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**UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA**

MAYA LAU,

Plaintiff,

v.

COUNTY OF LOS ANGELES; ALEX
VILLANUEVA; MARK LILLIENFELD;
and TIM MURAKAMI,

Defendants.

Case No.: 2:25-cv-4766

**COMPLAINT FOR DAMAGES
AND OTHER RELIEF**

JURY TRIAL DEMANDED

**42 U.S.C. § 1983: First
Amendment; Conspiracy to
Deprive Constitutional Rights;
Monell; Bane Act; Civil
Conspiracy.**

1 Pursuant to 42 U.S.C. § 1983 and 28 U.S.C. §§ 1331, 1367, Plaintiff MAYA
2 LAU, by her undersigned attorneys, complains of Defendants ALEX
3 VILLANUEVA, MARK LILLIENFELD, TIM MURAKAMI, and COUNTY OF
4 LOS ANGELES, and states as follows:

5 INTRODUCTION

6 1. To protect a free press, the First Amendment provides virtually
7 absolute protection for a journalist’s right to publish “lawfully obtain[ed] truthful
8 information about a matter of public significance,” regardless of the information’s
9 source. *Bartnicki v. Vopper*, 532 U.S. 514, 528 (2001) (quoting *Smith v. Daily Mail*
10 *Publ’g Co.*, 443 U.S. 97, 103 (1979)).

11 2. From the Pentagon Papers to articles that revealed the risks of
12 tobacco, some of the most consequential investigative reporting of the last century
13 has relied on confidential information that powerful entities wanted to keep secret
14 from the American public. *See N.Y. Times Co. v. United States*, 403 U.S. 713, 717
15 (1971) (Black, J., concurring) (“The press was protected so that it could bare the
16 secrets of government and inform the people.”).

17 3. But last year, Maya Lau—a reporter who previously covered the Los
18 Angeles County Sheriff’s Department (“LASD”) for the *Los Angeles Times*—
19 learned that the Department’s leadership launched a retaliatory investigation of her
20 due to her work and referred her for criminal prosecution because of her lawful

1 reporting and coverage of deputy misconduct. *See* Keri Blakinger & Alene
2 Tchekmedyian, *Times Reporter Was Leaked List of Problem Deputies. The*
3 *Sheriff's Department Investigated Her*, L.A. Times (July 20, 2024),
4 <https://perma.cc/NKR5-XRA6>.

5 4. In December 2017, Ms. Lau and two then-colleagues published an
6 article discussing a “Brady List” that was maintained by LASD. *See* Maya Lau,
7 Ben Poston & Corina Knoll, *Inside a Secret 2014 List of Hundreds of L.A.*
8 *Deputies with Histories of Misconduct*, L.A. Times (Dec. 8, 2017),
9 <https://perma.cc/HA8V-QMN2>.

10 5. The Brady List—named for the Supreme Court’s landmark 1963
11 decision in *Brady v. Maryland*, which requires prosecutors to disclose evidence
12 that could weaken the credibility of prosecution witnesses—catalogued roughly
13 300 LASD deputies with histories of dishonesty or other misconduct that made
14 them open to impeachment as trial witnesses.

15 6. LASD created the Brady List in order to keep track of deputies whose
16 backgrounds could undermine their credibility if the deputies were to testify in a
17 criminal case.

18 7. Ms. Lau’s reporting, which was published after months of research,
19 documented that some deputies on the Brady List had kept their jobs—and, in
20

1 some cases, had even been promoted—despite grave misconduct, including sexual
2 assault, fabricating evidence, and using excessive force.

3 8. At the time, California had excessively strict privacy laws that were so
4 protective of officer personnel files that even prosecutors could not access the
5 Brady List.

6 9. At a time of widespread debate around police misconduct, Ms. Lau’s
7 coverage of the Brady List provided evidence that LASD continued to employ and
8 even reward officers with histories of misconduct. Her work provided an example
9 of the type of critical information about deputies that was not being handed over to
10 prosecutors or defense counsel in cases in which the deputies would testify—an
11 apparent violation of defendants’ constitutional rights.

