

1 SHAYLA R. MYERS (SBN 264054)  
 2 MATTHEW G. CLARK (SBN 233736)  
 3 CLAUDIA MENJIVAR (SBN 291981)  
**LEGAL AID FOUNDATION OF LOS ANGELES**  
 4 7000 S. Broadway  
 Los Angeles, CA 90003  
 5 Tel: 213 640-3831  
 6 Fax: 213 640-3988  
 E: smyers@lafla.org  
 7 E: mclark@lafla.org  
 8 E: cmenjivar@lafla.org

9 *Counsel for Plaintiff Unión Popular de Vendedores Ambulantes*  
 10 (Additional counsel listed on following page)

11  
 12 UNITED STATES DISTRICT COURT  
 13 CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

14 AURELIANO SANTIAGO, an individual;  
 15 WENDY PULUC, an individual; and  
 16 UNIÓN POPULAR DE VENDEDORES  
 17 AMBULANTES, an unincorporated  
 association,  
 18 Plaintiffs,  
 19  
 20 vs.  
 21 CITY OF LOS ANGELES, FASHION  
 22 DISTRICT BUSINESS IMPROVEMENT  
 23 DISTRICT, DOWNTOWN LOS  
 24 ANGELES PROPERTY OWNERS  
 ASSOCIATION, INC., and OFFICER  
 25 LINTON in her individual and official  
 capacity,  
 26  
 27 Defendants.

} Case No. 2:15-cv-08444 BRO-E  
 } **FIRST AMENDED COMPLAINT:**  
 } **CIVIL RIGHTS**  
 } **42 U.S.C. § 1983 AND FOURTH, FIFTH**  
 } **AND FOURTEENTH AMENDMENTS**  
 } **CALIFORNIA CONSTITUTION**  
 } **ARTICLE I, §§ 7 AND 13**  
 } **CALIFORNIA CIVIL CODE §§ 52, 52.1**

1 MICHAEL KAUFMAN (SBN 254575)  
2 JENNIFER L. PASQUARELLA (SBN 263241)  
3 PETER BIBRING (SBN 223981)

4 **ACLU FOUNDATION OF SOUTHERN CALIFORNIA**

5 1313 West 8th Street  
6 Los Angeles, California 90017  
7 Telephone: (213) 977-5232  
8 Facsimile: (213) 417-2232  
9 E: mkaufman@aclusocal.org  
10 E: jpasquarella@aclusocal.org  
11 E: pbibring@aclusocal.org

12 **CAROL A. SOBEL (SBN 84483) NATIONAL LAWYERS GUILD – LA**

13 3110 Main Street, Suite 210  
14 Santa Monica, CA 90405  
15 Tel: 310 393 3055  
16 Fax: 310 451-3858  
17 E: carolsobel@aol.com  
18 E. mullen.colleen1@gmail.com

19 **CYNTHIA ANDERSON-BARKER (SBN 175764)**

20 **NATIONAL LAWYERS GUILD – LA**

21 3435 Wilshire Blvd # 2910  
22 Los Angeles, CA 90010  
23 Tel: 213 381-3246  
24 Fax: 213 252-0091  
25 E: cablaw@hotmail.com

26 **PAUL L. HOFFMAN (SBN 71244)**

27 **CATHERINE SWEETSER (SBN 271142)**

28 **SCHONBRUN, SEFLOW, HARRIS & HOFFMAN**

723 Ocean Front Walk  
Venice, California 90291  
Tel: 310 396-0731  
Fax: 310 399-7040  
E. hoffpaul@aol.com  
E. catherine.sdshhh@gmail.com

**JURISDICTION AND VENUE**

1  
2 1. This is an action for injunctive relief and damages pursuant to 42 U.S.C.  
3 § 1983, based upon ongoing violations by the defendants of the rights secured to  
4 plaintiffs by the Fourth, Fifth and Fourteenth Amendments of the United States  
5 Constitution. Jurisdiction exists based on 28 U.S.C. §§ 1331 and 1343 in that this  
6 case is brought pursuant to 42 U.S.C. § 1983 and raises questions of federal  
7 constitutional law under the Fourth, Fifth, and Fourteenth Amendments. The court  
8 has supplemental jurisdiction over plaintiffs’ state law claims pursuant to 28 U.S.C. §  
9 1367.

