I tweeted, “150 people penned in behind the LA public library park. A bus to arrest us just arrived.”
5. I did not hear a dispersal order given to the group over a loudspeaker prior to my detention.

6. I was arrested by the LAPD on a misdemeanor Failure to Disperse charge (Penal Code § 409) and held in custody until about 10 a.m. the next day.
7. I was denied the opportunity to be released on my own recognizance pursuant to Penal Code § 853.6 until about 10 a.m. the next day despite the fact that I had no past criminal history and no reasonable suspicion existed to believe that, if released OR, I would immediately engage in purportedly unlawful expressive activity in the public forum of public streets and sidewalks in Downtown Los Angeles or elsewhere. I believe I was held in custody for so long because of my ties with the protests against the non-indictment of Darren Wilson.
8. No criminal charges were brought against me. However, I attended a City Attorney hearing on May 5, 2015 in response to a letter I received that said I was required to attend.
9. I understand that, if the Court grants plaintiffs' class certification motion, I would represent a large number of people who are part of this lawsuit. I understand that the lawsuit is seeking damages, as well as changes in policy. I understand that I would represent the interests of the those persons who were present at either 6th and Hope on November 26, 2014, or Beverly and Alvarado on November 28, 2014, and who were kettled, detained, and/or arrested, then denied OR release by the LAPD, all in association with the

protest against the grand jury decision in Ferguson, Missouri in the killing of Michael Brown, as well as those individuals who were present on November 26, 2014 near or at 6th and Hope Streets and who were kettled, detained, and/or arrested, then denied OR release by the LAPD, all in association with the protest against the grand jury decision in Ferguson, Missouri in the killing of Michael Brown. I also understand that I would represent the interests of those individuals who were arrested by the LAPD in association with a protest against the grand jury decision in Ferguson, Missouri in the killing of Michael Brown and who either were not prosecuted or had their criminal charges resolved favorably.

10. As a class representative:

- i. I understand that I and other plaintiffs are claiming that the conduct of the City employees and agents was unlawful and that I am acting on behalf of many people besides myself whose rights were violated as the result of the foregoing law enforcement activity.
- ii. I understand that I and other plaintiffs are claiming that the conduct of the City employees and agents was unlawful and that I am acting on behalf of many people besides myself whose

rights were violated as the result of the foregoing law enforcement activity.

- iii. I understand that, as a class representative, it is my responsibility to represent the interests of the class as a whole, and not just my personal interests.
- iv. I understand that a class representative has claims which are typical of the members of the class or sub-class being represented. I understand that “typical” means that my claims against the defendants are like the claims of the other class and/or sub-class members because each of us was injured as a result of a common policy, practice, or law implemented by the defendants.
- v. I understand that my responsibilities as a class representative continue until the Court decides that this case is no longer a class action or the case ends.
- vi. I understand that, through my attorneys, I have a duty and responsibility to let class members know about important developments in the case. I understand that my attorneys and the Court will let me know what those events are.

- vii. I understand that, if and when the Court requires notification to class members about significant events in the case, my attorneys will prepare the notices to class members and send them out. I understand that this includes notices to let class members know their rights and how they can participate in the case.
- viii. I understand that any resolution of this lawsuit must be accepted by the class as a whole.
- ix. I understand that as a class representative, I have an ongoing obligation to make reasonable efforts to provide my attorneys with the information they need to prosecute this case. This includes providing any documents I have related to this case, if required; to testify a deposition, hearing or trial, if necessary; to maintain current contact information and any other contact information necessary for my attorneys to be able to reach me on short notice.
- x. I understand that, as a class representative, I am volunteering to represent many people with similar claims and damages. I believe that it is important for all people whose rights were violated as mine were on November 26, 2014, and the

subsequent day I was held in custody, to benefit from the lawsuit. Based on what I have been told, proceeding with this lawsuit as a class action will save time, money, and effort and allow individuals with relatively small monetary claims to vindicate their rights.

- xi. I am not aware of any conflicts with any other members of the class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of July, 2016.



