C26-03042

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Attorneys for Claimant

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CITY OF LOS ANGELES

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CHRISTOPHER FERNANDEZ,

Claimant,

v.

CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT, CHIEF OF POLICE JIM McDONNELL, and DOES 1-100,

Respondents.

CLAIM FOR DAMAGES PURSUANT TO § 910 OF THE CALIFORNIA GOVERNMENT CODE

This claim for damages is filed pursuant to Cal. Gov't Code § 910.

1. **Name of Claimant**: Christopher Fernandez.

2. **Where Notices to Be Sent**: The Law Offices of John Burton, 128 North Fair Oaks Avenue, Pasadena, California 91103.

3. **Description of Occurrence from Which Claim Arises:.**

Claimant is a registered nurse regularly employed in a local intensive care unit. On June 14, 2025, while off duty, he prepared a medical aid cart and attended the massive "No Kings" demonstration in front of Los Angeles City Hall. He had registered with the national No Kings organization. Tens of thousands of people assembled to peacefully demonstrate against policies of the current presidential administration. Similar demonstration occurred throughout the United States, with estimates of total participants ranging in the millions.

Claimant arrived around 11 am. He wore headgear with a white cross on it. His cart also had a white cross, clearly identified as a first aid station. He set up near the front steps of City Hall, the Southeast corner of Spring Street and Temple Street. Until about 4:00 p.m. there were thousands of people, but not much need for medical attention. He handed out water, sun block and a few band-aids for blisters. The event was entirely peaceful.

After 4:00 p.m., as the demonstration was beginning to wind down and some people were leaving, LAPD officers formed scrimmage lines and fired tear gas and projectiles at demonstrators. Claimant put on a respirator and treated bloody wounds, including head injuries, one right after the next. Sometime after 4:00 but, he believes, before 4:30, as Claimant was moving away from the LAPD officers to create a safe zone to treat patients, he was shot on the outside of the left thigh, slightly above the knee, with a 40mm projectile. A huge piece of his flesh was ripped off and the wound began bleeding profusely. Someone helped him bandage his leg so he could remain and help others after he was shot. It was like a war zone.

Claimant was able to drive home. His friend then drove him to the Kaiser Emergency Room on Sunset Boulevard. He was there for several hours while the wound was debrided and dressed. He has had follow up appointments because of issues with the wound healing, including more painful debridement, and psychological trauma from being shot. Claimant has missed at least a month of work at his own hospital.

The actions of the LAPD during this incident and at other demonstrations in June 2025 violated multiple provisions of Cal. Penal § 16352. Chemical agents and less-lethal projectiles were used where multiple provisions of subdivision (b) were not satisfied. Aside from whether the officers "received training on their proper use by the Commission on Peace Officer Standards and Training for crowd control," their use was not "objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control." In addition, the following provisions were violated:

(b)(1) Objectively reasonable deescalation techniques and other alternatives to force were not attempted.

(b)(2) Objectively reasonable, repeated, audible announcements were not made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used.

(b)(3) Persons, including Claimant, were not given an objectively reasonable opportunity to disperse and leave the scene.

(b)(4) No objectively reasonable effort was made to identify persons, if any, engaged in "violent acts" for targeting. Instead projectiles were aimed at people indiscriminately, including Claimant.

(b)(5) The kinetic energy projectiles and chemical agents were not used with a frequency and intensity, and in a manner proportional to an essentially non-existent threat.

(b)(6) The LAPD officers made no meaningful effort to minimize the possible incidental impact of their 40mm projectiles and chemical agents on bystanders, medical personnel such as Claimant, journalists and other unintended targets. (Claimant does not know whether he was an intended target.)

(b)(8) The City did not provide medical assistance to Claimant, although it was reasonable and safe to do so.

This list is illustrative and not comprehensive.

Although setting forth legal theories is not a requirement of § 910, Claimant has acquired claims under the federal Civil Rights Act (42 U.S.C. § 1983) and various state statutes and common-law torts including, without limitation, the Bane Act (Cal. Civ. Code § 52.1), assault, battery, negligence, and breach of mandatory duty. Attacking a demonstrator while in the lawful performance of First-Amendment activities gives Claimant a direct claim under Article I, § 2 of the California Constitution, and violates the right to be free from excessive force guaranteed by Article I, § 13 of the California Constitution, and the right to bodily integrity guaranteed by Cal. Civ. Code § 43.

4. **Description of Injuries**: Claimant suffered trauma. Claimant has accrued medical expenses and lost work and income. The physical and emotional injuries persist. Claimant has suffered and will continue to suffer great physical, emotional and mental pain, anguish, fright, nervousness, anxiety, shock, humiliation, indignity, embarrassment, and apprehension, which have caused, and will continue to cause, Claimant to sustain special and general damages in a sum to be determined, but in excess of the limited jurisdiction of the Superior Court.

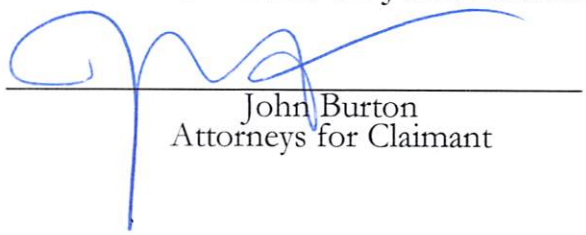
5. **Identity of Public Employees Involved**: Claimant is presently only aware of the identity of Los Angeles Police Department Chief of Police Jim McDonnell.

6. **Estimate of Claim**: Claimant has not yet ascertained the amount of money necessary to compensate him for the injuries sustained. Claimant sustained damages in an amount greater than the limited jurisdiction of the Superior Court.

7. **Deficiency in Claim:** If you contend this claim fails to comply with any requirement of Cal. Gov't Code § 910 or § 910.2, you are required to provide written notice of the insufficiency pursuant to Cal. Gov't Code § 910.8.

Dated: July 16, 2025

THE LAW OFFICES OF JOHN BURTON



John Burton
Attorneys for Claimant

PROOF OF SERVICE BY MAIL

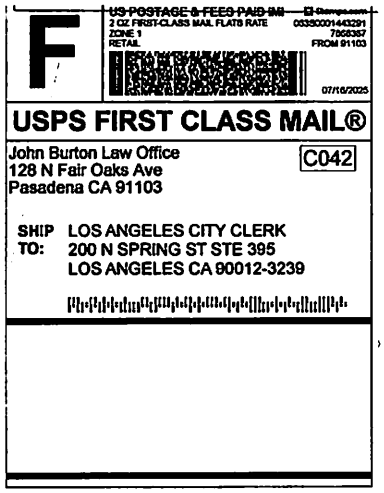
I declare, under penalty of perjury, as follows:

I am over the age of eighteen years and am not a party to the within action. My business address is 128 North Fair Oaks Avenue, Pasadena, California. On the date set forth below, I served the foregoing Claim for Damages Pursuant to § 910 of the California Government Code on the interested parties by placing a true copy thereof in a sealed envelope with first-class postage paid thereon and depositing the same in the United States Mail at Pasadena, California, addressed as follows:

LOS ANGELES CITY CLERK
200 North Spring Street, Room 395
Los Angeles, CA 90012

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 16, 2025, at Pasadena, California.

Sandy Leonardis



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