10 2. Venue is proper in the Central District in that the events and conduct  
11 complained of in this action occurred in the Central District.

**PRELIMINARY STATEMENT**

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13 3. Plaintiffs, two individual street vendors and an organization representing  
14 the interests of street vendors, bring this action against the City of Los Angeles  
15 (City), an individual officer in the Los Angeles Police Department (LAPD), and the  
16 Fashion District Business Improvement District (BID) to enjoin the City and BID  
17 from illegally seizing and destroying their property.

18 4. The LAPD and the Fashion District BID, working together, have a  
19 policy, custom, and practice of seizing and destroying the property of street vendors  
20 who sell food and other items to the thousands of people that frequent the streets of  
21 the Fashion District in Downtown Los Angeles. The City has been on notice for  
22 more than a year that this was occurring and failed to take action to end the unlawful  
23 practice. The challenged practice is so widespread in the LAPD’s Central Division  
24 that the City cannot deny knowledge of the practice.

25 5. LAPD officers and BID officers, operating together under color of law  
26 and with complete disregard for the constitutional rights of the vendors, seize their  
27 property, including not only perishable goods like fruit and ice cream, but also  
28 shopping carts, dollies, coolers, umbrellas, utensils cutting boards, and sometimes the

1 personal property that is with the vendors' goods. While the vendors are forced to  
2 stand aside, often under threat of citations or arrest, these officers summarily throw  
3 the vendors' property into the back of a BID trash truck and haul it away, giving the  
4 vendors no opportunity to get the items back, and leaving them no recourse against  
5 them.

6 6. The officers who seize and destroy the vendors' property do so with no  
7 warrant or legal justification, and without affording the vendors any pre- or post-  
8 deprivation due process at all. The seizure and destruction of the vendors' property  
9 serves no legitimate government purpose and is patently unreasonable. Instead of  
10 affording the vendors rights or following established protocols, the officers seize and  
11 destroy the property as a sort of extrajudicial street punishment, meted out against the  
12 vendors as the officers see fit. The LAPD and BID act with no judicial oversight and  
13 without affording the vendors any way to challenge this punishment or seek the  
14 return of their unlawfully seized property before it is discarded or destroyed.

15 7. Because of the officers' complete disregard for the vendors' rights, the  
16 individual and organizational plaintiffs have no choice but to bring this fight into the  
17 Courtroom, and to seek this Court's assistance to put an end to these illegal practices.

18 **PLAINTIFFS**

19 8. Plaintiff Unión Popular de Vendedores Ambulantes ("Unión") is a  
20 member-based unincorporated organization in Los Angeles that fights to protect  
21 street vendors, organizes them to advocate for legalization of street vending, and  
22 educates them on the laws and rules that affect them. Unión was founded in 2013,  
23 and currently has approximately 80 members that participate in two chapters in the  
24 Fashion District and MacArthur Park neighborhoods of Los Angeles. Unión holds  
25 weekly meetings for its nine-member Coordinating Community, and monthly General  
26 Assembly meetings at which all members have the right to discuss issues related to  
27 street vending, including interactions with law enforcement and the BIDs, and vote  
28 on decisions. Since its inception, Unión has advocated for the legalization of street

1 vending through meetings with City Council members, members of the Los Angeles  
2 Board of Supervisors, LAPD management, and Los Angeles Sheriff's Department  
3 management, and the creation of a community market in the MacArthur Park  
4 neighborhood. Unión has also organized community festivals in the MacArthur Park  
5 neighborhood, and educational workshops for its members on topics such as tenants'  
6 right. LAPD and BID officers have illegally seized and destroyed the property of  
7 Unión's members, without due process, and consistent with LAPD and BID custom,  
8 policies and practices. Unión has had to divert limited organizational resources to  
9 help members who have been subjected to these illegal practices, including by  
10 assisting vendors to seek the return of their confiscated property and by meeting with  
11 police and City and County officials to advocate for a cessation of these enforcement  
12 practices. As a result of these ongoing practices, Unión is forced to spend time and  
13 resources on addressing these confiscations, rather than dedicating the time and  
14 resources to furthering other aspects of its organizational mission, such as the  
15 legalization campaign and holding educational events. Unión brings this action on  
16 behalf of itself and its members.

