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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**
12

13 THE ESTATE OF VALENTINA
ORELLANA PERALTA by and through its
14 Successor-In-Interest, SOLEDAD PERALTA;
SOLEDAD PERALTA, individually; JUAN
15 PABLO ORELLANA LARENAS,
individually,

16 Plaintiffs,

17 v.

18 CITY OF LOS ANGELES; LOS ANGELES
19 POLICE DEPARTMENT; WILLIAM
DORSEY JONES JR.; BURLINGTON
20 STORES INC. and DOES 1 through 50,
inclusive,

21 Defendants.
22
23

Case No. **22STCV22768**

COMPLAINT FOR DAMAGES:

- 1. **WRONGFUL DEATH (NEGLIGENCE)**
- 2. **WRONGFUL DEATH (NEGLIGENCE)**
- 3. **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

DEMAND FOR JURY TRIAL

24 Plaintiffs, THE ESTATE OF VALENTINA ORELLANA PERALTA by and through its
25 Successor-In-Interest, SOLEDAD PERALTA; SOLEDAD PERALTA, individually; and JUAN
26 PABLO ORELLANA LARENAS, individually, hereby bring this Complaint for causes of action
27 against Defendants CITY OF LOS ANGELES; LOS ANGELES POLICE DEPARTMENT;
28 WILLIAM DORSEY JONES JR.; BURLINGTON STORES INC. and DOES 1 through 50,

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1 inclusive, and allege the following on information and belief:

2 **GENERAL ALLEGATIONS**

3 1. At all relevant times herein, Plaintiff SOLEDAD PERALTA, individually and as
 4 Successor-in-Interest to THE ESTATE OF VALENTINA ORELLANA PERALTA, was a resident
 5 of the County of Los Angeles, State of California.

6 2. Plaintiff SOLEDAD PERALTA, is the natural mother of the decedent,
 7 VALENTINA ORELLANA PERALTA, who was unmarried, and therefore is entitled under
 8 Sections 377.11, 377.30 and 377.60 of the California *Code of Civil Procedure* to bring and maintain
 9 the present actions for herself individually and as heir at law and Successor-in-Interest to the
 10 ESTATE OF VALENTINA ORELLANA PERALTA. Plaintiff SOLEDAD PERALTA will
 11 execute and file a declaration under penalty of perjury pursuant to California *Code of Civil*
 12 *Procedure* §377.32.

13 3. Plaintiff JUAN PABLO ORELLANA LARENAS is the natural father of decedent,
 14 VALENTINA ORELLANA PERALTA. At all times mentioned herein, Plaintiff JUAN PABLO
 15 ORELLANA LARENAS was an individual residing in Chile.

16 4. At all times mentioned herein, Defendant CITY OF LOS ANGELES was and is a
 17 public entity, duly organized and existing under and by virtue of the laws of the State of California.

18 5. At all times mentioned herein, Defendant LOS ANGELES POLICE
 19 DEPARTMENT is, and was, a public agency duly organized and existing under and by the laws of
 20 the State of California and/or was a department of Defendant CITY OF LOS ANGELES. Plaintiffs
 21 are informed and believe and thereon allege that Defendant CITY OF LOS ANGELES and/or
 22 Defendant LOS ANGELES POLICE DEPARTMENT were the employers of Defendant WILLIAM
 23 DORSEY JONES JR.

24 6. At all relevant times mentioned herein, Defendant WILLIAM DORSEY JONES, JR.
 25 was and is a resident of the County of Los Angeles.

26 7. At all relevant times mentioned herein, Defendants CITY OF LOS ANGELES and
 27 LOS ANGELES POLICE DEPARTMENT are municipal corporations organized and existing under
 28 the laws of the State of California.

1 8. Plaintiffs are informed and believe, and thereon allege, that Defendant DOES 1
2 through 10, are, and at all times herein mentioned were, duly appointed and acting as a Police
3 Officers for Defendants CITY OF LOS ANGELES and LOS ANGELES POLICE DEPARTMENT,
4 and were at all material times acting under color of state law, and as the employees, agents and
5 representatives of every other Defendant. Defendant DOES 1 through 10 were acting under color of
6 law and within the course and scope of their employment, including but not limited to under
7 California *Government Code* §§ 815.2, 820 and 825, with Defendants CITY OF LOS ANGELES
8 and LOS ANGELES POLICE DEPARTMENT on December 23, 2021, the date of the incident, and
9 Defendants CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT are legally
10 responsible for all damages caused by the intentional and/or negligent and/or otherwise tortious
11 conduct of Defendant DOES 1 through 10, as alleged herein. Despite diligent efforts to identify
12 these officers, officers, or otherwise¹, Plaintiffs are ignorant of the actual names and identities of
13 Defendant DOES 1 through 10, but Plaintiffs have timely presented Government Claims against
14 them under California law and are timely naming them as defendants herein and suing them for
15 damages under California state law as alleged herein.

16 9. At all times mentioned herein, Defendants DOES 1 through 10, individuals, were
17 acting within the course and scope of their employment and under color of law as an officer, deputy,
18 sergeant, captain, commander, and/or civilian employee of the CITY OF LOS ANGELES and LOS
19 ANGELES POLICE DEPARTMENT, and each of them was authorized by the Defendant CITY

20 _____
21 ¹ Plaintiffs have made diligent efforts to identify the specific individuals involved in the incident,
22 including making multiple requests for the investigation report(s) relating to the subject incident
23 from the Los Angeles Police Department; however, Plaintiffs have been unsuccessful in obtaining
24 any report and have been advised by the aforementioned entities that it is contrary to the policies
25 and procedures of the Los Angeles Police Department and Homicide Bureau to release investigative
26 reports on open and active cases and, to the extent such records do exist, these records are included
27 in investigatory or security files of a local law enforcement agency and are exempt from disclosure,
28 based on, but not limited to the following authorities: California Constitution, Article 1, Section 1;
Government Code §§ 6254(f) and 6255.

1 OF LOS ANGELES and/or the Defendant LOS ANGELES POLICE DEPARTMENT to perform
2 the duties and responsibilities of a sworn police officer of and for these defendants, and all acts
3 hereinafter complained of were performed by each of them within the course and scope of his duties
4 as a police officer, deputy and official. Defendants DOES 1 through 10 are sued herein in their
5 individual capacity and in their official capacity as a police officer, deputy, sergeant, captain and/or
6 as other employee of Defendants CITY OF LOS ANGELES and the LOS ANGELES POLICE
7 DEPARTMENT.

8 10. At all times relevant herein, Defendant DOES 11 through 25, were supervisors,
9 employees and/or policy makers for Defendant CITY OF LOS ANGELES and/or LOS ANGELES
10 POLICE DEPARTMENT, which employed unlawful, organized and illegal customs and practices
11 of use of excessive force and unlawful and unjustified shootings. Said misconduct was encouraged,
12 tolerated and condoned by Defendants, and each of them.

13 11. Defendant BURLINGTON STORES INC. (hereinafter "BURLINGTON") is an out-
14 of-state corporation regularly doing business in California with a location at 12121 Victory Blvd,
15 North Hollywood, CA 91606. On December 23, 2021, Defendant BURLINGTON and DOES 25-
16 50, owned, controlled, secured, managed, operated the store located at 12121 Victory Boulevard,
17 North Hollywood, California.