CHARMAINE CHUA

TORIE RIVERA

DECLARATION OF TORIE RIVERA

I, TORIE RIVERA, declare:

1. I am a named plaintiff in this action. This declaration is based on facts of which I have personal knowledge. If called to testify to these facts, I could and would do so competently.
2. On November 26, 2014, I participated in a peaceful demonstration in Downtown Los Angeles to protest the decision of the grand jury not to indict police officer Darren Wilson for the shooting death of Michael Brown in Ferguson, Missouri.
3. Along with other protesters I marched through Downtown Los Angeles. At 7th Street between Figueroa and Flower streets, officers with Los Angeles Police Department blocked access in all direction, kettling the demonstrators. An officer on a megaphone ordered the crowd to disperse, despite the fact that we were kettled. Eventually the officer opened access for us to head north on Flower. As I and other demonstrators headed north on Flower, officers continued to block various streets to the west. Officers instructed me and other demonstrators to head east on 5th Street. As we headed east, officers in riot car were jogging towards us (heading west) on 5th. With no other direct available, me and other demonstrators went through the Central Library's walkways to the south side of the Library

where Hope Street dead-ends at Library. Without notice or warning, I and other demonstrators were surrounded by LAPD officers and kettled on the sidewalk.

4. I was arrested by the LAPD on a misdemeanor Failure to Disperse charge (Penal Code § 409) and held in custody until about 10 a.m. the next day.
5. I was denied the opportunity to be released on my own recognizance pursuant to Penal Code § 853.6 until about 10 a.m. the next day despite the fact that no reasonable suspicion existed to believe that, if released OR, I would immediately engage in purportedly unlawful expressive activity in the public forum of public streets and sidewalks in Downtown Los Angeles or elsewhere. I believe I was held in custody for so long because of my ties with the protests against the non-indictment of Darren Wilson.
6. When I came to court for my initial appearance, I was told that charges against me had not been filed but that the City had a year from my arrest to file charges. I was never notified of any charges being filed against me.
7. I understand that, if the Court grants plaintiffs' class certification motion, I would represent a large number of people who are part of this lawsuit. I understand that the lawsuit is seeking damages, as well as changes in policy. I understand that I would represent the interests of persons who were present at either 6th and Hope on November 26, 2014, or Beverly and Alvarado on

November 28, 2014, and who were kettled, detained, and/or arrested, then denied OR release by the LAPD, all in association with the protest against the grand jury decision in Ferguson, Missouri in the killing of Michael Brown, as well as those individuals who were present on November 26, 2014 near or at 6th and Hope Streets and who were kettled, detained, and/or arrested, then denied OR release by the LAPD, all in association with the protest against the grand jury decision in Ferguson, Missouri in the killing of Michael Brown. I also understand that I would represent the interests of those individuals who were arrested by the LAPD in association with a protest against the grand jury decision in Ferguson, Missouri in the killing of Michael Brown and who either were not prosecuted or had their criminal charges resolved favorably.

8. As a class representative:

- i. I understand that I and other plaintiffs are claiming that the conduct of the City employees and agents was unlawful and that I am acting on behalf of many people besides myself whose rights were violated as the result of the foregoing law enforcement activity.
- ii. I understand that I and other plaintiffs are claiming that the conduct of the City employees and agents was unlawful and

that I am acting on behalf of many people besides myself whose rights were violated as the result of the foregoing law enforcement activity.

- iii. I understand that, as a class representative, it is my responsibility to represent the interests of the class as a whole, and not just my personal interests.
- iv. I understand that a class representative has claims which are typical of the members of the class or sub-class being represented. I understand that “typical” means that my claims against the defendants are like the claims of the other class and/or sub-class members because each of us was injured as a result of a common policy, practice, or law implemented by the defendants.
- v. I understand that my responsibilities as a class representative continue until the Court decides that this case is no longer a class action or the case ends.
- vi. I understand that, through my attorneys, I have a duty and responsibility to let class members know about important developments in the case. I understand that my attorneys and the Court will let me know what those events are.

- vii. I understand that, if and when the Court requires notification to class members about significant events in the case, my attorneys will prepare the notices to class members and send them out. I understand that this includes notices to let class members know their rights and how they can participate in the case.
- viii. I understand that any resolution of this lawsuit must be accepted by the class as a whole.
- ix. I understand that as a class representative, I have an ongoing obligation to make reasonable efforts to provide my attorneys with the information they need to prosecute this case. This includes providing any documents I have related to this case, if required; to testify a deposition, hearing or trial, if necessary; to maintain current contact information and any other contact information necessary for my attorneys to be able to reach me on short notice.
- x. I understand that, as a class representative, I am volunteering to represent many people with similar claims and damages. I believe that it is important for all people whose rights were violated as mine were on November 26, 2014, and the

subsequent day I was held in custody, to benefit from the lawsuit. Based on what I have been told, proceeding with this lawsuit as a class action will save time, money, and effort and allow individuals with relatively small monetary claims to vindicate their rights.

- xi. I am not aware of any conflicts with any other members of the class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8 day of July, 2016.