17 9. Plaintiff Aureliano Santiago is a street vendor who sells ice cream on the  
18 streets in Los Angeles. He has been cited for street vending and had his property  
19 confiscated on five or six occasions in the Fashion District. Each time his property is  
20 confiscated, it creates a financial hardship for him and his family, who depend on Mr.  
21 Santiago to provide for them, pay rent and bills, and contribute to his daughter's  
22 college tuition. Mr. Santiago is an active member of Unión and regularly attends its  
23 meetings. As a Unión member, he has participated in meetings with representatives of  
24 the LAPD, the Mayor's office, and other public officials, all to advocate for an end to  
25 these unlawful seizures.

26 10. Plaintiff Wendy Puluc is a street vendor who lives in Los Angeles and  
27 sells fruit in the Downtown area of Los Angeles. She relies on her income to support  
28 herself and her two children. Ms. Puluc has had her cart, fruit, umbrella, and other

1 equipment taken by LAPD and the FDBID security officers on at least four  
2 occasions, and each time, she has lost all of her belongings. She has never been  
3 given an opportunity to retrieve the items or contest their confiscation. The  
4 confiscation and destruction of her property creates an economic hardship for Ms.  
5 Puluc and her family. Ms. Puluc is an active member of Union. She regularly  
6 participates in meetings of the Union, and has attended actions to protest LAPD's  
7 practices.

### 8 **DEFENDANTS**

9 11. Defendant the City of Los Angeles (City) is a municipal entity organized  
10 under the laws of the State of California. The City is a legal entity with the capacity  
11 to sue and be sued. The departments of the City of Los Angeles include the LAPD,  
12 employees of which engage in the acts constituting the violations of plaintiffs' rights  
13 alleged in this action. The City also created the Fashion District BID and has  
14 authorized and/or ratified all of the actions of the Fashion District BID alleged herein.

15 12. Defendant Fashion District BID is a Business Improvement District  
16 initially created by the City of Los Angeles in 1998, pursuant to California Streets  
17 and Highways Code Section 36600 *et seq*, and last renewed in 2013. *See* Los  
18 Angeles Municipal Ords. 172180, 182651. The Fashion District BID is funded by the  
19 City of Los Angeles through an assessment on property owners located within the  
20 BID, and the purpose of the BID, as outlined in the current Management District  
21 Plan, is to provide increased municipal services to those properties, including  
22 primarily safety and maintenance services.

23 13. Defendant Downtown Los Angeles Property Owners Association, Inc.,  
24 ("the Owner's Association") is a 501(c)(6) not-for-profit business corporation  
25 contracted by the City of Los Angeles to manage the Fashion District BID. The  
26 Owner's Association maintains offices in the City of Los Angeles. The Fashion  
27 District BID and the Owner's Association act as agents of the City and have  
28 conspired with the City to violate plaintiffs' rights.





1           20. Like all of the BIDs in Downtown Los Angeles and throughout the City,  
2 the Fashion District BID is created and overseen by the City of Los Angeles pursuant  
3 to state and municipal law and is funded by assessments levied on property owners in  
4 the district. The Fashion District BID employs a team of maintenance and safety  
5 officers to provide services that ordinarily would be provided by the Bureau of  
6 Sanitation and the LAPD. The Fashion District officers wear yellow shirts to  
7 distinguish them from other BID officers in other districts and are known colloquially  
8 as “yellow shirts.”<sup>1</sup>

9           21. The Fashion District BID officers support and work in concert with, and  
10 at the direction of, the LAPD to extend the reach of the LAPD in the Fashion District.  
11 They supplement ongoing police patrol efforts within the District. They maintain  
12 communication with the LAPD area patrols, and work with the LAPD to deter and  
13 conduct enforcement actions against street vendors.

14           22. In performing these tasks, LAPD and BID officers have a custom and  
15 practice of violating the constitutional rights of vendors. Working together, LAPD  
16 and BID officers seize and destroy the personal property of individuals who they  
17 suspect are selling merchandise and food on the streets of the Fashion District. They  
18 do so with no warrant or other legal justification for the seizures, and the vendors are  
19 afforded absolutely no due process before or after the seizures and no notice before  
20 the property is destroyed or sold. The taking of the vendors’ property is done with  
21 total disregard for the vendors’ Fourth, Fifth and Fourteenth Amendment rights.

