

1 Mary Haffner (SBN #143442)  
2 Matthew Haffner (SBN # 143254)  
3 **HAFFNER LAW GROUP**  
4 86 S. Laurel Street  
5 Ventura, California 93001  
6 Telephone Number: (805) 641-9334  
7 Facsimile Number: (805) 980-5014  
8 Email: *mhaffner@haffnerlawgroup.com*

9 Attorneys for Plaintiff,  
10 MICHELLE SAREMI

VENTURA  
SUPERIOR COURT  
FILED

JAN 08 2020

MICHAEL D. PLANET  
Executive Officer and Clerk  
BY: \_\_\_\_\_, Deputy  
**CRISTAL V. ALVAREZ**

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **COUNTY OF VENTURA**

13 MICHELLE SAREMI,  
14 Plaintiff,  
15 v.  
16 CONEJO VALLEY UNIFIED SCHOOL  
17 DISTRICT and DOES 1-50, Inclusive,  
18 Defendants.

Case No.: 56-2020-00538697-CU-OE-VTA

**COMPLAINT FOR DAMAGES,  
INJUNCTIVE AND DECLARATORY  
RELIEF:**

1. Unlawful Discrimination on the Basis of Association with LGBT and/or Gender Non-Conforming Individuals (*Gov. Code §12940(a)*);
2. Unlawful Harassment on the Basis of Association with LGBT and/or Gender Non-Conforming Individuals (*Gov. Code §12940(j)*);
3. Unlawful Discrimination on the Basis of Religious Affiliation (*Gov. Code §12921(a)*);
4. Unlawful Retaliation in Violation of FEHA (*Gov. Code §12940(h)*);
5. Failure to Prevent Discrimination in Violation of FEHA (*Gov. Code §12940(k)*);
6. Failure to Prevent Harassment in Violation of FEHA (*Gov. Code §12940(k)*);
7. Unlawful Retaliation for Advising Pupils Concerning Proper Exercise of Their Free Speech Rights (*Ed. Code § 48907(g)*);
8. Negligent Training and/or Supervision;

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**9. Taxpayer Action for Declaratory and  
Injunctive Relief; and,  
10. Intentional Infliction of Emotional  
Distress  
JURY TRIAL DEMANDED**

COMES NOW, Plaintiff MICHELLE SAREMI (hereinafter "SAREMI") for causes of  
action against Defendant CONEJO VALLEY UNIFIED SCHOOL DISTRICT (hereinafter  
"CVUSD") and, DOES 1-50, alleging:

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**JURISDICTION AND VENUE**

1. Plaintiff Michelle SAREMI is a resident of the County of Ventura, State of  
California. Defendant CVUSD is a K-12 public school district serving Thousand Oaks,  
Newbury Park, and Westlake, headquartered in the city of Thousand Oaks, County of  
Ventura, State of California. Venue is proper in this judicial district, pursuant to *C.C.P.*  
*§395(a)* and *Government Code §12965(b)*, and the amounts in controversy exceed this  
court's jurisdictional minimum. All acts and omissions giving rise to liability are alleged to  
have occurred in the County of Ventura, State of California.

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**PARTIES**

2. Plaintiff Michelle SAREMI is an individual and a taxpayer over eighteen years of  
age who, at all relevant times, resided in the County of Ventura, State of California.

3. Defendant CVUSD is a public entity, a K-12 public school district, located in the  
County of Ventura, State of California. Newbury Park High School (hereinafter "NPHS")  
is comprehensive high school in the CVUSD, operated and managed by the CVUSD, and  
is the location where Ms. SAREMI was, and still is, an employee of CVUSD at all of the  
times of the events alleged in this complaint.

4. The true names and capacities, whether individual, corporate, associate, or

1 otherwise, of defendants sued herein as Does 1 through 50, inclusive, are currently  
2 unknown to Ms. SAREMI, who therefore sues such defendants by such fictitious names.  
3 Ms. SAREMI is informed and believes, and on that basis alleges, that each of the  
4 defendants designated herein as a DOE defendant is legally responsible in some manner  
5 for the unlawful acts and omissions alleged herein, and that Ms. SAREMI's injuries were  
6 caused by the conduct of each such defendant. Ms. SAREMI will seek leave of court to  
7 amend this Complaint to reflect the true names and capacities of the defendants  
8 designated hereinafter as DOE defendants, when such defendants' identities become  
9 known.  
50 known.