18 12. At all times relevant hereto, Defendant DOES 1 through 10 and DOES 11 through
19 25, and each of them, were acting within the course and scope of their employment and under color
20 of law as officers, officers, sergeants, captains, commanders, and/or civilian employees of
21 Defendant LOS ANGELES POLICE DEPARTMENT, a department and/or a subdivision of
22 Defendant CITY OF LOS ANGELES and at all times were acting with permission and consent of
23 their co-Defendants. Said Defendants, and each of them, were specifically authorized by Defendant
24 CITY OF LOS ANGELES and/or the LOS ANGELES POLICE DEPARTMENT to perform the
25 duties and responsibilities of sworn police officers and/or officers of and for the CITY OF LOS
26 ANGELES, and all acts hereinafter complained of were performed by them within the course and
27 scope of their duties as police officers, officers and officials for said Defendant, and its police
28 department, and are herein sued in their individual capacities and in their official capacities as police

1 officers, officers, sergeants, captains, commanders, supervisors, policy makers and/or as other
2 employees of Defendants CITY OF LOS ANGELES and the LOS ANGELES POLICE
3 DEPARTMENT. Said Defendants, and each of them, at all times relevant hereto, were acting under
4 color of law, to wit, under the color of the statutes, ordinances, regulations, policies, customs,
5 practices and usages of Defendant CITY OF LOS ANGELES, and/or the LOS ANGELES POLICE
6 DEPARTMENT.

7 13. At all times relevant to the present complaint, Defendant DOES 1 through 25,
8 inclusive, were acting within their capacity as employees, agents, representatives and servants of
9 Defendants CITY OF LOS ANGELES and/or LOS ANGELES POLICE DEPARTMENT which
10 are liable under the doctrine of *respondeat superior*, pursuant to Sections 815.2, 820 and 825 of the
11 California *Government Code*, et al.

12 14. Defendants CITY OF LOS ANGELES and/or LOS ANGELES POLICE
13 DEPARTMENT encouraged, assisted, ratified, and/or with deliberate indifference failed to prevent
14 all of the acts and omissions herein alleged against the defendants, and each of them.

15 15. Plaintiffs are ignorant of the true names and capacities of Defendants sued herein as
16 DOES 1 through 50, inclusive, and therefore sue these Defendants by such fictitious names. The
17 full extent of the facts linking such fictitiously sued Defendants is unknown to Plaintiffs. Plaintiffs
18 will amend this complaint to allege said Defendants' true names and capacities when such are
19 ascertained. Plaintiffs are informed and believe and thereon allege, that each of the fictitiously
20 named Defendants are responsible in some manner for the occurrences herein alleged, and that
21 Plaintiffs' damages as herein alleged were proximately caused by the acts and/or omissions of said
22 fictitiously name Defendants.

23 16. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned
24 herein, Defendants and DOES 1 through 50, inclusive, and each of them, were agents, servants,
25 employees, successors in interest, and/or joint venturers of their co-Defendants, and were, as such,
26 acting within the course, scope, and authority of said agency, employment, and/or venture, and that
27 each and every Defendant, as aforesaid, when acting as a principal, was negligent in the selection
28 and hiring, training, and supervision of each and every other Defendant as an agent, servant,

1 employee, successor in interest, and/or joint venturer.

2 17. On March 14, 2022, Plaintiff SOLEDAD PERALTA, individually, and as Successor-
3 in-Interest to the ESTATE OF VALENTINA ORELLANA PERALTA presented a Claim for
4 Damages pursuant to, and in substantial compliance with, California *Government Code* § 910, for
5 damages sustained as a result of the incident alleged herein, a true and correct copy of which is
6 attached hereto as **Exhibit 1**. On April 1, 2022, the CITY OF LOS ANGELES denied the claim. A
7 true and correct copy of the denial is attached as **Exhibit 2**.

8 18. On May 17, 2022, Plaintiff JUAN PABLO ORELLANA LARENA, presented a
9 Claim for Damages pursuant to, and in substantial compliance with, California *Government Code* §
10 910 for damages sustained as a result of the incident alleged herein, a true and correct copy of which
11 is attached and marked as **Exhibit 3**. On June 13, 2022, the CITY OF LOS ANGELES denied the
12 claim. A true and correct copy of the denial is attached hereto and marked as **Exhibit 4**.

13 19. On December 23, 2021, Decedent VALENTINA ORELLANA PERALTA was shot
14 and killed by Defendant WILLIAM DORSEY JONES JR. and/or DOES 1 through 10, who were
15 employed and working within the course and scope of their employment as officers of the LOS
16 ANGELES POLICE DEPARTMENT, CITY OF LOS ANGELES, and DOES 11-25, inclusive,
17 while she was shopping with her mother, Plaintiff SOLEDAD PERALTA, at the BURLINGTON
18 store, located at 12121 Victory Blvd., North Hollywood, CA 91606 (hereinafter "SUBJECT
19 PROPERTY"). The present action arises from these facts.

20 20. On said date, Decedent VALENTINA ORELLANA PERALTA and Plaintiff
21 SOLEDAD PERALTA were in the store's dressing room, when they heard a commotion in the store.
22 Suddenly and without warning, several loud explosions rang out and Decedent VALENTINA
23 ORELLANA PERALTA and Plaintiff SOLEDAD PERALTA were thrown to the ground. The large
24 explosions were in fact gunshots that had been fired from a high-powered rifle by Defendant
25 WILLIAM DORSEY JONES JR. and/or DOES 1 through 10, who were employed and working
26 within the course and scope of their employment as officers of the LOS ANGELES POLICE
27 DEPARTMENT, CITY OF LOS ANGELES and DOES 11-25 and at least one of rounds had ripped
28 through the dressing room wall and struck Decedent VALENTINA ORELLANA PERALTA,

1 causing profound injuries which subsequently proved fatal. According to the coroner records, the
2 bullet entered through the left side of Decedent's chest and subsequently passed through her
3 diaphragm, spleen, left lung, aorta and right lung. At the time of her death, Decedent VALENTINA
4 ORELLANA PERALTA was only 14-years-old. Her death has been ruled a homicide by the Los
5 Angeles County Coroner's Office.

6 21. Unbeknownst to Plaintiff SOLEDAD PERALTA and Decedent VALENTINA
7 ORELLANA PERALTA, earlier that morning, Daniel Elena-Lopez had entered the BURLINGTON
8 store located at 12121 Victory Blvd, North Hollywood, CA 91606 and had exhibited erratic behavior
9 which was witnessed by Defendant BURLINGTON'S staff. Despite his erratic behavior, Mr. Lopez
10 was allowed to stay in the store. As time progressed, Mr. Lopez's behavior escalated, and he became
11 aggressive and violent toward customers. Nonetheless, Defendant BURLINGTON staff permitted
12 Mr. Lopez to remain in the store and made no effort to address his increasingly violent and erratic
13 behavior or warn any of the customers inside the store that they may be in danger. Unchecked, Mr.
14 Lopez's actions continued to escalate, and he subsequently attacked a store patron with a bicycle
15 lock, causing serious injuries. Despite there being no question at this point that store patrons were
16 in danger, Defendant BURLINGTON employees failed to use the store intercom or otherwise to
17 advise store patrons or warn the customers in the back of the store of the developing situation. As a
18 result of the forgoing, including Defendant BURLINGTON's negligent failure to create, devise,
19 implement, and/or execute a plan for evacuating the store in case of emergency and/or its failure to
20 provide its employees with proper training, supervision, direction regarding evacuation of the store,
21 Plaintiff and Plaintiffs' decedent were not warned of the danger and remained in the store.

22 22. Thereafter, officers of the LOS ANGELES POLICE DEPARTMENT, including
23 Defendant WILLIAM DORSEY JONES JR., entered the store and, despite knowing that the store
24 had not been evacuated and that civilians were still inside, recklessly discharged a department-issued
25 firearm, a high-powered AR-15 assault rifle, without warning at Daniel Elena Lopez, who was
26 neither armed with a firearm nor in the act of inflicting physical injury upon anyone. At least one of
27 the rounds from the firearm discharged by Defendant WILLIAM DORSEY JONES JR.'s and/or
28 DOES 1 through 10, went through the wall into the dressing room where Decedent VALENTINA

1 ORELLANA PERALTA and Plaintiff SOLEDAD PERALTA were located.

2 23. After the shooting, the officers delayed obtaining any medical assistance for either
3 Decedent VALENTINA ORELLANA PERALTA or Plaintiff SOLEDAD PERALTA, which was
4 corroborated by witnesses reported that the defendant officers failed to request immediate medical
5 assistance or take necessary life-saving measures. Instead, as VALENTINA ORELLANA
6 PERALTA lay on the floor dying, several officers were seen walking into the dressing room,
7 offering no aid, to see her body on the ground.