22           23. On information and belief, when LAPD happens upon a street vendor in  
23 the Fashion District, officers contact the Fashion District BID, who in turn dispatch  
24 members of its safety and clean teams to seize and destroy the vendor’s property.  
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26 <sup>1</sup> Other BIDs are known by the color of their shirts: Los Angeles Downtown  
27 Industrial District officers are known as “red shirts,” Downtown Center are “purple  
28 shirts,” Arts District are “blue shirts.” BID officers in the Historic Core and South  
Park wear green shirts.



1           24. After LAPD contacts the Fashion District BID, BID officers arrive on  
2 the scene prepared to dispose of the property. The Fashion District BID employs a  
3 fleet of trucks used to carry away trash and seized property.

4           25. In other instances, the BID officers first come across street vendors and  
5 contact the LAPD, which will dispatch its own officers to the scene. The LAPD  
6 officers sometimes cite and arrest vendors while the BID officers seize and dispose of  
7 the vendors' personal property. At other times, LAPD officers will threaten vendors  
8 with citation or arrest if they do not allow the property to be confiscated. LAPD  
9 officers stand by while the BID officers seize and dispose of the vendors' property.

10           26. LAPD and BID officers also routinely verbally harass the street vendors  
11 and insult them, and, on occasion, threaten them with deportation if the vendors  
12 protest the seizure of their property.

13           27. Regardless of whether LAPD calls the BID officers or the BID officers  
14 contact LAPD, and irrespective of whether the vendor is cited, arrested, or merely  
15 threatened with citation or arrest, BID officers take and dispose of the property, and  
16 they do so at the instruction or with the support of LAPD officers.

17           28. When the BID officers seize the vendors' property, the vendors are  
18 given no opportunity to retrieve it after it is taken. They are not informed that they  
19 can contest the seizure, or that their property will be stored. They are not given a  
20 receipt for the property that is taken. They are not told where the property is being  
21 taken and how they can reclaim it. When the vendors are detained by LAPD, they  
22 must stand aside and watch their property be taken and destroyed. If they are not  
23 detained, the presence of law enforcement and the threat of criminal prosecution  
24 ensures that the vendors not interfere while their property is seized.

25           29. The property is not seized pursuant to a warrant, nor is it being seized for  
26 safekeeping. The property is seized and destroyed even if the vendors are not  
27 arrested and booked into custody, and even if there are individuals present whom the  
28 owner could authorize to take possession of their property.

1           30. The property is not seized as evidence of a crime: it is not inventoried or  
2 booked into evidence as required by LAPD policy, nor is it used as evidence against  
3 the vendor, who may be charged with violations of the Los Angeles Municipal Code  
4 and subsequently prosecuted for those violations. Instead, the property is summarily  
5 thrown into the back of the BID trash truck and, then thrown away or disposed of.

6           31. The seizures are not consistent with an LAPD Special Order, issued in  
7 2006 by the then-Commanding Officer of the Risk Management Group, Commander  
8 Stuart Maislin, and the then-Commanding Officer of the Consent Decree Bureau and  
9 the Special Assistant for Constitutional Policing, Gerald Chaleff, and given to all  
10 members of the LAPD. The order requires that all seizures of property must comply  
11 with LAPD Department Manual Section 5/510.10 (“Manual”), which mandates that  
12 seized non-perishable property be booked and inventoried on a Property Report  
13 Form.

14           32. The 2006 notice emphasizes that the requirement to book and inventory  
15 seized property, including non-evidence property, applies not only when an  
16 individual is arrested, but also to situations in which an individual is detained. In  
17 those instances, personal property must be returned immediately after the detention  
18 ends. Despite the clear directives in the 2006 notice and the Manual, Defendant City  
19 and the individual defendant officers have subverted their legal obligations by  
20 directing and authorizing the seizure and immediate destruction of the vendors’  
21 property by the BID officers, facilitating this unlawful process by threatening  
22 citations or arrest if the vendors attempt to save their property.