12 10. The series prompted new oversight of LASD’s role in past
13 prosecutions, *see, e.g.*, Maya Lau, Ben Poston & Corina Knoll, *D.A. Examining*
14 *Past Criminal Cases Involving L.A. Sheriff’s Deputies on a Secret List of Problem*
15 *Officers*, L.A. Times (Jan. 12, 2018), <https://perma.cc/X66B-YWRM>, and helped
16 inspire California legislation that brought greater transparency to police
17 disciplinary records statewide, *see* Blakinger & Tchekmedyian, *supra*.

18 11. But leadership at LASD was furious that its Brady List had been
19 revealed.

1 12. Without any basis for believing that Ms. Lau had committed a crime,
2 LASD, under then-Sheriff Jim McDonnell, opened an investigation into Ms. Lau
3 shortly after she published her article. The investigation did not reveal any
4 evidence suggesting that Ms. Lau had committed a crime.

5 13. A few years later, after a new sheriff, Alex Villanueva, was elected
6 and took office, LASD conducted *another* investigation into Ms. Lau as part of a
7 broader campaign to target Villanueva’s perceived opponents. *See* Alene
8 Tchekmedyian, *L.A. County Sheriff’s Unit Accused of Targeting Political Enemies,*
9 *Vocal Critics*, L.A. Times (Sept. 23, 2021), <https://perma.cc/3ZL8-WMNE>
10 (describing the formation of Sheriff Villanueva’s “Civil Rights and Public Integrity
11 Detail,” which led retaliatory investigations into critics of the Department);
12 Blakinger & Tchekmedyian, *supra* (reporting that the same unit investigated Lau).

13 14. Like its first investigation, LASD opened this second criminal
14 investigation only because Ms. Lau had published her article discussing the Brady
15 List.

16 15. The second investigation did not reveal that Ms. Lau had committed
17 any crimes either. Nevertheless, LASD recommended that Ms. Lau be prosecuted
18 for conspiracy, theft of government property, unlawful access of a computer,
19 burglary, and receiving stolen property.
20

1 16. In May 2024, the California Attorney General declined to prosecute
2 Ms. Lau, stating that there was “insufficient evidence” to merit criminal charges.
3 Blakinger & Tchekmedyian, *supra*.

4 17. LASD’s unlawful investigation and referral for prosecution violated
5 Ms. Lau’s rights under the First Amendment and the California Constitution.

6 18. Unfortunately, that overreach was not an isolated error. Instead, the
7 violation of Ms. Lau’s rights was the product of an unlawful conspiracy, and it was
8 conducted pursuant to an official policy or practice of pursuing retaliatory criminal
9 charges against perceived opponents of LASD, adopted by senior LASD officials
10 who acted as final policymakers for the County.

11 19. As the Los Angeles County Sheriff Civilian Oversight Commission
12 documented as early as 2021, Villanueva’s hand-picked Civil Rights and Public
13 Integrity Detail—reporting “directly to the undersheriff”—was responsible for a
14 series of retaliatory investigations “accusing public officials and other
15 professionals who are in conflict with the department of committing crimes,”
16 investigations intended “to chill oversight of the Department, not to pursue a
17 prosecution.” L.A. Cnty. Sheriff Civilian Oversight Comm’n, Villanueva
18 Administration’s Investigation of Oversight Officials, Etc. at 1, 7 (May 27, 2021),
19 <https://perma.cc/VD9H-2EDT>.

20 20. The same unit was responsible for the investigation of Ms. Lau.

1 21. Ms. Lau brings this suit to obtain accountability for a pattern of
2 unconstitutional misconduct that threatens the rights of reporters and freedom of
3 the press in Los Angeles.

4 **JURISDICTION AND VENUE**

5 22. This action is brought pursuant to 42 U.S.C. §§ 1983 *et seq.* and
6 California law to redress the Defendants' tortious conduct and their deprivation of
7 Plaintiff's rights secured by the U.S. Constitution.

8 23. This Court has jurisdiction over Plaintiff's federal claims pursuant to
9 28 U.S.C. § 1331 and supplemental jurisdiction over her state-law claims pursuant
10 to 28 U.S.C. § 1367.