8 24. As her daughter lay on the ground fighting for her life, Plaintiff SOLEDAD
9 PERALTA was ordered to exit the dressing room and wait outside. For what seemed like an
10 eternity, Plaintiff SOLEDAD PERALTA waited outside without being provided any information
11 whatsoever regarding her daughter's condition and was not told that her daughter had already
12 expired. Nor was she offered any medical attention for her own injuries.

13 25. The manner in which the LOS ANGELES POLICE DEPARTMENT officers
14 handled the situation by failing to ensure bystanders were not in danger and then negligently and
15 recklessly opening fire in such a manner as to shoot Decedent VALENTINA ORELLANA
16 PERALTA, an innocent bystander, violated all of the policies and procedures of the LOS
17 ANGELES POLICE DEPARTMENT and applicable use of force standards of care. These
18 violations led directly to the tragic death of VALENTINA ORELLANA PERALTA.

19 26. The CITY OF LOS ANGELES and the LOS ANGELES POLICE DEPARTMENT
20 negligently and poorly trained, hired, supervised and retained the officers that ultimately fired
21 numerous rounds at or in the general vicinity of Daniel Elena Lopez which ended up killing
22 Plaintiffs' decedent. Moreover, the LOS ANGELES POLICE DEPARTMENT supervisors were
23 negligent in their control and direction of the tactics utilized by the officers at the scene.
24 Additionally, the CITY OF LOS ANGELES and the LOS ANGELES POLICE DEPARTMENT,
25 and all of their employees and sworn officers, were negligent in the hiring, training, selection,
26 retention, and discipline of the officers involved in the shooting, as well as the employees who
27 trained the involved officers throughout their careers, from the academy to the date in question.

28 27. More importantly, within the LOS ANGELES POLICE DEPARTMENT, there was

1 and exists a custom, policy and practice, whether express or implied, oral or written, that allowed
 2 all of the conduct outlined in this Complaint and that fostered an environment that allowed and
 3 permitted this shooting to occur, all creating liability under the laws of the State of California, the
 4 Constitution of the State of California, the laws of the United States, and the United States
 5 Constitution.

6 28. Decedent VALENTINA ORELLANA PERALTA endured pain and suffering
 7 caused by Defendants, and each of them, acts and/or admissions prior to her death. Pursuant
 8 California Code of Civil Procedure section 377.34, Plaintiff SOLEDAD PERALTA seek damages,
 9 as decedent's successors in interest according to California Code of Civil Procedure section 377.11
 10 and decedent's heirs at law, for VALENTINA ORELLANA PERALTA'S pain and suffering prior
 11 to her death.

12 **FIRST CAUSE OF ACTION**

13 **Wrongful Death – Negligence**

14 **(By Plaintiffs SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS**

15 **Against Defendants CITY OF LOS ANGELES; LOS ANGELES POLICE DEPARTMENT;**
 16 **WILLIAM DORSEY JONES JR. and DOES 1-25)**

17 29. Plaintiff s repeat and re-allege each and every allegation in paragraphs 1 through 28
 18 of this Complaint with the same force and effect as if fully set forth herein.

19 30. Plaintiffs are informed, believe, and thereon allege that, at all times relevant and
 20 mentioned herein, Defendants CITY OF LOS ANGELES; LOS ANGELES POLICE
 21 DEPARTMENT; WILLIAM DORSEY JONES JR. and DOES 1-25, and each of them, owed a duty
 22 of care to all reasonably foreseeable people, including Plaintiffs SOLEDAD PERALTA and JUAN
 23 PABLO ORELLANA LARENAS and Decedent VALENTINA ORELLANA PERALTA, to carry
 24 out their law enforcement duties in a reasonable manner, including the use of any firearms or any
 25 force whatsoever.

26 31. Defendants WILLIAM DORSEY JONES JR. , DOES 1 through 10, while working
 27 as officers of the LOS ANGELES POLICE DEPARTMENT, and acting within the course and scope
 28 of their duties, intentionally and/or negligently, and without due care, shot VALENTINA

1 ORELLANA PERALTA. As a result, Plaintiff VALENTINA ORELLANA PERALTA suffered
2 serious injuries, and ultimately died. Said defendants had no legal justification for this shooting, and
3 said defendants' use of force against VALENTINA ORELLANA PERALTA was negligent and an
4 unreasonable use of force.

5 32. Plaintiffs are informed, believes, and thereon alleges that, at all times relevant and
6 mentioned herein, Defendants CITY OF LOS ANGELES, LOS ANGELES POLICE
7 DEPARTMENT, and DOES 1 through 25, and each of them, carelessly and negligently carried out
8 their law enforcement duties, and particularly used their firearms in a reckless way wherein they
9 shot and killed VALENTINA ORELLANA PERALTA, a member of the community that posed no
10 threat of harm to the LOS ANGELES POLICE DEPARTMENT officers at the time she was shot.

11 33. Plaintiffs are informed, believe, and thereon allege that, at all times relevant and
12 mentioned herein, said careless, negligent, reckless, and unlawful conduct by Defendants and DOES
13 1 through 25, and each of them, was the direct, legal and proximate cause of the death of
14 VALENTINA ORELLANA PERALTA, and the resulting damages to Plaintiff SOLEDAD
15 PERALTA and JUAN PABLO ORELLANA LARENAS herein alleged.

16 34. As a direct and proximate result of said defendants' conduct as alleged above,
17 VALENTINA ORELLANA PERALTA died. Plaintiff SOLEDAD PERALTA and JUAN PABLO
18 ORELLANA LARENAS has been deprived of the life-long comfort, support, society, and care of
19 VALENTINA ORELLANA PERALTA, and will continue to be so deprived for the remainder of
20 her natural life.

21 35. Defendants CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT,
22 and DOES 11-25 are vicariously liable for the wrongful acts of Defendants DOES 1 through 10,
23 pursuant to California *Government Code* § 815.2 which provides that a public entity is liable for the
24 injuries caused by its employees within the scope of the employment if the employee's act would
25 subject him or her to liability.

26 36. Plaintiffs are further informed, believe, and thereon allege that, at all times relevant
27 and mentioned herein, Defendants CITY OF LOS ANGELES and the LOS ANGELES POLICE
28 DEPARTMENT owed a duty of care to all reasonably foreseeable people, including Plaintiffs

1 SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS and Decedent VALENTINA
2 ORELLANA PERALTA, to reasonably hire, select, retain, and discipline their police officers.
3 Plaintiff is informed and believes, and thereon alleges that, at all times relevant and mentioned
4 herein, Defendants CITY OF LOS ANGELES and the LOS ANGELES POLICE DEPARTMENT
5 owed a duty of care to all reasonable foreseeable people, including Plaintiff SOLEDAD PERALTA
6 and JUAN PABLO ORELLANA LARENAS and Decedent VALENTINA ORELLANA
7 PERALTA, to reasonably train and supervise their police officers to carry out their law enforcement
8 duties, including particularly, the use of any firearms or any force whatsoever, in a reasonable
9 manner.

10 37. Plaintiffs are further informed, believe, and thereon allege that, at all times relevant
11 and mentioned herein, Defendants CITY OF LOS ANGELES and the LOS ANGELES POLICE
12 DEPARTMENT breached these duties by failing to adequately train and supervise their officers in
13 the use of force. In fact, police officers at the scene were negligently and poorly trained, were
14 negligently and poorly hired, were negligently and poorly supervised (both at the scene and before),
15 and were negligently retained. Moreover, the CITY OF LOS ANGELES and the LOS ANGELES
16 POLICE DEPARTMENT supervisors at the scene negligently handled the situation and were
17 negligent in their control and direction of the tactics and the officers at the scene. Additionally, the
18 CITY OF LOS ANGELES and the LOS ANGELES POLICE DEPARTMENT, and all their
19 employees and sworn officers, were negligent in the hiring, training, supervision, retention, and
20 disciplining of the officers involved in the shooting, as well as the officers who trained the involved
21 officers throughout their careers, from the academy to the date in question.