23           33. The property seizures are inconsistent with well-established  
24 constitutional principles. Defendants have long been on notice that these actions are  
25 illegal and that they may not seize property and destroy property without legal  
26 justification, and without providing pre- and post-deprivation notice and an  
27 opportunity to reclaim ownership of lawfully-confiscated property. The violation of  
28 Plaintiffs’ rights is all the more offensive in this instance in light of an existing

1 injunction issued against Defendant City for such actions in *Lavan v. City of Los*  
2 *Angeles*, 11-cv- 11-02874 PSG (AJWx). *Lavan* is only the most recent injunction  
3 issued against Defendant City for the unlawful seizure and destruction of the  
4 personal property of low-income individuals with first providing pre- and post-  
5 deprivation notice and an opportunity protect such personal property.

6  
7 **RECENT INCIDENTS**

8 34. On or about the afternoon of August 29, 2015, Plaintiff Puluc was on  
9 Maple Street and Olympic Boulevard in Downtown Los Angeles, which is located  
10 within the Fashion District Business Improvement District. Ms. Puluc had a cart with  
11 an umbrella, fruit trays, fresh fruit, and other equipment to prepare the fruit.

12 35. As Ms. Puluc was preparing the fruit, FDBID officers wearing yellow  
13 shirts approached Ms. Puluc and, without saying anything to her, grabbed her cart and  
14 fruit trays. Officer Linton was also present, and as she stood by, the FDBID officer  
15 confiscated all of Ms. Puluc's belongings, including the cart, trays, utensils, uncut  
16 fruit and her umbrella, and threw them in the BID's truck. Prior to seizing her  
17 property, neither Officer Linton nor the FDBID officers questioned Ms. Puluc, or  
18 inspected or inventoried the property.

19 36. Neither the BID officers nor Officer Linton provided Ms. Puluc with a  
20 receipt or any documentation regarding the items that were seized. They did not  
21 inform her whether or how she could retrieve the items. Without any information  
22 about how to get the items back, she had no way to contest the confiscation or get  
23 them back. To date, she has never gotten back any of the items that were taken that  
24 day.

25 37. On or about the afternoon September 12, 2015, Plaintiff Aureliano  
26 Santiago, other members of Unión, and other vendors were on Maple Street between  
27 11th and 12th Street when BID officers descended on the group. At the time, Mr.  
28 Santiago was selling individually wrapped ice cream products and other frozen

1 desserts from his cart. The officers arrived on bike and foot and surrounded a number  
2 of vendors, including Mr. Santiago. The BID officers positioned their bikes to  
3 prevent the vendors, including Mr. Santiago, from accessing their property or  
4 removing it from the area. On information and belief, the BID officers contacted the  
5 LAPD. Officer Linton and another officer arrived shortly thereafter.

6 38. Working together, the LAPD officers blocked the vendors from  
7 accessing their property and threatened them with arrest while the BID officers seized  
8 their carts, dollies, umbrellas, utensils, coolers and perishable items and dumped their  
9 property into the back of the Fashion District BID's trash truck and pickup truck.  
10 Neither the LAPD officers nor the FDBID officers inspected or inventoried the  
11 property prior to seizing it.

12 39. None of the vendors were given receipts for their property. No efforts  
13 were made to identify to whom the property belonged. None of the vendors were told  
14 where the property was being taken or how they could reclaim it.

15 40. The experiences of the individual Plaintiffs are not isolated. Numerous  
16 other vendors and members of Unión have faced similar unlawful confiscations.

17 41. On or about August 21 2015, near 12th Street and Maple Street in the  
18 Fashion District, vendor and Unión member Maria del Rosario Caal was selling fruit  
19 from her cart. At approximately 12:30 p.m., Officer Linton approached Ms. Caal and  
20 informed her that selling fruit there was not permitted and that all of her property  
21 would be thrown away. Ms. Caal asked the officer if she could leave, but Officer  
22 Linton informed her that she could not, and that she was going to be given a ticket for  
23 illegal street vending. Ms. Caal asked that she be able to keep her property, but the  
24 officer refused and repeated that it would all be thrown away.

25 42. While Officer Linton was writing the citation, she made a phone call; on  
26 information and belief, the call was to the Fashion District BID. Approximately five  
27 minutes later, about five BID officers in yellow shirts arrived at the scene. LAPD  
28 Officer Linton instructed the BID officers to seize and dispose of Ms. Caal's

1 property, including not only the fruit, but also her cart, her utensils, gloves, and other  
2 items. The BID officers threw Ms. Caal's property in the back of their truck.