11 24. Venue is proper under 28 U.S.C. § 1391(b). Defendant Los Angeles
12 County is located within the U.S. District Court for the Central District of
13 California, and, upon information and belief, all Defendants are residents of
14 California. Additionally, a substantial part of the events giving rise to this case
15 occurred within this jurisdiction—the Los Angeles County Sheriff's Department
16 was the agency responsible for conducting the unlawful investigation into Ms. Lau.

PARTIES

25. Maya Lau was an investigative journalist for the *Los Angeles Times* from 2016 to 2021. Her reporting covered LASD among other topics related to law enforcement and government.

26. Alex Villanueva was the Sheriff of the Los Angeles County Sheriff's Department from 2018 to 2022. Sheriff Villanueva decided to open a criminal investigation into Ms. Lau.

27. Mark Lillienfeld was a detective in the Los Angeles County Sheriff's Department in 2018. At Sheriff Villanueva's direction, Lillienfeld led the criminal investigation into Ms. Lau.

28. Tim Murakami was an Undersheriff in the Los Angeles County Sheriff's Department in Fall 2021. Sheriff Alex Villanueva delegated to Undersheriff Murakami his decision-making authority as a final policymaker of the County in connection with the investigation into Ms. Lau. After conducting an unlawful investigation into Ms. Lau, Undersheriff Murakami referred Ms. Lau to the California Attorney General's Office for prosecution.

29. Alex Villanueva, Mark Lillienfeld, and Tim Murakami are collectively referred to as "Individual Defendants" in this Complaint.

30. Defendant County of Los Angeles is a municipality in California, and is and/or was the employer of each of the Defendants. The County is liable for all

1 torts committed by Defendants pursuant to California law. The County is also
2 responsible for indemnifying judgments against Defendants. The County is
3 responsible for the policies, practices, and customs of the Los Angeles County
4 Sheriff's Department that caused the unconstitutional investigation and attempted
5 prosecution of Ms. Lau, and Defendants Villanueva and Murakami had final
6 policymaking authority for the relevant policies, practices, and customs of the
7 County.

8 **FACTS**

9 **Ms. Lau's Reporting**

10 31. On December 8, 2017, the *Los Angeles Times* published a story by
11 Ms. Lau and two colleagues titled "Inside a Secret 2014 List of Hundreds of L.A.
12 Deputies with Histories of Misconduct." Lau, Poston & Knoll, *supra*.

13 32. The article explained that LASD maintained a "Brady List"—an
14 inventory of roughly 300 LASD deputies with histories of dishonesty or other
15 misconduct that made them open to impeachment as trial witnesses—but withheld
16 it from prosecutors and the public.

17 33. The article went on to describe that "Times reporters reviewed a
18 version of the roster" and then "scoured [other] court and law enforcement records
19 for details of how deputies landed on it." Lau, Poston & Knoll, *supra*.

1 34. The article documented numerous examples of misconduct by LASD
2 deputies who remained employed by the Department—some of whom had
3 continued to rise in the ranks.

4 35. Casey Dowling was among the deputies whom the article discussed as
5 having committed misconduct. Dowling sexually assaulted a 14-year-old girl while
6 working in his capacity as an LASD deputy. The girl had been attacked with a
7 knife and sought the deputy's help, but after Dowling moved her into his patrol
8 car, he touched her breasts. Dowling then touched her breasts again after he drove
9 her home. Dowling was temporarily relieved of his duties, but he was ultimately
10 reinstated, and he was actively working for LASD's parks bureau as of August
11 2017.

12 36. The article also reported that the Brady List included Christian
13 Chamness, who pepper-sprayed and arrested an elderly man, then wrote a false
14 report to justify the arrest. Chamness was suspended for 25 days for making a false
15 report and using excessive force, but he was still employed by LASD when the
16 article was published.

17 37. Finally, the article reported that the Brady List included Timothy
18 Jimenez, a Sergeant in LASD. When Jimenez was working as a bailiff in 1995, he
19 warned a suspected drug dealer's girlfriend that the dealer was being watched by
20 police. The Deputy District Attorney wrote in a memo that Jimenez's actions put

1 his colleagues' lives in peril, but he was not prosecuted, and Jimenez has since
2 been promoted within the Sheriff's Department.