22 38. Defendants further breached their duty in that the LOS ANGELES POLICE
23 DEPARTMENT officers who were at the scene of the subject incident, including Defendants and
24 DOES 1 through 10, and each of them, have a history of improper uses of force and improperly
25 discharging their firearms, and yet were never disciplined, or were not disciplined properly, and
26 were never trained or re-trained properly, and were never removed from service.

27 39. Defendants further breached their duty because within the LOS ANGELES POLICE
28 DEPARTMENT, there was a custom, policy and practice, whether express or implied, oral or

1 written, that allowed all of the conduct outlined in this claim to occur and that allowed this tragic
2 shooting of VALENTINA ORELLANA PERALTA to occur.

3 40. At the time of the shooting of VALENTINA ORELLANA PERALTA by said
4 defendants, Defendants CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT and
5 DOES 11 through 25 negligently and carelessly had in place, and had ratified, policies, procedures,
6 customs and practices which permitted and encouraged their officers to shoot persons unjustifiably,
7 unreasonably and in violation of their civil rights.

8 41. As a direct and proximate result of the aforesaid negligent conduct of the Defendants,
9 and DOES 1 through 25, and each of them, and the resultant death of VALENTINA ORELLANA
10 PERALTA, Plaintiffs SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS have
11 sustained damages resulting from the loss of love, affection, society, service, comfort, support, right
12 of support, expectations of future support and counseling, companionship, solace and mental
13 support, as well as other benefits and assistance, of the Decedent, all to their general damages.

14 42. As a direct and proximate result of the aforesaid negligent conduct of the Defendants,
15 and DOES 1 through 50, and each of them, and the resultant death of VALENTINA ORELLANA
16 PERALTA, Plaintiffs SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS will be
17 deprived of the financial support and assistance of Decedent VALENTINA ORELLANA
18 PERALTA, and have incurred funeral and burial expenses.

19 43. The aforementioned acts of Defendants CITY OF LOS ANGELES, LOS ANGELES
20 POLICE DEPARTMENT, WILLIAM DORSEY JONES JR. and DOES 1-25, and each of them,
21 were done by them knowingly, intentionally, and maliciously, in conscious disregard for the safety
22 of the public including Decedent VALENTINA ORELLANA PERALTA, and in reckless, wanton
23 and callous disregard of her safety and security. VALENTINA ORELLANA PERALTA survived
24 for a period of time and, therefore, suffered extreme physical and mental pain prior to her horrible
25 death. Plaintiff therefore claims exemplary and punitive damages from the individual Defendants in
26 an amount according to proof at trial in excess of the jurisdictional minimum of this court.

27 ///

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SECOND CAUSE OF ACTION

Wrongful Death – Negligence

**(By Plaintiffs SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS
Against Defendants BURLINGTON STORES INC. and DOES 26-50, INCLUSIVE)**

44. Plaintiffs repeat and re-allege each and every allegation in paragraphs 1 through 43 of this Complaint with the same force and effect as if fully set forth herein.

45. Plaintiffs are informed, believe and thereon allege that, at all times mentioned herein, Defendant BURLINGTON and DOES 26 through 50, inclusive, owed a duty of care to all reasonably foreseeable people, including Decedent VALENTINA ORELLANA PERALTA, as well as Plaintiffs SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS, to own, lease, manage, maintain, occupy, operate, control, entrust, and service the Burlington Store located 12121 Victory Blvd, North Hollywood, CA 91606.

46. Plaintiffs are informed, believe and thereon allege that, at all times mentioned herein, Defendants BURLINGTON and DOES 26 through 50, inclusive, carelessly, negligently, and recklessly owned, leased, managed, maintained, controlled, entrusted, serviced and operated the SUBJECT PROPERTY. Specifically, on the day of the SUBJECT INCIDENT, Daniel Elena-Lopez exhibited erratic behavior which was witnessed by Defendant BURLINGTON'S staff. Despite his erratic behavior, Mr. Lopez was allowed to stay in the store where he remained near the entrance escalators. As time progressed, Mr. Lopez's behavior escalated and became aggressive and violent toward customers. Despite his actions and behavior, Mr. Lopez was allowed to remain in the store. Mr. Lopez attacked a patron and began beating her with a bicycle lock, causing serious injuries. During the attack, Defendant BURLINGTON employees failed to advise, or use the intercom system to warn, the customers in the back of the store of the developing situation. Defendant BURLINGTON failed to create, devise, implement, and/or execute a plan for evacuating the store in case of emergency and failed to provide its employees with proper training, supervision, direction regarding evacuation of the store. As a result, Plaintiff SOLEDAD PERALTA and Decedent VALENTINA ORELLANA PERALTA remained in the store during the altercation between Defendant CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT, WILLIAM

1 DORSEY JONES JR. thereby causing Plaintiffs to suffer severe and permanent injuries.

2 47. Plaintiffs are informed, believe and thereon allege that, the negligent, reckless, and
3 unlawful conduct of Defendants BURLINGTON and DOES 26 through 50, inclusive, in regards to
4 the ownership, lease, management, maintenance, control, entrustment, service, construction and
5 operation of the SUBJECT PROPERTY, was the direct, legal, and proximate cause of the injuries
6 and damages to Plaintiffs as herein alleged.

7 48. As a direct and proximate result of the aforesaid negligent conduct of the Defendants,
8 and DOES 26 through 50, and each of them, and the resultant death of VALENTINA ORELLANA
9 PERALTA, Plaintiffs SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS have
10 sustained damages resulting from the loss of love, affection, society, service, comfort, support, right
11 of support, expectations of future support and counseling, companionship, solace and mental
12 support, as well as other benefits and assistance, of the Decedent, all to their general damages.

13 49. As a direct and proximate result of the aforesaid negligent conduct of the Defendants,
14 and DOES 25 through 50, and each of them, and the resultant death of VALENTINA ORELLANA
15 PERALTA, Plaintiffs SOLEDAD PERALTA and JUAN PABLO ORELLANA LARENAS will be
16 deprived of the financial support and assistance of Decedent VALENTINA ORELLANA
17 PERALTA, and have incurred funeral and burial expenses.

18 **THIRD CAUSE OF ACTION**

19 **Negligent Infliction of Emotional Distress**

20 **(By Plaintiff SOLEDAD PERALTA and Against All Defendants)**

21 50. Plaintiffs re-allege and incorporate herein by reference each and every allegation and
22 statement contained in the prior paragraphs.

23 51. Plaintiff SOLEDAD PERALTA is the mother of minor Decedent VALENTINA
24 ORELLANA PERALTA.

25 52. On the date and time of the SUBJECT INCIDENT, Plaintiff SOLEDAD PERALTA
26 was in the dressing room with Decedent and was in a close proximity and was within the zone of
27 danger to the injury-producing event. At such time and place, Plaintiff SOLEDAD PERALTA
28 personally witnessed her beloved daughter be shot before her eyes and witnessed her daughter

1 visibly suffering severe and ultimately fatal injuries after being violently shot by Defendants. In
2 particular, Plaintiff SOLEDAD PERALTA was fully aware that her daughter, Decedent
3 VALENTINA ORELLANA PERALTA, suffered severe and ultimately fatal injuries, which she
4 contemporaneously witnessed and heard, and which were legally, directly, and proximately caused
5 by Defendants CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT, WILLIAM
6 DORSEY JONES JR., BURLINGTON and DOES 1 through 100, inclusive, and each of them.

7 53. As a direct, legal and proximate result of contemporaneously perceiving the
8 SUBJECT INCIDENT, Plaintiff SOLEDAD PERALTA suffered and continues to suffer severe
9 emotional distress, trauma anguish, fright, horror, nervousness, grief, anxiety, worry, and shock far
10 beyond that which would be anticipated in a disinterested witness, and beyond that with which an
11 ordinary, reasonable person would be able to cope.