TORIE RIVERA

LYDIA HICKS

DECLARATION OF LYDIA HICKS

I, LYDIA HICKS, declare:

1. I am a named plaintiff in this action. This declaration is based on facts of which I have personal knowledge. If called to testify to these facts, I could and would do so competently.
2. On November 26, 2014, I participated in a demonstration in Downtown Los Angeles to protest the decision of the grand jury not to indict police officer Darren Wilson for the shooting death of Michael Brown in Ferguson, Missouri.
3. Along with other protesters I marched through Downtown Los Angeles. At 6th and Hope Streets I was kettled on the sidewalk by LAPD officers.
4. I did not hear a dispersal order given to the group prior to my arrest.
5. I was arrested by the LAPD on a misdemeanor Failure to Disperse charge (Penal Code § 409) and held in custody until about 3 p.m. the following day.
6. I was denied the opportunity to be released on my own recognizance pursuant to Penal Code § 853.6 until about 3 p.m. the following day despite the fact that I had no past criminal history and no reasonable suspicion existed to believe that, if released OR, I would immediately engage in purportedly unlawful expressive activity in the public forum of public streets and sidewalks in Downtown Los Angeles or elsewhere. I believe I was not released for almost an entire day because of my ties with the protests against the non-indictment of Darren Wilson.
7. No criminal charges were brought against me.
8. I understand that, if the Court grants plaintiffs' class certification motion, I would represent a large number of people who are part of this lawsuit. I understand that the lawsuit is seeking damages, as well as changes in policy.

1 I understand that I would represent the interests of those persons who were
2 present at 6th and Hope on November 26, 2014, and who were kettled,
3 detained, and/or arrested, then denied OR release by the LAPD, all in
4 association with the protest against the grand jury decision in Ferguson,
5 Missouri in the killing of Michael Brown. I also understand that the
6 putative class members I would represent either were not prosecuted or had
7 their criminal charges resolved favorably.

8 9. As a class representative:

9 a. I understand that I and other plaintiffs are claiming that the conduct
10 of the City employees and agents was unlawful and that I am acting on
11 behalf of many people besides myself whose rights were violated as the
12 result of the foregoing law enforcement activity.

13 b. I understand that, as a class representative, it is my responsibility to
14 represent the interests of the class as a whole, and not just my personal
15 interests.

16 c. I understand that a class representative has claims which are typical
17 of the members of the class or sub-class being represented. I understand that
18 "typical" means that my claims against the defendants are like the claims of
19 the other class and/or sub-class members because each of us was injured as
20 a result of a common policy, practice, or law implemented by the
21 defendants.

22 d. I understand that my responsibilities as a class representative
23 continue until the Court decides that this case is no longer a class action or
24 it ends.

25 e. I understand that, through my attorneys, I have a duty and
26 responsibility to let class members know about important developments in
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1 the case. I understand that my attorneys and the Court will let me know
2 what those events are.

3 f. I understand that, if and when the Court directs notification to class
4 members about events in the case, my attorneys will prepare the notices to
5 class members and send them out. I understand that this includes notices to
6 let class members know their rights and how they can participate in the case.

7 g. I understand that any resolution of this lawsuit must be accepted by
8 the class as a whole.

9 h. I understand that as a class representative, I have an ongoing
10 obligation to make reasonable efforts to provide my attorneys with the
11 information they need to prosecute this case. This includes providing any
12 documents I have related to this case, if required; to testify a deposition,
13 hearing or trial, if necessary; to maintain current contact information and
14 any other contact information necessary for my attorneys to be able to reach
15 me on short notice.

16 i. I understand that, as a class representative, I am volunteering to
17 represent many people with similar claims and damages. I believe that it is
18 important for all people whose rights were violated as mine were on
19 November 26, 2014, and the subsequent day I was held in custody, to
20 benefit from the lawsuit. Based on what I have been told, proceeding with
21 this lawsuit as a class action will save time, money, and effort and allow
22 individuals with relatively small monetary claims to vindicate their rights.

23 j. I am not aware of any conflicts with any other members of the class.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Executed this ___ day of July, 2016.

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LYDIA HICKS

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of July, 2016.