3 38. Ms. Lau and her colleagues spent months researching the article. They
4 interviewed deputies and corroborated key information through the use of public
5 records.

6 39. Ms. Lau and her editors at the *Times* viewed the information—and the
7 widespread police misconduct it documented—as a matter of clear public concern,
8 particularly in light of the nationwide debate on police accountability and
9 California's extreme approach to officer privacy.

10 40. Ms. Lau's reporting exposed facts about deputies that had been
11 concealed from prosecutors and defendants, in potential violation of *Brady v.*
12 *Maryland*.

13 41. After Ms. Lau and her colleagues published their article, the Los
14 Angeles County District Attorney's Office launched a comprehensive review of
15 past criminal cases that featured deputies whose names appeared on the Brady List.
16 See Maya Lau, Ben Poston & Corina Knoll, *D.A. Examining Past Criminal Cases*
17 *Involving L.A. Sheriff's Deputies on a Secret List of Problem Officers*, L.A. Times
18 (Jan. 12, 2018), <https://perma.cc/X66B-YWRM>.

1 42. In 2018, Ms. Lau and her colleagues published a follow-up series
2 showing the damage that California's police privacy laws had done to public
3 safety.¹

4 43. The series helped spur passage of a groundbreaking new law later that
5 year, resulting in critical police officer personnel files being opened to public
6 review for the first time in decades. California lawmakers calling for the measure
7 read aloud portions of the *Times*' reporting from the Assembly floor to highlight
8 the need for reform.

9 44. The new law, California Senate Bill 1421, allowed Ms. Lau and her
10 colleagues to gain access to documents proving that some deputies with histories
11 of serious misconduct had indeed testified in criminal cases without prosecutors or
12 defense counsel being informed of the deputies' prior wrongdoing.

13 45. In 2019, Ms. Lau and a colleague published an article showing that a
14 homicide detective from LASD had been disciplined for punching a suspect and
15 then lying about it. Later, he testified in five murder trials. In all those cases, the
16 defense attorneys told the *Times* they had never been informed that the detective
17 had been previously disciplined for dishonesty. *See* Maya Lau & Ben Poston, *A*

18
19 ¹ See Corina Knoll et al., *An L.A. County Deputy Faked Evidence. Here's*
20 *How His Misconduct Was Kept Secret in Court for Years*, L.A. Times (Aug. 9,
21 2018), <https://perma.cc/J2TV-F42W>; Maya Lau, *One Cop Came Forward to*
Expose Secrets in His Own Ranks. The Revelation Rocked the Court System, L.A.
22 Times (Aug. 14, 2018), <https://perma.cc/B4TA-644Y>.

1 *Homicide Detective's Dishonesty Was Kept Secret for Years. Now it Could Upend*
2 *Criminal Cases*, L.A. Times (Sept. 19, 2019), <https://perma.cc/ZM5T-DWTS>.

3 46. The information uncovered by the *Times* could potentially lead to
4 those criminal cases being overturned.

5 47. In each of those respects, Ms. Lau's reporting on the Brady List
6 played an essential role in promoting a more informed public debate on police
7 accountability in California.

8 **The Initial Investigation**

9 48. Upon information and belief, LASD learned around 2017 that its
10 Brady List had been leaked.

11 49. LASD—led by Sheriff Jim McDonnell at the time—began to
12 investigate people it believed had disseminated the Brady List.

13 50. LASD's investigation turned up no evidence connecting Ms. Lau to
14 any crime.

15 51. In 2018, Alex Villanueva was elected Sheriff of Los Angeles County.

16 52. Shortly after he took office, Sheriff Villanueva created LASD's Civil
17 Rights and Public Integrity Detail. Sheriff Villanueva used this group of officers to
18 target and harass individuals who used their public positions to criticize Sheriff
19 Villanueva and LASD.

1 53. Ms. Lau was one of the victims of the retaliatory investigations led by
2 the Civil Rights and Public Integrity Detail.

3 54. The Civil Rights and Public Integrity Detail opened a criminal
4 investigation into Ms. Lau and referred her for prosecution without any reason to
5 think that she had committed a crime.