12 54. The careless, negligent, and reckless and unlawful conduct of the Defendants and
13 DOES 1 through 50, inclusive, was a substantial factor in causing Plaintiff SOLEDAD PERALTA
14 serious emotional distress.

15 55. Plaintiff SOLEDAD PERALTA has sought, and will continue to seek indefinitely,
16 counseling and treatment as a direct and proximate result of the severe emotional distress she has
17 suffered, and will continue to suffer for the unforeseen future.

18 56. Plaintiff SOLEDAD PERALTA is further informed, believes, and thereupon alleges
19 that by reason of her injuries, both physical and emotional, she will necessarily incur additional like
20 expenses for an indefinite period of time in the future, the exact amount of which expenses will be
21 stated according to proof pursuant to California Code of Civil Procedure section 425.10.

22 **PRAYER FOR DAMAGES**

23 WHEREFORE, Plaintiffs request relief as follows, and according to proof, against each
24 Defendant:

25 1. General and compensatory damages in an amount according to proof against all
26 Defendants, including damages for Decedent's pre-death pain and suffering;

27 2. Exemplary and punitive damages against Defendant WILLIAM DORSEY JONES
28 JR. in an amount according to proof;

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- 3. Funeral and burial expenses against all Defendants;
- 4. Loss of household services and other special damages in an amount according to proof against all Defendants;
- 5. Costs of suit and prejudgment interest as awardable by law, against all Defendants;
- 6. Such other relief as may be warranted or as is just and proper.

DATED: July 14, 2022

PANISH | SHEA | BOYLE | RAVIPUDI LLP

By: 

Rahul Ravipudi
Attorneys for Plaintiffs

1 **DEMAND FOR TRIAL BY JURY**

2 Plaintiffs, THE ESTATE OF VALENTINA ORELLANA PERALTA by and through its
3 Successor-In-Interest, SOLEDAD PERALTA; SOLEDAD PERALTA, individually; and as
4 Successor-in-Interest to VALENTINA ORELLANA PERALTA,; JUAN PABLO ORELLANA
5 LARENA, hereby demands trial by jury as to all causes of action.

6 DATED: July 14, 2022

PANISH | SHEA | BOYLE | RAVIPUDI LLP

7
8 By: 

9 _____
10 Rahul Ravipudi
11 Attorneys for Plaintiffs
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28

EXHIBIT 1

1 PANISH | SHEA | BOYLE | RAVIPUDI LLP
 RAHUL RAVIPUDI, State Bar No. 204519
 2 ravipudi@psblaw.com
 PAUL A. TRAINA, State Bar No. 155805
 3 traina@psblaw.com
 ERIKA CONTRERAS, State Bar No. 260230
 4 contreras@psblaw.com
 JOHN W. SHALLER, State Bar No. 276084
 5 shaller@psblaw.com
 11111 Santa Monica Boulevard, Suite 700
 6 Los Angeles, California 90025
 Telephone: 310.477.1700
 7 Facsimile: 310.477.1699

8 Attorneys for Claimant SOLEDAD PERALTA
 individually, and as Successor-in-Interest to
 9 VALENTINA ORELLANA PERALTA

10

11

SUPERIOR COURT OF THE STATE OF CALIFORNIA

12

COUNTY OF LOS ANGELES, CENTRAL DISTRICT

13

14 SOLEDAD PERALTA, individually, and as
 Successors in Interest to VALENTINA
 15 ORELLANA PERALTA,

16

Claimant,

17

v.

18

CITY OF LOS ANGELES, and DOES 1
 19 through 50,

19

Respondents.

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22

Pursuant to the provisions of sections 905 and 910 *et seq.* of the California Government
 23 Code, demand is hereby made by Claimant against the City of Los Angeles, and DOES 1 through
 24 50, inclusive, in an amount in excess of the minimum jurisdictional limits of the Superior Court of
 25 the State of California. In support of this claim, the following information is submitted:

26

1. Section 910(a); Name and Address of Claimant:

27

Soledad Peralta, individually, and as a successor in interest to Valentina Orellana Peralta.

28

Claimant should be contacted solely through her counsel:

GOVERNMENT CLAIM FOR DAMAGES

**[PURSUANT TO GOVERNMENT CODE
 §§ 905 AND 910, et seq.]**

1 PANISH | SHEA | BOYLE | RAVIPUDI LLP, Rahul Ravipudi, Paul Traina, Erika Contreras
2 and John Shaller, 11111 Santa Monica Boulevard, Suite 700, Los Angeles, California 90025,
3 310.477.1700 (phone), 310.477.1699 (fax), ravipudi@psblaw.com; traina@psblaw.com;
4 contreras@psblaw.com; shaller@psblaw.com.

5 **2. Section 910(b); The Post Address to Which the Person Presenting the Claim**
6 **Desires Notices to be Sent:**

7 PANISH | SHEA | BOYLE | RAVIPUDI LLP, Rahul Ravipudi, Paul Traina, Erika Contreras
8 and John Shaller, 11111 Santa Monica Boulevard, Suite 700, Los Angeles, California 90025,
9 310.477.1700 (phone), 310.477.1699 (fax), ravipudi@psblaw.com; traina@psblaw.com;
10 contreras@psblaw.com; shaller@psblaw.com.

11 **3. Section 910(c); The Date, Place and Other Circumstances of the Occurrence or**
12 **Transaction Which Gave Rise to the Claim Asserted:**

13 This is a general description only. Some details are not now known by the Claimant at this
14 time, but rather, only known by those against whom this claim is made. Claimant, therefore,
15 expressly reserves the right to amend this claim, or to amend the pleadings during the course of
16 litigation when information is learned.

17 On or about December 23, 2021, at approximately 11:45 a.m., 14-year-old Valentina
18 Orellana Peralta (hereinafter "decedent") was shot and killed by a Los Angeles Police Department
19 officer while she and her mother, Claimant Soledad Peralta, were in a fitting room trying on dresses
20 at Burlington, a department store in North Hollywood, located at 12121 Victory Boulevard
21 (hereinafter "the store"). On that morning, Los Angeles Police Department (hereinafter "LAPD")
22 officers, including Officer William Dorsey Jones Jr., and other LAPD officers (currently
23 unidentified) arrived at the subject location.

24 Based on information and belief, before and upon arrival, the officers were advised that a
25 man was suspected of assaulting customers with a bike lock inside the store. Based on information
26 and belief, the LAPD officers, upon their arrival and before entering the store, were advised that
27 there were customers and store employees still in the store. Based on information and belief, the
28 assailant was confronted by numerous LAPD officers (the exact number is unknown at this time)

1 on the second floor of the store. Based on information and belief, at the time the LAPD officers
2 confronted the assailant, the LAPD officers knew and understood that the assailant was carrying a
3 red bike lock, was moving away from the officers, and did not pose a risk of imminent injury or
4 death to the officers or any other person. At the time of the confrontation, the LAPD officers knew
5 and understood that assailant did not have a gun or any firearm whatsoever. Based on information
6 and belief, one of the officers, identified by the LAPD as Officer William Dorsey Jones, Jr., using
7 lethal force, fired 3 independent shots from a military assault rifle. Based on information and belief,
8 one of the shots fired from an LAPD officer, missed the assailant, and penetrated a fitting room
9 wall, striking Valentina Orellana Peralta. At the time that Valentina Orellana Peralta was shot, she
10 was being held by her mother Soledad Peralta, who felt her daughter's body go limp and watched
11 helplessly as her daughter died while still in her arms.