11 5. Ms. SAREMI is informed and believes, and thereupon alleges, that at all times  
12 material herein, each of the defendants was the agent or employee of, and/or working in  
13 concert with his/her co-defendants and was acting within the course and scope of such  
14 agency, employment, and/or concerted activity. Plaintiff SAREMI alleges that to the  
15 extent certain acts and omissions were perpetrated by certain defendants, the remaining  
16 defendant or defendants confirmed and ratified said acts and omissions.  
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18 6. Whenever and wherever reference is made in this complaint to any act or  
19 failure to act by a defendant or defendants, such allegations and references shall also be  
20 deemed to mean the acts and failure to act of each defendant acting individually, jointly,  
21 or severally.  
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1 **INTRODUCTION**

2 7. At all times herein, Plaintiff Michelle SAREMI was an employee of the  
3 CVUSD. She began working for the CVUSD in 2007, at NPHS as an English teacher.  
4 Her principal at that time, Athol Wong, asked her to also teach Intro Journalism and  
5 Advanced Journalism. In 2012, in addition to her other duties, Ms. SAREMI agreed to  
6 accept the position of Yearbook Advisor. Ms. Wong told Ms. SAREMI that she would be  
7 the best person to lead that position.

8 8. In her 13 years of employment in the CVUSD, Ms. SAREMI has taught both Intro  
9 Journalism and Advanced Journalism, Yearbook, English 9CP (three years), English  
10 11CP(10 years), and English 11IB (3 years). Ms. SAREMI's current schedule is  
11 Advanced Journalism, Intro Journalism, English 11 CP, and Yearbook. Ms. SAREMI  
12 considers NPHS to be her second home and she has always tried to create a place in her  
13 classroom, and on the NPHS campus, where all students feel comfortable and safe. Ms.  
14 SAREMI believes that students should be able to come into a classroom and feel at  
15 home and accepted so that they can focus on learning and be successful. Ms. SAREMI  
16 is respected by the staff at NPHS and understands the importance of acknowledging the  
17 work of every administrator, teacher, counselor, and classified staff member on campus  
18 because she believes that success is nothing without inclusion and kindness.

19 9. As the Journalism Advisor, Ms. SAREMI oversaw the work of the student  
20 journalists who published the NPHS newspaper and magazine, *The Panther Prowler*. In  
21 2014, *The Panther Prowler* won a Pacemaker award for its annual special magazine  
22 edition. A Pacemaker is the highest of honors that can be awarded to a high school for  
23 student journalism. Over the past 13 years, *The Panther Prowler* has received many  
24 awards and accolades under the supervision of Ms. SAREMI.

25 10. Prior to the actions of CVUSD and DOES 1-50, inclusive, as described below,  
26 Ms. SAREMI's entire tenure at the CVUSD was one of accolades and positive  
27 recognition. All of her performance reviews were stellar, she never received any  
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1 complaints regarding her teaching, and she never received any disciplinary action or  
2 recommendations for improvement. Ms. SAREMI was considered and treated as an  
3 excellent teacher and advisor with an outstanding reputation among students, staff,  
4 parents, and administration. It was only after the actions of defendant CVUSD and DOES  
5 1-50, inclusive, as alleged herein, that she experienced, and continues to experience  
6 harassment, retaliation, intimidation, and discrimination.