6 55. Since it had concluded its initial investigation into the leak of its
7 Brady List, LASD had not uncovered any new evidence suggesting that Ms. Lau
8 had committed a crime.

9 56. Instead, when it opened a second criminal investigation into Ms. Lau,
10 LASD relied on its stale conclusion—already disproven through LASD’s first
11 investigation—that Ms. Lau had supposedly committed a crime because she
12 published an article discussing the Brady List.

13 57. Detective Mark Lillienfeld led the second investigation into Ms. Lau.

14 58. LASD’s second investigation did not turn up any evidence suggesting
15 that Ms. Lau had committed a crime.

16 59. Instead, according to the *Times*’ reporting, LASD’s investigative
17 report was filled with “testy asides and innuendos about Villanueva foes,”
18 evidencing a retaliatory motive for investigating the Department’s perceived
19 opponents. Blakinger & Tchekmedyian, *supra*.

1 60. Despite the lack of probable cause, Undersheriff Tim Murakami
2 referred the case to the California Attorney General for prosecution in 2021.

3 61. Sheriff Villanueva had delegated to Undersheriff Murakami the
4 responsibility to decide what action to take as a result of LASD's investigation.
5 This delegation made Undersheriff Murakami the final policymaker in terms of
6 deciding whether or not to refer Ms. Lau for prosecution.

7 62. Undersheriff Murakami alleged that Ms. Lau had engaged in
8 conspiracy, theft of government property, unlawful access of a computer, burglary,
9 and receiving stolen property.

10 63. Ms. Lau did not commit any of these crimes.

11 64. In May 2024, the California Attorney General declined to prosecute
12 because there was "insufficient evidence" to merit criminal charges. Blakinger &
13 Tchekmedyan, *supra*.

14 **LASD's Pattern/Practice of Retaliating Against**
15 **Individuals Who Report Unfavorable Information About LASD**

16 65. The unlawful investigation into Ms. Lau was part of an unlawful
17 policy and/or practice maintained by LASD, in which LASD leadership opened
18 retaliatory criminal investigations and, ultimately, referred for prosecution
19 individuals who used their public positions to criticize Sheriff Villanueva and
20 LASD.

1 66. This unlawful policy and practice was carried out, in part, by the Civil
2 Rights and Public Integrity Detail, which initiated numerous criminal
3 investigations into individuals who had used their public positions to criticize
4 Sheriff Villanueva and LASD.

5 67. For example, in April 2022, Sheriff Villanueva announced that he had
6 opened a criminal investigation into *Los Angeles Times* reporter Alene
7 Tchekmedyan after she published a story detailing LASD's cover-up of a deputy's
8 use of excessive force.

9 68. At a press conference, Sheriff Villanueva alleged that Tchekmedyan
10 could be prosecuted for conspiracy, burglary, and unauthorized use of a database.
11 Villanueva dropped the criminal investigation only after public outrage.

12 69. Additionally, in 2021, LASD investigated journalist Cerise Castle, a
13 reporter for Knock LA, after she published a history of deputy gangs within LASD.
14 Among the investigative techniques employed by LASD, department employees
15 monitored Castle's social media accounts, compiled dossiers on individuals
16 associated with her work, and described Knock LA in internal emails as one of the
17 "anti-LASD platform(s) we are tracking."

18 70. Sheriff Villanueva's retaliation was not limited to targeting journalists
19 who criticized his administration.
20

1 71. Using LASD's Civil Rights and Public Integrity Detail, Sheriff
2 Villanueva also targeted public officials who publicly criticized his administration.

3 72. For example, in August 2019, the Civil Rights and Public Integrity
4 Detail opened a criminal investigation into Max Huntsman, the Inspector General
5 of Los Angeles County at the time, after he published a report criticizing Sheriff
6 Villanueva's decision to rehire a deputy who had been fired for domestic violence
7 and dishonesty.

8 73. Sheriff Villanueva had asked Huntsman not to release the report and
9 threatened that, if the report were released, there would be "consequences." The
10 investigation lasted years, and both state and federal prosecutors turned down
11 repeated referrals for prosecution. As Detective Lillienfeld described in a recent
12 deposition, he conducted "surveillance of Mr. Huntsman's home and activities,"
13 searching for trash to rummage through and questioning Huntsman's housekeeper.