12 Based on information and belief, the assailant was identified as Daniel Elena-Lopez. Based
13 on information and belief, at no time after the officers saw and confronted Daniel Elena-Lopez, did
14 he pose an immediate threat or pose a risk of imminent injury or death to the officers or any other
15 person. Additionally, based on information and belief, the manner in which the LAPD officers
16 conducted their rapid-fire tactical operation in the store was negligent and reckless and constituted
17 an unjustifiable, unreasonable and excessive use of force, which left two unarmed civilians,
18 including Valentina Orellana Peralta, a 14-year-old girl, dead. On further information and belief,
19 the tactics used by the LAPD were in violation of recognized standards within the law enforcement
20 community, constituted an unjustifiable excessive use of force, were negligent and were reckless,
21 and resulted in a needless loss of life.

22 Furthermore, based on information and belief, the City of Los Angeles and the Los Angeles
23 Police Department negligently and poorly trained, hired, supervised, and retained the officers that
24 were involved in the shooting of Valentina Orellana Peralta. In addition, at the scene, the Los
25 Angeles Police Department supervisors negligently handled the operation in that they, among other
26 things, were negligent in their control and direction of the tactics utilized by the officers. Based on
27 information and belief, the City of Los Angeles and the Los Angeles Police Department, and all of
28 their employees and sworn officers, were negligent in the hiring, training, selection, retention, and

1 discipline of the officers involved in the shooting, as well as the employees who trained the involved
2 officers throughout their careers, from the academy to the date in question.

3 Based on information and belief, within the Los Angeles Police Department, there was and
4 exists a custom, policy, and practice, whether express or implied, oral or written, that allowed all of
5 the conduct outlined in this claim and that fostered an environment that allowed and permitted this
6 shooting to occur, all creating liability under the laws of the State of California, the Constitution of
7 the State of California, the laws of the United States, and the United States Constitution.

8 On information and belief, the Los Angeles Police Department officers interfered by threats,
9 intimidation, and/or coercion with Valentina Orellana Peralta's exercise and enjoyment of her rights
10 secured by the Constitutions of the United States and the State of California, and under Civil Code
11 section 52.1, commonly known as the Bane Act. This also included Valentina Orellana Peralta's
12 right to be secure in her person and free from the use of excessive force, the right of protection from
13 bodily restraint and harm, the right to due process, and equal protection. The officers violated
14 Valentina Orellana Peralta's rights while in the course and scope of their employment for the City
15 of Los Angeles and Los Angeles Police Department.

16 Additionally, based on information and belief, the officer(s) from the Los Angeles Police
17 Department committed the intentional tort of battery against Valentina Orellana Peralta under the
18 doctrine of transferred intent, as the officers unlawfully fired at least 3 shots at Daniel Elena-Lopez
19 with the intent to commit a battery against him, at least one of which hit Valentina Orellana Peralta
20 instead. Moreover, on further information and belief, because the decision to employ deadly force
21 against Daniel Elena-Lopez was unreasonable as a matter of law, the actions of the officer(s) from
22 the Los Angeles Police Department were necessarily unreasonable as to Valentina Orellana Peralta
23 and constituted a battery.

24 At the time of the service of this claim, the vast majority of details are not now known to the
25 claimant, but rather, only known by those against whom this claim is made. Claimant, therefore,
26 expressly reserves the right to amend this claim, or to amend the pleadings during the course of
27 litigation when information is learned. Claimant will pursue all state law theories allowed by the
28 government code, as well as all constitutional theories under the California and United States

1 Constitutions, as well as all theories allowed under federal law.

2 **4. Section 910(d); A General Description of the Indebtedness, Obligation, Injury,**
3 **Damages or Loss Incurred So Far As It May Be Known At the Time of**
4 **Presentation of the Claim:**

5 Claimant includes the general description of indebtedness, obligation, injury, and damages
6 as set forth above. In addition, Claimant Soledad Peralta is the decedent's surviving mother. For the
7 wrongful death of her daughter, Claimant will seek noneconomic damages, including the loss of
8 Valentina Orellana Peralta's love, companionship, comfort, care, assistance, protection, affection,
9 society, and moral support, as well as the economic damages outlined in CACI 3922, which include
10 the value of the financial support that Valentina Orellana Peralta would have contributed to the
11 family; the loss of gifts or benefits that Claimant could have expected to receive from Valentina
12 Orellana Peralta; funeral and burial expenses; and the reasonable value of household services that
13 Valentina Orellana Peralta would have provided.

14 As Successor-in-Interest to Valentina Orellana Peralta, Claimant Soledad Peralta further
15 seeks all damages available in a survival action, including punitive damages, and damages relating
16 to Valentina Orellana Peralta's pre-death injuries and pre-death pain, suffering, anxiety, and
17 emotional distress pursuant to the newly amended Code of Civil Procedure § 377.34.

18 Claimant Soledad Peralta was present at the time Valentina Orellana Peralta was shot and
19 contemporaneously observed the immediate resulting injuries and subsequent death of her daughter.
20 As a direct and proximate result of contemporaneously observing these injury causing events to her
21 daughter, Claimant Soledad Peralta suffered serious emotional distress and trauma far beyond that
22 which would be anticipated in a disinterested witness, and continues to suffer anxiety, nervousness,
23 depression, and severe emotional distress. Accordingly, Claimant Soledad Peralta will seek damages
24 for negligent infliction of emotional distress.

25 In addition, Claimant seeks all damages under the Bane Act, including, but not limited to,
26 attorneys' fees. Claimant also requests punitive damages as to the officer(s) involved in the shooting
27 and resulting death of Valentina Orellana Peralta.

28 The totality of the damages suffered is not now known but said damages exceed the

1 jurisdictional limits of the Superior Court. This is NOT a civil limited case.

2 **5. Section 910(e); The Name or Names of the Public Employee or Employees**
 3 **Causing the Injury, Damage, or Loss, If Known:**

4 Claimant does not know all of the names of the specific Los Angeles Police Department
 5 officers and/or individuals involved or implicated in this claim. The Los Angeles Police Department
 6 has identified the Officer that shot and killed Valentina Orellana Peralta as William Dorsey Jones,
 7 Jr.

8 In addition, this claim is brought against the City of Los Angeles, the Los Angeles Police
 9 Department, and all of the officers on the scene and all of their supervisors, trainers, and hirers, as
 10 well as everyone responsible for their initial hiring, training, retraining, being allowed to carry a
 11 firearm, and being allowed at the scene. This claim is also brought against those creating policy,
 12 monitoring policy, enforcing policy, and training on policy.

13 **6. Names, Addresses and Telephone Numbers of Witnesses:**

14 At the time of the filing of this claim, the investigative report and coroner's reports have not
 15 been made available to Claimant and upon receipt of the fully completed reports it is anticipated
 16 that names and contact information of additional witnesses will be available. Notwithstanding,
 17 Claimant believes the following are likely witnesses at this time:

18 Los Angeles Police Department personnel including but not limited to William Dorsey
 19 Jones, Jr.;

20 Individuals affiliated with the Los Angeles County Medical Examiner and Coroner's office;

21 As yet unidentified first responders and law enforcement personnel/investigators who
 22 responded to the incident scene; and

23 Claimant Soledad Peralta, as well as friends and family, all of whom are witnesses to
 24 Claimant's damages.

25 **7. Section 910(f); The Amount Claimed:**

26 None stated pursuant to Government Code section 910(f). This is NOT a limited civil
 27 case. Jurisdiction belongs in the Superior Court as an unlimited jurisdictional case and exceeds its
 28 jurisdictional limits.

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8. Reservation of Right to Amend and/or Supplement Claim:

Claimant reserves the right to amend and/or supplement this claim for damages, including asserting new theories of liability or causes of action, upon discovery of new or additional information or facts. Claimant reserves the right to supplement or amend these claims as discovery proceeds in this matter. These claims are being made on the best information currently available to Claimant's counsel and Claimant should not be prejudiced because the respondents will not share information.