3 43. Ms. Caal was detained while Officer Linton wrote a citation and her  
4 property was trashed. After she was given the citation, Ms. Caal was permitted to  
5 leave the scene. She was not given a receipt for the property that was taken or  
6 informed in writing or orally of the location to which her property was being taken or  
7 a process to retrieve any of her property.

### 8 ATTEMPTS TO RETRIEVE CONFISCATED PROPERTY

9 44. On or about September 21, a number of street vendors who had been  
10 cited by the LAPD and had their property taken by the BID officers, including Mr.  
11 Santiago and other members of Unión, went to the LAPD Central Division to file  
12 police personnel complaints against the LAPD officers who were responsible for the  
13 seizure of their property. Mr. Santiago attended that day and made a report to  
14 Internal Affairs against Officer Linton and others in the department. An Internal  
15 Affairs officer took Mr. Santiago's complaint, but stated that officers were "just  
16 doing their job" by citing street vendors and confiscating their property.

17 45. On September 22, 2015, another group of vendors, including Mr.  
18 Santiago and other members of Unión, went to the Fashion District BID to try to get  
19 the BID to return their property. The vendors spoke to a BID manager who informed  
20 them that the BID was working with the LAPD and that the BID seized vendors'  
21 property at the direction, and with the authorization of, the LAPD. The manager  
22 indicated that the BID retained some of the dollies that had been taken from street  
23 vendors, although it was not clear when these dollies were taken or to whom they  
24 belonged. The vendors were shown some of the seized property. Mr. Santiago's  
25 property was not among the dollies that were produced. The manager also indicated  
26 that the BID had turned over other carts, utensils and perishables to the police  
27 department. However, on information and belief, the BID has simply thrown away  
28 this property, along with other property it seized that day.

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**FIRST CAUSE OF ACTION**  
**Right to Be Secure From Unreasonable Seizures**  
**42 U.S.C. §1983 - Fourth Amendment;**  
**Art. 1, §13, California Constitution**  
**Against All Defendants**

46. Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through as 46 as though fully set forth herein.

47. Plaintiffs have a vested interest in their property pursuant to state constitutional and statutory law. Defendants violated plaintiffs' Fourth Amendment right to be free from unreasonable seizure of their property by seizing and then discarding plaintiffs' property without a warrant and without any legal justification to do so.

48. Defendants' unlawful actions, through the conduct of their employees, were done with the specific intent to deprive plaintiffs of their constitutional rights to be secure in their property. None of the property seized from plaintiffs was contraband or otherwise unlawful to possess.

49. Plaintiffs are informed and believe that Defendants' employees and agents were intentional in failing to protect and preserve their property, and that, at a minimum, the City was deliberately indifferent to the likely consequence that the property would be seized and destroyed unlawfully, based on the past circumstances of similar constitutional and statutory violations.

50. As a direct and proximate consequence of the acts of defendants' agents and employees, plaintiffs Aureliano Santiago and Wendy Puluc has suffered and continues to suffer injury and loss. Mr. Santiago and Ms. Puluc are entitled to compensatory damages for the loss of and damage to property and other injuries to their persons that resulted from the violation of their Fourth Amendment and analogous state constitutional rights.

1           51. Plaintiffs are also entitled to injunctive relief prohibiting defendants  
2 from unreasonably seizing and destroying their property in the future. Plaintiffs are  
3 informed and believe that unless restrained from doing so, defendants will continue  
4 to engage in said wrongful conduct for which plaintiffs have no adequate remedy at  
5 law. Unión’s mission is still frustrated by these policies and practices, and they  
6 continue to divert resources as a result of these policies and practices. Unión’s  
7 members, who continue to vend in the Fashion District BID, are still harmed by  
8 these practices. The practices detailed in the preceding paragraphs will continue to  
9 violate their constitutional rights.

10  
11                                   **SECOND CAUSE OF ACTION**  
12                                   **Right to Due Process of Law**  
13                                   **42 U.S. C. §1983, Fifth and Fourteenth Amendments;**  
14                                   **Art. I, §7 Calif. Constitution**  
   **Against All Defendants**

15           52. Plaintiffs reallege and incorporate the allegations set forth in paragraphs  
16 1 through 46 as though fully set forth herein.