7 11. From February, 2015, to the present, Ms. SAREMI has been subjected to  
8 retaliation, harassment, and intimidation by CVUSD and DOES 1-50, inclusive, through  
9 its administration, staff, and certain school board members as a result of her unwavering  
50 stance in supporting and upholding her students' First Amendment right to publish  
11 articles in *The Panther Prowler*. The retaliation, harassment, and intimidation to which  
12 Ms. SAREMI has been, and continues to be, subjected is part of a pattern and practice  
13 by the CVUSD and DOES 1-50, inclusive, through its administration, staff, and certain  
14 school board members to attempt suppress and censor student speech in violation of the  
15 law. Specifically, the CVUSD and DOES 1-50, inclusive, through its administration, staff,  
16 and certain school board members consistently disapprove of *The Panther Prowler*  
17 articles that address the issues of sexuality, the FAIR Act, and the LGBTQ+ community  
18 to include LGBTQ+ rights, gender identity, gender expression, and gender pronouns.

19 12. CVUSD, through its administration, staff, and certain school board members,  
20 and DOES 1-50, inclusive, and a vocal contingent of the community affiliated with and  
21 enlisted by certain school board members, have stated both publicly and privately (in  
22 communications to include emails and public school board meetings), that articles  
23 discussing sexuality, the FAIR Act and curriculum aimed at educating students about  
24 gender pronouns, gender identity, gender expression, the contributions of the LGBTQ+  
25 community and LGBTQ+ rights, differ from their religious and personal views and are an  
26 affront to their religious values and beliefs. This contingent of the community, to include  
27 certain school board members, has expressed, both privately and publicly, an extreme  
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1 anti-LGBTQ+ agenda and CVUSD, through its actions, has allowed this anti-LGBTQ+  
2 agenda to seep into and influence CVUSD's decisions, harming CVUSD students and  
3 staff, to include Ms. SAREMI. CVUSD through its administration, staff, and certain  
4 school board members, the vocal community affiliated with and enlisted by certain school  
5 board members, and DOES 1-50, inclusive, retaliated against and harassed Ms. SAREMI  
6 throughout the course of 4.8 years based on their disgust with the contents of certain  
7 articles published by *The Panther Prowler* and, beginning in February of 2015, demanded  
8 that certain articles be retracted and taken off *The Panther Prowler* website.

9 13. Ms. SAREMI fully supported publication of her students' articles and  
10 encouraged her students to write articles that were relevant and timely and that were of  
11 interest to students, as long as those articles did not contain information that was  
12 obscene, libelous, slanderous, or that incited students as to create a clear and present  
13 danger of the commission of unlawful acts on school premises, as provided in *Education*  
14 *Code § 48907(a)*. As a result of Ms. SAREMI's support of these articles, she was  
15 subjected to a continuous pattern and practice of retaliation and harassment perpetrated  
16 by defendants.

17 14. CVUSD's actions evidence that it acceded to the demands of the very vocal  
18 contingent of school board and community members who sought to censor the articles  
19 because they did not comport with their religious beliefs and values. There is a  
20 concerted attempt by some, to include certain CVUSD school board members and the  
21 vocal community affiliated with and enlisted by certain school board members to mold  
22 public school districts to comport with their religious beliefs. When public school districts  
23 bow to this pressure and endorse and ratify the words and actions of this vocal  
24 contingent through their own words and actions, the casualties do not consist only of  
25 student rights abridgment; teachers and others who vow to uphold student rights and the  
26 secular requirement of public education also are harmed. Ms. SAREMI, the environment  
27 in which she worked, and her health and reputation, all suffered as a result of the ongoing  
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1 retaliation and harassment she endured as a result of her support of the articles and her  
2 students' First Amendment rights. CVUSD's acceding to pressure has resulted in the  
3 subversion of students' First Amendment rights and has served to produce a chilling  
4 effect on the publishing of timely and relevant articles in *The Panther Prowler*. Ms.  
5 SAREMI has continued to display courage in standing strong for her students' First  
6 Amendment rights, even in the face of intense backlash, retaliation, harassment,  
7 humiliation, and intimidation perpetrated by CVUSD, through its administration, staff, and  
8 certain school board members and DOES 1-50, inclusive.