DATED: March 14, 2022

PANISH | SHEA | BOYLE | RAVIPUDI LLP


By: 
Rahul Ravipudi
Attorneys for Claimant SOLEDAD PERALTA
individually, and as Successor-in-Interest to
VALENTINA ORELLANA PERALTA

EXHIBIT 2



MICHAEL N. FEUER
CITY ATTORNEY

April 1, 2022

Panish | Shea | Boyle | Ravipudi LLP
11111 Santa Monica Blvd., Suite 700
Los Angeles, CA 90025

RE: Our Claim No.: **C22-07004**
Your Client/Insured: **Soledad Peralta**
Date of Loss: **12/23/2021**

Dear Sir/Madam:

The subject claim against the City has been referred to this office.

After reviewing the circumstances of the claim and the applicable law, it has been determined that the claim should be denied.

This letter represents a formal notice to you that said claim has been denied. In view of this action, we are required by law to give you the following warning:

*****WARNING*****

"Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action alleging state causes of action. The time within which federal causes of action must be filed is governed by federal statutes."

"You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately."

Very truly yours,

Brian Sam
Chief Investigator

BRSAM : ROLAU
Telephone: 213-978-7081
Enclosure(s)

PROOF OF SERVICE BY MAIL

I, Rosa Lau, declare as follows:

I am over the age of 18 years and not a party to this action. My business address is 200 North Main Street, Room 600, City Hall East, Los Angeles, California 90012, which is located in the county where the mailing described below took place.

I am readily familiar with the business practice at my place of business for collection and processing correspondence for mailing via the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

On April 1, 2022, at my place of business at Los Angeles, California, I mailed a Denial Letter for Claim Number C22-07004 by placing it, with postage thereon fully prepaid, for collection and mailing via the United States mail addressed as follows:

Panish | Shea | Boyle | Ravipudi LLP
11111 Santa Monica Blvd., Suite 700
Los Angeles, CA 90025

I declare under penalty of perjury that the following is true and correct. Executed on April 1, 2022, at Los Angeles, California.



Rosa Lau

EXHIBIT 3

1 PANISH | SHEA | BOYLE | RAVIPUDI LLP
 RAHUL RAVIPUDI, State Bar No. 204519
 2 ravipudi@psblaw.com
 PAUL A. TRAINA, State Bar No. 155805
 3 traina@psblaw.com
 ERIKA CONTRERAS, State Bar No. 260230
 4 contreras@psblaw.com
 JOHN W. SHALLER, State Bar No. 276084
 5 shaller@psblaw.com
 11111 Santa Monica Boulevard, Suite 700
 6 Los Angeles, California 90025
 Telephone: 310.477.1700
 7 Facsimile: 310.477.1699

8 Attorneys for Claimant SOLEDAD PERALTA
 individually, and as Successor-in-Interest to
 9 VALENTINA ORELLANA PERALTA and
 JUAN PABLO ORELLANA LARENAS
 10

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 12 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

14 JUAN PABLO ORELLANA LARENAS

15 Claimant,

16 v.

17 CITY OF LOS ANGELES, and DOES 1
 18 through 50,

19 Respondents.
 20

GOVERNMENT CLAIM FOR DAMAGES

**[PURSUANT TO GOVERNMENT CODE
 §§ 905 AND 910, et seq.]**

21
 22 Pursuant to the provisions of sections 905 and 910 *et seq.* of the California Government
 23 Code, demand is hereby made by Claimant against the City of Los Angeles, and DOES 1 through
 24 50, inclusive, in an amount in excess of the minimum jurisdictional limits of the Superior Court of
 25 the State of California. In support of this claim, the following information is submitted:

26 **1. Section 910(a); Name and Address of Claimant:**

27 Juan Pablo Orellana Larenas. Claimant should be contacted solely through her counsel:

28 PANISH | SHEA | BOYLE | RAVIPUDI LLP, Rahul Ravipudi, Paul Traina, Erika Contreras

1 and John Shaller, 11111 Santa Monica Boulevard, Suite 700, Los Angeles, California 90025,
2 310.477.1700 (phone), 310.477.1699 (fax), ravipudi@psblaw.com; traina@psblaw.com;
3 contreras@psblaw.com; shaller@psblaw.com.

4 **2. Section 910(b); The Post Address to Which the Person Presenting the Claim**
5 **Desires Notices to be Sent:**

6 PANISH | SHEA | BOYLE | RAVIPUDI LLP, Rahul Ravipudi, Paul Traina, Erika Contreras
7 and John Shaller, 11111 Santa Monica Boulevard, Suite 700, Los Angeles, California 90025,
8 310.477.1700 (phone), 310.477.1699 (fax), ravipudi@psblaw.com; traina@psblaw.com;
9 contreras@psblaw.com; shaller@psblaw.com.

10 **3. Section 910(c); The Date, Place and Other Circumstances of the Occurrence or**
11 **Transaction Which Gave Rise to the Claim Asserted:**

12 This is a general description only. Some details are not now known by the Claimant at this
13 time, but rather, only known by those against whom this claim is made. Claimant, therefore,
14 expressly reserves the right to amend this claim, or to amend the pleadings during the course of
15 litigation when information is learned.

16 On or about December 23, 2021, at approximately 11:45 a.m., 14-year-old Valentina
17 Orellana Peralta (hereinafter "decedent") was shot and killed by a Los Angeles Police Department
18 officer while she and her mother, Claimant Soledad Peralta, were in a fitting room trying on dresses
19 at Burlington, a department store in North Hollywood, located at 12121 Victory Boulevard
20 (hereinafter "the store"). On that morning, Los Angeles Police Department (hereinafter "LAPD")
21 officers, including Officer William Dorsey Jones Jr., and other LAPD officers (currently
22 unidentified) arrived at the subject location.

23 Based on information and belief, before and upon arrival, the officers were advised that a
24 man was suspected of assaulting customers with a bike lock inside the store. Based on information
25 and belief, the LAPD officers, upon their arrival and before entering the store, were advised that
26 there were customers and store employees still in the store. Based on information and belief, the
27 assailant was confronted by numerous LAPD officers (the exact number is unknown at this time)
28 on the second floor of the store. Based on information and belief, at the time the LAPD officers

1 confronted the assailant, the LAPD officers knew and understood that the assailant was carrying a
2 red bike lock, was moving away from the officers, and did not pose a risk of imminent injury or
3 death to the officers or any other person. At the time of the confrontation, the LAPD officers knew
4 and understood that assailant did not have a gun or any firearm whatsoever. Based on information
5 and belief, one of the officers, identified by the LAPD as Officer William Dorsey Jones, Jr., using
6 lethal force, fired 3 independent shots from a military assault rifle. Based on information and belief,
7 one of the shots fired from an LAPD officer, missed the assailant, and penetrated a fitting room
8 wall, striking Valentina Orellana Peralta. At the time that Valentina Orellana Peralta was shot, she
9 was being held by her mother Soledad Peralta, who felt her daughter's body go limp and watched
10 helplessly as her daughter died while still in her arms.

11 Based on information and belief, the assailant was identified as Daniel Elena-Lopez. Based
12 on information and belief, at no time after the officers saw and confronted Daniel Elena-Lopez, did
13 he pose an immediate threat or pose a risk of imminent injury or death to the officers or any other
14 person. Additionally, based on information and belief, the manner in which the LAPD officers
15 conducted their rapid-fire tactical operation in the store was negligent and reckless and constituted
16 an unjustifiable, unreasonable and excessive use of force, which left two unarmed civilians,
17 including Valentina Orellana Peralta, a 14-year-old girl, dead. On further information and belief,
18 the tactics used by the LAPD were in violation of recognized standards within the law enforcement
19 community, constituted an unjustifiable excessive use of force, were negligent and were reckless,
20 and resulted in a needless loss of life.

21 Furthermore, based on information and belief, the City of Los Angeles and the Los Angeles
22 Police Department negligently and poorly trained, hired, supervised, and retained the officers that
23 were involved in the shooting of Valentina Orellana Peralta. In addition, at the scene, the Los
24 Angeles Police Department supervisors negligently handled the operation in that they, among other
25 things, were negligent in their control and direction of the tactics utilized by the officers. Based on
26 information and belief, the City of Los Angeles and the Los Angeles Police Department, and all of
27 their employees and sworn officers, were negligent in the hiring, training, selection, retention, and
28 discipline of the officers involved in the shooting, as well as the employees who trained the involved

1 officers throughout their careers, from the academy to the date in question.