14 74. In March 2020, after Los Angeles County supervisors criticized
15 Sheriff Villanueva's handling of the COVID pandemic, the Los Angeles Board of
16 Supervisors voted to remove Sheriff Villanueva as head of the emergency
17 operations center and replace him with the county's chief executive, Sachi Hamai.

18 75. In retaliation, Sheriff Villanueva publicly harassed Hamai by, among
19 other things, accusing her of committing a felony for serving on the board of an
20

1 organization that had voted to support a ballot measure proposing to redirect
2 money away from LASD.

3 76. In February 2021, LASD executed a search warrant on the office of a
4 non-profit ran by Patti Giggans, a commissioner of the Los Angeles County Sheriff
5 Civilian Oversight Commission.

6 77. The Civilian Oversight Commission—and Patti Giggans herself—had
7 criticized Sheriff Villanueva numerous times in the prior years. For instance, the
8 Civilian Oversight Commission requested that Sheriff Villanueva be held in
9 contempt after he refused to appear before the Commission pursuant to a subpoena.
10 Giggans had also publicly voiced her support for the Commission’s calls for
11 Sheriff Villanueva to resign after he resisted oversight attempts and failed to hold
12 deputies accountable for misconduct.

13 78. The Civil Rights and Public Integrity Detail also executed a search
14 warrant on the home of Sheila Kuehl in September 2022, after she had joined calls
15 for Sheriff Villanueva to step down.

16 79. LASD’s investigations into Giggans and Kuehl were baseless. Both
17 state and federal authorities declined LASD’s referrals for prosecution.

18 80. George Gascón, the county’s district attorney in 2021, summarized his
19 perception of the criminal investigations led by Sheriff Villanueva and the Civil
20 Rights and Public Integrity Detail: “He’s only targeting political enemies.”

Exhaustion of State Remedies

87. Pursuant to Cal. Gov't Code § 910, on October 29, 2024, Ms. Lau submitted a Notice of Claims with the County detailing the allegations set forth in this Complaint.

88. The County denied Ms. Lau's claims on November 25, 2024.

89. Ms. Lau received notice of the County's denial on December 11, 2024.

90. Ms. Lau now brings this lawsuit in federal court seeking justice for LASD's unlawful attempt to investigate and prosecute her.

COUNT I

Retaliation

(First Amendment)

Brought Under 42 U.S.C. § 1983 Against the Individual Defendants

91. Each paragraph of this Complaint is incorporated as if restated fully herein.

92. Ms. Lau engaged in constitutionally protected activity when she received the Brady List and wrote her article discussing it. *See Daily Herald Co. v. Munro*, 838 F.2d 380, 384 (9th Cir. 1988) (“[T]he First Amendment protects the media’s right to gather news.”); *Bartnicki v. Vopper*, 532 U.S. 514, 529–30 (2001)

1 (First Amendment protects publication of information on matters of public concern
2 regardless of the source's conduct in obtaining it).

3 93. The Individual Defendants opened a retaliatory criminal investigation
4 into Ms. Lau and referred her for prosecution based solely on her protected receipt
5 of and reporting on the list.

6 94. The Individual Defendants had no reason to think that Ms. Lau was
7 involved in criminal activity.

8 95. Being subjected to a retaliatory investigation and/or referred for
9 criminal prosecution would chill a person of reasonable firmness from exercising
10 First Amendment rights.

11 96. Even if probable cause or arguable probable cause had existed to
12 believe Ms. Lau committed a crime, Ms. Lau was investigated and referred for
13 criminal prosecution when otherwise similarly situated individuals not perceived as
14 opponents of LASD have not been.

15 97. While journalists routinely receive and publish leaked information,
16 the offenses the Individual Defendants alleged against Ms. Lau have rarely if ever
17 been applied to a reporter.

18 98. By opening a criminal investigation into Ms. Lau and referring her for
19 prosecution because she reported unfavorable information about LASD, the
20

1 Individual Defendants engaged in unlawful retaliation against Ms. Lau in violation
2 of the First Amendment.

3 99. In doing so, the Individual Defendants acted under color of state law.