9         15. From approximately February, 2017, to the present, Ms. SAREMI has been  
10 retaliated against, harassed, intimidated, and discriminated against as a result of her  
11 support of appropriate implementation of the FAIR Act, her support of LGBTQ+ rights,  
12 and her association with CVUSD's LGBTQ+ students and her support of the larger  
13 LGBTQ+ community in the Conejo Valley. Ms. SAREMI continues to unwaveringly  
14 support the rights of students who identify as LGBTQ+. As a result, Ms. SAREMI  
15 continues to experience great backlash, retaliation, harassment, and discrimination  
16 because CVUSD, through its administration, staff, and certain school board members,  
17 has engaged in a pattern and practice of failing to support the LGBTQ+ students and the  
18 publication of *The Panther Prowler* articles that contain information about LGBTQ+  
19 issues. In addition, CVUSD's actions evidence that it has acceded to the demands of  
20 the very vocal contingent of school board and community members who have demanded  
21 unlawful and illegal censorship of materials and articles that do not comport with their  
22 religious beliefs and values. This acceding to pressure has resulted in discrimination  
23 against LGBTQ+ students and Ms. SAREMI who has clearly associated herself with the  
24 LGBTQ+ community at CVUSD.

25         16. From approximately February, 2015, to the present, CVUSD and DOES 1-50,  
26 inclusive, have also discriminated against Ms. SAREMI based upon her perceived  
27 religious beliefs. She has been labeled a "secular humanist" by CVUSD and DOES 1-50,  
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1 inclusive and, as a result, she continues to experience harassment and retaliation.  
2 Emails and other communications known to and ratified by CVUSD and DOES 1-50,  
3 inclusive, refer to Ms. SAREMI in a derogatory and demeaning way, labeling her as a  
4 “secular humanist” who does not care about children, morals or ethics. These  
5 communications by defendants state that Ms. SAREMI is “brainwashing” and  
6 “indoctrinating” her students with her secular humanism approach to teaching. CVUSD  
7 and DOES 1-50, inclusive have attempted to destroy Ms. SAREMI’s reputation and  
8 speak about her in a derogatory, demeaning and humiliating way, all as a result of their  
9 discrimination against her based upon her perceived religion.

10           17. In approximately early 2017, CVUSD became embroiled in a controversy  
11 regarding the attempted censorship of books; books that the vocal community and certain  
12 school board members considered “pornographic” and inappropriate for students. Ms.  
13 SAREMI was vocal regarding her concerns about censorship and she made it clear that  
14 she did not believe that books should be removed from the curriculum merely because  
15 some people do not believe the content is appropriate, or if people dislike ideas  
16 contained in the books.

17           18. Nevertheless, throughout the above-mentioned ongoing campaign against her,  
18 Ms. SAREMI was, and continues to be, a highly respected and highly valued teacher,  
19 mentor and colleague to the vast majority of students, parents, and staff at NPHS. These  
20 students, their parents, and community members have written numerous emails and  
21 letters in support of Ms. SAREMI and her principled stance on upholding the First  
22 Amendment rights of her journalism students and her principled stance in supporting the  
23 historically underrepresented and unsupported population of students who identify as  
24 LGBTQ+.

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1 **GENERAL FACTUAL ALLEGATIONS**

2 19. The CVUSD, as a public education institution, has a duty to uphold state and  
3 federal laws they relate to public education and is charged with following the Education  
4 Code and curriculum guidelines adopted by the State of California. In 2008, the  
5 California State Senate passed Senate Bill 1370, a bill making it illegal for California high  
6 school and college administrators, or schools boards, to retaliate against employees for  
7 defending students' First Amendment free speech rights. Senate Bill 1370, the  
8 "*Journalism Teacher Protection Act*," was authored and passed, in part, after statewide  
9 reports of journalism advisers, teachers, and professors being removed from their  
10 positions for refusing to comply with administrators' demands to censor stories, or stop  
11 critical coverage from publication in student newspapers.

12 20. According to *Education Code § 48907*, students of public education in  
13 California shall have the right to exercise freedom of speech and of the press, including  
14 the distribution of printed materials or petitions, the wearing of buttons, badges, and other  
15 insignia, and the right of expression in official publications, whether or not the  
16 publications or other means of expression are supported financially by the school or by  
17 use of school facilities, except that expression shall be prohibited which is obscene,  
18 libelous, or slanderous. An employee shall not be dismissed, suspended, disciplined,  
19 reassigned, transferred, or otherwise retaliated against solely for acting to protect a  
20 student engaged in the conduct authorized by *§ 48907*.