17           53. Defendants owed plaintiffs a duty under the due process clause of the  
18 Fifth and Fourteenth Amendments to the U.S. Constitution and Article I, sec. 7 of the  
19 California Constitution.

20           54. Defendants provided plaintiffs with no notice that their property was at  
21 risk of being seized and/or destroyed. Even when defendants were specifically put on  
22 notice that the property was not abandoned and given an opportunity to stop the  
23 seizure of plaintiffs’ personal items, defendants proceeded with the seizure and the  
24 immediate destruction of the property, denying Plaintiffs any pre- or post-deprivation  
25 due process to contest the seizure of their property or seek its return.

26           55. Plaintiffs are informed and believe that defendants’ employees and  
27 agents are seizing property intentionally without a lawful justification, or, at least,  
28



1 defendants were deliberately indifferent to the likely consequence that the property  
2 would be seized and destroyed without lawful justification and without due process.

3 56. As a direct and proximate consequence of the acts of defendants' agents  
4 and employees, plaintiffs have suffered and continue to suffer injury and loss.  
5 Plaintiff Santiago is entitled to compensatory damages for the loss of and damage to  
6 property and other injuries to his person that resulted from the violation of his Fifth  
7 and Fourteenth Amendment rights.

8 57. Plaintiffs are also entitled to injunctive relief prohibiting defendants  
9 from seizing and summarily destroying their property in the future without due  
10 process. Plaintiffs are informed and believe that unless restrained from doing so,  
11 defendants will continue to engage in said wrongful conduct for which plaintiffs  
12 have no adequate remedy at law. Unión's mission is still frustrated by these policies  
13 and practices, and they continue to divert resources as a result of these policies and  
14 practices. Unión's members, who continue to vend in the Fashion District, are still  
15 harmed by these practices. The practices detailed in the preceding paragraphs will  
16 continue to violate their constitutional rights.

17  
18 **THIRD CAUSE OF ACTION**  
19 **Violation of Civil Rights: Interference By Threat, Intimidation or Coercion**  
20 **California Civil Code § 52.1**

21 58. Plaintiffs reallege and incorporate the allegations set forth in paragraphs  
22 1 through 46 as though fully set forth herein.

23 59. Defendants' agents and employees have used threats of arrest and  
24 intimidation to interfere with plaintiffs' rights secured by the Constitution of the  
25 United States, the Constitution of the State of California, and the statutory laws of the  
26 State of California.

27 60. Plaintiffs are entitled to an injunction pursuant to California Civil Code §  
28 52.1. Plaintiffs are informed and believe that unless restrained from doing so,  
defendants will continue to engage in said wrongful conduct for which plaintiffs have

1 no adequate remedy at law. Plaintiffs are also entitled to damages pursuant to Civil  
2 Code §§ 52 and 52.1.

3  
4 **WHEREFORE**, plaintiffs pray as follows:

5 1. For a preliminary injunction and a permanent injunction, enjoining and  
6 restraining defendants from engaging in the policies, practices and conduct  
7 complained of herein;

8 2. For a declaratory judgment that defendants' policies, practices and conduct  
9 as alleged herein violate plaintiffs' rights under the United States Constitution, the  
10 California Constitution and the laws of California;

11 3. For plaintiffs Aureliano Santiago and Wendy Puluc, damages in an amount  
12 to be determined according to proof for violation of their constitutional rights, lost  
13 property and for pain in suffering, all in accord with Cal. Civ. Code §§ 52, 52.1  
14 and Cal. Government Code § 815.6.

15 5. For costs of suit and attorney fees as provided by law;

16 6. For such other relief as the Court deems just and proper.

17  
18 Dated: September 9, 2016

Respectfully submitted,

19  
20 Legal Aid Foundation of Los Angeles  
21 ACLU Foundation of Southern California  
22 National Lawyers Guild – Los Angeles  
23 Schonbrun, Seplow, Harris & Hoffman

24 /s/ Carol A. Sobel

25 By: CAROL A. SOBEL  
26 Attorneys for Plaintiffs  
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