4 100. In doing so, the Individual Defendants acted maliciously and with
5 reckless disregard for Ms. Lau's constitutional rights.

6 **COUNT II**

7 **Conspiracy to Deprive Constitutional Rights**

8 *Brought Under 42 U.S.C. § 1983 Against All Individual Defendants*

9 1. Each paragraph of this Complaint is incorporated as if restated fully
10 herein.

11 2. As set forth in the above paragraphs, Defendants Villanueva,
12 Lillienfeld, and Murakami, acting in concert with other co-conspirators, known and
13 unknown, reached an agreement among themselves to open an unlawful
14 investigation into Ms. Lau and refer her for criminal prosecution.

15 3. In doing so, the Individual Defendants and their co-conspirators
16 agreed to accomplish an unlawful purpose and/or a lawful purpose by unlawful
17 means.

18 4. In addition, these co-conspirators agreed among themselves to protect
19 one another from liability for depriving Ms. Lau of her rights.
20

1 without probable cause, in retaliation for publishing unfavorable information about
2 LASD.

3 11. Policymakers acting on behalf of the County—including Sheriff Alex
4 Villanueva and Undersheriff Tim Murakami—opened a criminal investigation into
5 Ms. Lau and referred her for criminal prosecution without having probable cause to
6 do so.

7 12. Sheriff Villanueva and, by designation, Undersheriff Murakami acted
8 as final policymakers for the County in deciding to open an unlawful investigation
9 into Ms. Lau and in recommending her to be prosecuted.

10 13. Being subjected to a retaliatory investigation and/or referred for
11 criminal prosecution would chill a person of reasonable firmness from exercising
12 First Amendment rights.

13 14. As detailed above, the unlawful investigation into Ms. Lau was
14 consistent with LASD's pattern and/or practice of retaliating against individuals
15 who report unfavorable information about LASD, a pattern or practice that caused
16 the violation of Ms. Lau's rights.

17 **COUNT IV**

18 **Bane Act**

19 *Brought Under California Civil Code § 52.1 Against All Defendants*
20

1 15. Each paragraph of this Complaint is incorporated as if restated fully
2 herein.

3 16. The Bane Act authorizes individuals to sue defendants who
4 “interfered with” or “attempted to” interfere with the exercise or enjoyment of their
5 constitutional rights “by threat, intimidation, or coercion.” Cal. Civ. Code
6 § 52.1(b)–(c).

7 17. The U.S. Constitution and the California Constitution both protect
8 journalists from retaliatory investigation and prosecution for receiving and
9 publishing truthful material on matters of public concern.

10 18. As set forth above, by opening an unlawful investigation into Ms. Lau
11 and referring her for criminal prosecution for constitutionally protected activity,
12 Defendants interfered with and/or attempted to interfere with Ms. Lau’s right to be
13 free from retaliation for exercising the rights secured to her by the First
14 Amendment and the California Constitution.

15 19. Defendants acted with the specific intent to deprive Ms. Lau of her
16 rights.

17 20. Defendant County of Los Angeles is vicariously liable, pursuant to
18 Cal. Gov’t Code § 815.2, for the acts and omissions of its employees, the
19 Individual Defendants, within the course and scope of their employment.
20

COUNT V

Civil Conspiracy

Brought Under California State Law Against All Individual Defendants

21. Each paragraph of this Complaint is incorporated as if restated fully herein.

22. As set forth in the above paragraphs, Defendants Villanueva, Lillienfeld, and Murakami, acting in concert with other co-conspirators, known and unknown, reached an agreement among themselves to open an unlawful investigation into Ms. Lau and refer her for criminal prosecution.

23. In doing so, the Defendants and their co-conspirators agreed to accomplish an unlawful purpose and/or a lawful purpose by unlawful means.

24. In addition, these co-conspirators agreed among themselves to protect one another from liability for depriving Ms. Lau of her rights.

25. In furtherance of their conspiracy, each of these co-conspirators committed overt acts and were otherwise willful participants in joint activity.

26. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally, with malice, and with reckless indifference to Ms. Lau's rights.

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