21 21. In 2011, the California State legislature passed Senate Bill 48, the FAIR  
22 Education Act, *Education Code §51204.5, et seq.* This law went into effect on January 1,  
23 2012, and amends the California Education Code requiring the inclusion of the political,  
24 economic, and social contributions of LGBTQ+ people in educational texts and social  
25 studies curricula, as the contributions of other people are included, and prohibits the use  
26 of biased educational materials or activities that, in a discriminatory manner, reflect  
27 adversely on persons because of their sexual orientation.

1           22. As a public school in California, CVUSD, through NPHS, is required to comply  
2 with state laws designed to ensure a safe learning environment for LGBTQ+ and gender  
3 non-conforming staff and students, as well as staff and students perceived to be  
4 LGBTQ+ and/or gender non-conforming, and those who associate with them.

5           23. NPHS and CVUSD is located the Conejo Valley portion Ventura County.  
6 Conejo Valley is widely considered to be a politically conservative enclave of the county.  
7 Over the course of approximately the last four and a half years, between February of  
8 2015 to the present, CVUSD has been involved in district-wide controversies relating to:  
9 (1) students' First Amendment rights in publishing articles in *The Panther Prowler* that  
10 involve that involve student opinions about sex; (2) the rights of LGBTQ+ students and  
11 the support and use of curriculum containing information relating to the role of the  
12 LGBTQ+ community pursuant to the FAIR Act, and education about gender identity,  
13 gender expression, and gender pronouns; and, (3) The perceived censorship of books  
14 that may or may not include foul language, depictions of sex, and LGBTQ+ issues.

15           24. During the 2015-2016 school year, the environment at CVUSD and NPHS  
16 started to become very difficult for Ms. SAREMI and for her student journalists. It is  
17 widely known, and has been reported in newspapers, to include the *Acorn*, *The Student*  
18 *Press Law Center*, *the California Press Association*, *the Ventura County Reporter*, and  
19 *the Ventura County Star*, that a very vocal group of religious and conservative community  
20 members affiliated with and enlisted by school board members Sandee Everett  
21 ("EVERETT"), Mike Dunn ("DUNN"), and John Anderson ("ANDERSON") have been  
22 working to: (1) limit the use of certain books and materials used in the classroom at the  
23 CVUSD; (2) censor the content of information published in the NPHS student-run  
24 newspaper, *The Panther Prowler*, (3) hold meetings to inform the broader community  
25 about the "danger" of allowing students to learn about the contributions of the LGBTQ+  
26 community pursuant to the FAIR Act and to impugn and malign *The Panther Prowler*  
27 articles that report on the FAIR Act; (4) inform the broader CVUSD and Conejo Valley  
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1 community about the “danger” of allowing CVUSD to teach, pursuant to California law,  
2 about gender identity and gender pronouns; and (5) enlist community members to do  
3 their harassing and retaliatory bidding to malign and speak about Ms. SAREMI in a  
4 derogatory, demeaning and threatening way. These communications about Ms. SAREMI  
5 are evidenced in emails, interviews given to the Acorn by the vocal community and  
6 relatives affiliated with and enlisted by EVERETT and DUNN, and televised public school  
7 board meetings, and are a deliberate attempt to impugn Ms. SAREMI’s character based  
8 on the fact that she is a Journalism advisor who supports her students’ First Amendment  
9 rights, supports implementation of the FAIR Act, and who supports the rights of LGBTQ+  
10 students.