2 Based on information and belief, within the Los Angeles Police Department, there was and
3 exists a custom, policy, and practice, whether express or implied, oral or written, that allowed all of
4 the conduct outlined in this claim and that fostered an environment that allowed and permitted this
5 shooting to occur, all creating liability under the laws of the State of California, the Constitution of
6 the State of California, the laws of the United States, and the United States Constitution.

7 On information and belief, the Los Angeles Police Department officers interfered by threats,
8 intimidation, and/or coercion with Valentina Orellana Peralta's exercise and enjoyment of her rights
9 secured by the Constitutions of the United States and the State of California, and under Civil Code
10 section 52.1, commonly known as the Bane Act. This also included Valentina Orellana Peralta's
11 right to be secure in her person and free from the use of excessive force, the right of protection from
12 bodily restraint and harm, the right to due process, and equal protection. The officers violated
13 Valentina Orellana Peralta's rights while in the course and scope of their employment for the City
14 of Los Angeles and Los Angeles Police Department.

15 Additionally, based on information and belief, the officer(s) from the Los Angeles Police
16 Department committed the intentional tort of battery against Valentina Orellana Peralta under the
17 doctrine of transferred intent, as the officers unlawfully fired at least 3 shots at Daniel Elena-Lopez
18 with the intent to commit a battery against him, at least one of which hit Valentina Orellana Peralta
19 instead. Moreover, on further information and belief, because the decision to employ deadly force
20 against Daniel Elena-Lopez was unreasonable as a matter of law, the actions of the officer(s) from
21 the Los Angeles Police Department were necessarily unreasonable as to Valentina Orellana Peralta
22 and constituted a battery.

23 At the time of the service of this claim, the vast majority of details are not now known to the
24 claimant, but rather, only known by those against whom this claim is made. Claimant, therefore,
25 expressly reserves the right to amend this claim, or to amend the pleadings during the course of
26 litigation when information is learned. Claimant will pursue all state law theories allowed by the
27 government code, as well as all constitutional theories under the California and United States
28 Constitutions, as well as all theories allowed under federal law.

1 **4. Section 910(d); A General Description of the Indebtedness, Obligation, Injury,**
2 **Damages or Loss Incurred So Far As It May Be Known At the Time of**
3 **Presentation of the Claim:**

4 Claimant includes the general description of indebtedness, obligation, injury, and damages
5 as set forth above. In addition, Claimant Juan Pablo Orellana Larenas is the decedent's surviving
6 father. For the wrongful death of his daughter, Claimant will seek noneconomic damages, including
7 the loss of Valentina Orellana Peralta's love, companionship, comfort, care, assistance, protection,
8 affection, society, and moral support, as well as the economic damages outlined in CACI 3922,
9 which include the value of the financial support that Valentina Orellana Peralta would have
10 contributed to the family; the loss of gifts or benefits that Claimant could have expected to receive
11 from Valentina Orellana Peralta; funeral and burial expenses; and the reasonable value of household
12 services that Valentina Orellana Peralta would have provided.

13 In addition, Claimant seeks all damages under the Bane Act, including, but not limited to,
14 attorneys' fees. Claimant also requests punitive damages as to the officer(s) involved in the shooting
15 and resulting death of Valentina Orellana Peralta.

16 The totality of the damages suffered is not now known but said damages exceed the
17 jurisdictional limits of the Superior Court. This is NOT a civil limited case.

18 **5. Section 910(e); The Name or Names of the Public Employee or Employees**
19 **Causing the Injury, Damage, or Loss, If Known:**

20 Claimant does not know all of the names of the specific Los Angeles Police Department
21 officers and/or individuals involved or implicated in this claim. The Los Angeles Police Department
22 has identified the Officer that shot and killed Valentina Orellana Peralta as William Dorsey Jones,
23 Jr.

24 In addition, this claim is brought against the City of Los Angeles, the Los Angeles Police
25 Department, and all of the officers on the scene and all of their supervisors, trainers, and hirers, as
26 well as everyone responsible for their initial hiring, training, retraining, being allowed to carry a
27 firearm, and being allowed at the scene. This claim is also brought against those creating policy,
28 monitoring policy, enforcing policy, and training on policy.

1 **6. Names, Addresses and Telephone Numbers of Witnesses:**

2 At the time of the filing of this claim, the investigative report and coroner's reports have not
3 been made available to Claimant and upon receipt of the fully completed reports it is anticipated
4 that names and contact information of additional witnesses will be available. Notwithstanding,
5 Claimant believes the following are likely witnesses at this time:

6 Los Angeles Police Department personnel including but not limited to William Dorsey
7 Jones, Jr.;

8 Individuals affiliated with the Los Angeles County Medical Examiner and Coroner's office;

9 As yet unidentified first responders and law enforcement personnel/investigators who
10 responded to the incident scene; and

11 Claimant Juan Pablo Orellana Larenas, as well as friends and family, all of whom are
12 witnesses to Claimant's damages.

13 **7. Section 910(f); The Amount Claimed:**

14 None stated pursuant to Government Code section 910(f). This is NOT a limited civil case.
15 Jurisdiction belongs in the Superior Court as an unlimited jurisdictional case and exceeds its
16 jurisdictional limits.

17 **8. Reservation of Right to Amend and/or Supplement Claim:**

18 Claimant reserves the right to amend and/or supplement this claim for damages, including
19 asserting new theories of liability or causes of action, upon discovery of new or additional
20 information or facts. Claimant reserves the right to supplement or amend these claims as discovery
21 proceeds in this matter. These claims are being made on the best information currently available to
22 Claimant's counsel and Claimant should not be prejudiced because the respondents will not share
23 information.

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DATED: May 17, 2022

PANISH | SHEA | BOYLE | RAVIPUDI LLP

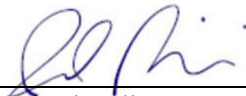
By: 
Rahul Ravipudi
Attorneys for Claimant SOLEDAD PERALTA
individually, and as Successor-in-Interest to
VALENTINA ORELLANA PERALTA

EXHIBIT 4



MICHAEL N. FEUER
CITY ATTORNEY

June 13, 2022

RAVIPUDI LLP.
11111 Santa Monica Blvd., Ste. 700
Los Angeles, CA 90025

RE: Our Claim No.: C22-20186
Your Client/Insured: Juan Pablo Orellana Larenas
Date of Loss: 12/23/2021

Dear Sir/Madam:

The subject claim against the City has been referred to this office.

After reviewing the circumstances of the claim and the applicable law, it has been determined that the claim should be denied.

This letter represents a formal notice to you that said claim has been denied. In view of this action, we are required by law to give you the following warning:

*****WARNING*****

"Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action alleging state causes of action. The time within which federal causes of action must be filed is governed by federal statutes."

"You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately."

Very truly yours,

Brian Sam
Chief Investigator

BRSAM : DMORA
Telephone: 213-978-7081
Enclosure(s)

PROOF OF SERVICE BY MAIL

I, Diana Moran, declare as follows:


I am over the age of 18 years and not a party to this action. My business address is 200 North Main Street, Room 600, City Hall East, Los Angeles, California 90012, which is located in the county where the mailing described below took place.

I am readily familiar with the business practice at my place of business for collection and processing correspondence for mailing via the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

On June 13, 2022, at my place of business at Los Angeles, California, I mailed a Denial Letter for Claim Number C22-20186 by placing it, with postage thereon fully prepaid, for collection and mailing via the United States mail addressed as follows:

Rahul Ravipudi
11111 Santa Monica Blvd, Ste. 700
Los Angeles, CA 90025

I declare under penalty of perjury that the following is true and correct. Executed on June 13, 2022, at Los Angeles, California.



Diana Moran