LYDIA HICKS

KYLE TODD

DECLARATION OF KYLE TODD

I, KYLE TODD, declare:

1. I am a named plaintiff in this action. This declaration is based on facts of which I have personal knowledge. If called to testify to these facts, I could and would do so competently.
2. I am an attorney and a member of the National Lawyers Guild.
3. I acted as a legal observer for a protest on November 28, 2014 in response to the decision of the grand jury not to indict police officer Darren Wilson for the shooting death of Michael Brown in Ferguson, Missouri.
4. While I was with a group of protestors on a public sidewalk at Beverly Boulevard and Alvarado Street, I was kettled by LAPD officers, without notice or warning. The entire assembly was detained for more than an hour, without a prior dispersal order and an opportunity to leave.
5. The LAPD searched my personal property even though I expressly did not consent to the search. I saw them search other people's property as well. The officers went through my backpack, pulled out my wallet, and took out my ID. I was required to confirm my address. I was asked other questions such as my Social Security number, telephone number and where I worked. I was finally cleared and given an individual dispersal order. During the reading of the dispersal order an officer video recorded my face. I believe that my personal information was collected without my consent and stored in law enforcement files and electronic databases, linking me to purportedly illegal activity.
6. I understand that, if the Court grants plaintiffs' class certification motion, I would represent a large number of people who are part of this lawsuit. I understand that the lawsuit is seeking damages, as well as changes in policy. I understand that I would represent the interests of persons who were

1 present at Beverly and Alvarado on November 28, 2014, and who were
2 kettled, detained, and/or arrested, then denied OR release by the LAPD, all
3 in association with the protest against the grand jury decision in Ferguson,
4 Missouri in the killing of Michael Brown, as well as those individuals who
5 were present on November 28, 2014, near or at the intersection of Alvarado
6 Street and Beverly Boulevard and who were detained, handcuffed,
7 interrogated and/or searched in association with a protest against the grand
8 jury decision in Ferguson, Missouri in the killing of Michael Brown, all
9 without probable cause and without a valid prior dispersal order.

10 7. As a class representative:

11 a. I understand that I and other plaintiffs are claiming that
12 the conduct of the City employees and agents was unlawful and
13 that I am acting on behalf of many people besides myself
14 whose rights were violated as the result of the foregoing law
15 enforcement activity.

16 b. I understand that, as a class representative, it is my
17 responsibility to represent the interests of the class as a whole,
18 and not just my personal interests.

19 c. I understand that a class representative has claims which
20 are typical of the members of the class or sub-class being
21 represented. I understand that "typical" means that my claims
22 against the defendants are like the claims of the other class
23 and/or sub-class members because each of us was injured as a
24 result of a common policy, practice, or law implemented by the
25 defendants.
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1 d. I understand that my responsibilities as a class
2 representative continue until the Court decides that this case is
3 no longer a class action or the case ends.

4 e. I understand that, through my attorneys, I have a duty
5 and responsibility to let class members know about important
6 developments in the case. I understand that my attorneys and
7 the Court will let me know what those events are.

8 f. I understand that, if and when the Court requires
9 notification to class members about significant events in the
10 case, my attorneys will prepare the notices to class members
11 and send them out. I understand that this includes notices to let
12 class members know their rights and how they can participate
13 in the case.

14 g. I understand that any resolution of this lawsuit must be
15 accepted by the class as a whole.

16 h. I understand that as a class representative, I have an
17 ongoing obligation to make reasonable efforts to provide my
18 attorneys with the information they need to prosecute this case.
19 This includes providing any documents I have related to this
20 case, if required; to testify a deposition, hearing or trial, if
21 necessary; to maintain current contact information and any
22 other contact information necessary for my attorneys to be able
23 to reach me on short notice.

24 i. I understand that, as a class representative, I am
25 volunteering to represent many people with similar claims and
26 damages. I believe that it is important for all people whose
27 rights were violated as mine were on November 28, 2014 to
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1 benefit from the lawsuit. Based on what I have been told,
2 preceding with this lawsuit as a class action will save time,
3 money, and effort and allow individuals with relatively small
4 monetary claims to vindicate their rights.

5 j. I am not aware of any conflicts with any other members
6 of the class.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 Executed this ___ day of July, 2016.

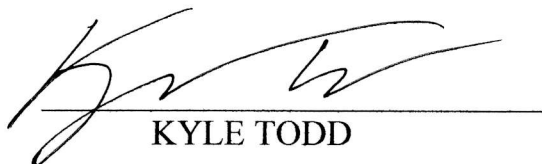
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believe that it is important for all people whose rights were violated as mine were on November 28, 2014 to benefit from the lawsuit. Based on what I have been told, proceeding with this lawsuit as a class action will save time, money, and effort and allow individuals with relatively small monetary claims to vindicate their rights.

xi. I am not aware of any conflicts with any other members of the class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of July, 2016.



KYLE TODD