11 25. Fundraising for The Panther Prowler was an important part of allowing the  
12 newspaper to continue publication. DUNN, ANDERSON, and EVERETT, with the  
13 endorsement and ratification of CVUSD, attempted to sabotage Ms. Saremi and her  
14 Panther Prowler students from raising funds for the newspaper. In one instance, Cathy  
15 Carlson, a community member affiliated with and enlisted by DUNN, ANDERSON, and  
16 EVERETT filed a complaint stating that Ms. SAREMI had not followed the CVUSD  
17 fundraising rules and that she was not properly supervising her students as they tried to  
18 raise funds in front of Trader Joe’s and CVS. None of these allegations were true;  
19 instead, this was an attempt to retaliate and harass Ms. SAREMI for her defense of the  
20 publication of articles in *The Panther Prowler* that offended the above-mentioned vocal  
21 community, and DUNN, ANDERSON, and EVERETT. Ms. SAREMI abided by all  
22 fundraising process and protocol; nevertheless CVUSD forced Ms. SAREMI to prove that  
23 she followed all the required steps. None of Ms. SAREMI’s fundraising efforts prior to the  
24 maligned *Panther Prowler* articles were every questioned. The requirement that she  
25 prove she had followed policy and protocol was part of the retaliation and harassment  
26 and an attempt to shut down fundraising efforts.

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1           26. In another attempt to sabotage Ms. SAREMI's fundraising efforts for *The*  
2 *Panther Prowler* newspaper, Cathy Carlson contacted Chipotle headquarters telling them  
3 that *The Panther Prowler* was a publication that printed inappropriate material, the  
4 community did not support *The Panther Prowler*, and that people would not support  
5 Chipotle if they helped their fundraising efforts. CVUSD administration then contacted  
6 Ms. SAREMI and told her that Chipotle headquarters contacted CVUSD and that they  
7 could do nothing to help Ms. SAREMI and *The Panther Prowler*.

8           27. CVUSD's retaliation and harassment of Ms. SAREMI first began, and  
9 continues to this day, with a concerted and strategic effort by a very vocal group of the  
10 community and EVERETT, DUNN, and ANDERSON who all want to change the content  
11 of public education curriculum, censor books and curriculum that offend their religious  
12 beliefs and values, censor public education curriculum that involves LGBTQ+ issues, and  
13 punish and retaliate against educators whom they believe stand in their way. CVUSD,  
14 through its administration, has endorsed and ratified this concerted and strategic plan to  
15 create a harassing and retaliatory environment for Ms. SAREMI. These individuals and  
16 CVUSD have been successful in finding ways to wear Ms. SAREMI down and they have  
17 caused, and continue to cause, great harm to her.

18           28. The events that led up to the above-stated retaliation, harassment, and  
19 intolerable treatment of Ms. SAREMI, began while she was on maternity leave in  
20 February 2015, with the publication of an article in *The Panther Prowler* entitled, "Let's  
21 Talk About Sex." In January of 2015, after Ms. SAREMI left on maternity leave, she  
22 notified CVUSD about the specific contents of this article and, at that time, CVUSD  
23 approved its contents. This retaliation and harassment is ongoing, as Ms. SAREMI  
24 continues to endure attacks on her character and continued attempts to get her to quit  
25 her employment. Ms. SAREMI loves her job and her students, and even though she  
26 continues to endure tremendous backlash as a result her stance in protecting the rights  
27 of her students, she would very much like to continue in her job as a teacher in the  
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1 community in which she lives. Ms. SAREMI understands that she should not have to  
2 endure such treatment nor should any other high school teacher, mentor, and/or  
3 journalism advisor.

4 29. Over the course of several months, beginning on or about February 26, 2015,  
5 shortly after the above-referenced article was published, CVUSD requested and received  
6 three legal opinions from outside counsel seeking guidance regarding CVUSD's First  
7 Amendment obligations as it related to the "Let's Talk About Sex" article.

8 30. CVUSD sought this legal advice because the vocal community and EVERETT,  
9 DUNN, and ANDERSON, stated that they disapproved of the contents of *The Panther*  
50 *Prowler* article. CVUSD received numerous angry and threatening emails and other  
11 communications from these school board members, parents, and community members.

12 31. CVUSD tried to find ways to censor the article and asked their outside counsel  
13 if they could require revisions to the article, or stop the article's distribution based upon  
14 vocal community concern. CVUSD also asked their outside legal counsel to analyze  
15 arguments from parents and community attorneys who believed that the article violated  
16 sexual harassment and sex education statutes. During this time, bowing to pressure by  
17 angry parents, including soon-to-be CVUSD school board member EVERETT (EVERETT  
18 was elected to the CVUSD school board in November 2016), school board members  
19 DUNN and ANDERSON, and community members, CVUSD also sought legal advice  
20 regarding whether they could limit the advertising and/or distribution of controversial  
21 student publications, and/or publish warnings on the controversial content.

22 32. In a March 6, 2015 email, from a lawyer affiliated with and enlisted by  
23 EVERETT, DUNN, and ANDERSON, to former CVUSD Superintendent Jeff BAARSTAD  
24 ("BAARSTAD"), the following was stated:

25 It would certainly send a message as to your true feelings, as well as send an  
26 educational message of propriety to students if the article was taken off the  
27 website. It would also reduce any future harm this article could cause to viewers  
28 and readers. If you wanted, Mr. Snider also said he would be happy to research  
for you what the potential legal risk of doing so might be. We think that there

1 should be prompt attention to this matter. As you probably also know, the co-  
2 editors of the Panther Prowler have now posted on open letter on the school  
3 website addressing the controversy surrounding their publication. They fail to  
4 recognize that it is our prerogative as parents to teach our children concerning  
5 sexual matters. They have taken that role away from us, and done it in a manner  
6 so as to increase the already immense peer pressure placed on our children. So  
7 many of our youth already feel socially shamed at school for their viewpoints, not  
8 only by other students but sometimes by faculty. It creates an even greater  
9 environment of intimidation when it comes through official school publications and  
10 channels. We have even considered whether students should be given the  
11 opportunity to publish articles expressing opposing viewpoints, but we're not sure  
12 they feel comfortable enough in the existing environment. That is not the  
13 type of environment that should exist at a public school. Please know that neither  
14 you nor Principal EBY stand alone when you stand for the safeguarding of your  
15 students and our children. When you stand for standards of decency and family  
16 values there are many, many of us who are there with you. Call on us and we'll  
17 provide you with the support you need.

18 33. Numerous emails from family members related to EVERETT, to include Tim  
19 Cooley, Craig Everett, and Grant Brimhall all berated Ms. SAREMI. Michelle Brimhall,  
20 Grant Brimhall's wife and relative of EVERETT, created a website specifically about Ms.  
21 SAREMI, berating and maligning her character. CVUSD knew about this website and its  
22 harassment and retaliation against Ms. SAREMI.

23 34. In an email dated March 5, 2015, from Chad Wright to community members  
24 who expressed disgust at *The Panther Prowler* article, including EVERETT, Wright stated  
25 the following: "He (BARSTAAD) told me that because of the email I sent him, he had  
26 changed his mind on how he handled the situation, and wished he had stood up to those  
27 who wanted to publish the article, and had said no."

28 35. Both before and after this email, CVUSD received numerous emails detailing  
anger at Ms. SAREMI as the Journalism Advisor. The concerted effort and strategy to  
inundate both CVUSD district administration and Ms. SAREMI, maligning Ms. SAREMI's  
character and questioning her integrity and the rights of her students, was evidenced by  
emails and other correspondence and at community meetings. As Ms. SAREMI endured

1 attacks on her character, at no time did CVUSD publicly support or defend Ms. SAREMI,  
2 nor did it publicly support and defend the First Amendment rights of its student  
3 journalists.

4 36. One email dated March 6, 2015, from a community member affiliated with and  
5 enlisted by CVUSD school board members DUNN and ANDERSON, Joel Congliiere, to  
6 BAARSTAD stated, "I hope that you will assure the students, families and community that  
7 this will never happen again under your watch and the watch of those who work under  
8 you." BAARSTAD replied the following:

9  
10 Mr. Congeliere - I share your concerns with the article. . . one parent directly  
11 challenged me for not being more willing to risk possible legal censure in the  
12 interests of protecting the innocence and feelings of students, and the reputation  
13 of the school and district. . .[t]hat e-mail weighed heavily on me for several days,  
14 and I came to the conclusion that parent was right, and I was in error. While there  
15 may be clear definitions of obscenity in the law, at a more practical level, that term  
16 is subject to personal interpretation. I was uncomfortable and disturbed by the  
17 personal stories of students in the article, and felt the pictures and graphics were  
18 inappropriate and in poor taste, bordering on obscene. That was my take and I  
19 should have acted on it. I should have met with the student editors and faculty  
20 advisor, and advised them that I was stopping distribution of the publication for  
21 those reasons. I am very sorry that I didn't. . .I'm not just an educator, I am a father  
22 and grandfather. I am deeply concerned that our children are bombarded with  
23 sexual themes and images by the media, and I believe there are social  
24 consequences for that in communities across the nation. A school should be a  
25 place where students are safe from those images. . .Had I decided to stop the  
26 distribution, I suspect at least one of the student editors would have taken their  
27 grievances to the ACLU, and they would have been quick to put me and the  
28 District on notice with great fanfare. There would have been many in the  
community just as upset with me for censoring student expression. So be it, at  
least I would have been on the right side of the issue from my own perspective.  
Mr. EBY, several other District leadership staff and I have had extended  
conversations about the narrative above, and we are all in agreement. . .I should  
have erred on the side of protecting student innocence, rather than student  
speech. I regret that, and apologize to you and your families. I will be meeting with  
our high school principals and activities staff to review this issue, and discuss  
guidelines and procedures for the future. We are also providing the Prowler staff  
advisor and student editors with copies of all the correspondence we have  
received from parents and the community, redacted to protect confidentiality. We  
want them to understand the consequences for their decisions, and discuss the  
relative merits of the written statements.

1           37. In March 2015, a series of emails between BAARSTAD and DUNN evidence a  
2 shared anger and dismay with both the students and Ms. SAREMI for publication of the  
3 “Let’s Talk About Sex” article in *The Panther Prowler*. Specifically, in an email dated  
4 March 11, 2015, DUNN referred to *The Panther Prowler* staff as “arrogant.” CVUSD’s  
5 BAARSTAD responded, “I am going to ask them to remove [the article] from the website  
6 and hope they will be so willing. If not, I will consider my options . . . it will be difficult  
7 enough with Josh and trying to reason with a couple of 18 year olds.”

8           38. The content of the “Let’s Talk About Sex” article was determined by  
9 CVUSD’s outside legal counsel to be protected speech under the First Amendment.  
10 Nevertheless, within a week of the article’s distribution, BAARSTAD and NPHS Principal  
11 Josh EBY (“EBY”) began making demands of Ms. SAREMI in order to appease the vocal  
12 community members and school board members. While SAREMI was still on maternity  
13 leave, EBY contacted Ms. SAREMI relentlessly by phone asking that she direct her  
14 journalism students to take down the “Let’s Talk About Sex” article from the website. It  
15 was at this point that Ms. SAREMI realized that neither she, nor her students, were going  
16 to receive support from CVUSD in exercising their First Amendment right to publish  
17 timely and relevant articles in *The Panther Prowler*. It was clear to Ms. SAREMI that  
18 CVUSD, instead, decided to cave to the angry voices of the community to the detriment  
19 of her students and their rights.

20           39. During one of these phone conversations, EBY told Ms. SAREMI that she was  
21 “going to lose your [f’ing] job” if she didn’t take the article off the website.

22           40. Based on the contents of the “Let’s Talk About Sex” article and that Ms.  
23 SAREMI was the Journalism Advisor responsible for the Panther Prowler journalist  
24 students, CVUSD board members, DUNN, and ANDERSON, and CVUSD administration  
25 BAARSTAD and EBY, along with parents, district personnel, community members  
26 including EVERETT, and others, continued to attack Ms. SAREMI’s integrity and

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1 character in both emails and at public school board meetings and demanded  
2 repercussions against her for being the Journalism Advisor for *The Panther Prowler*.

3 41. CVUSD administration, instead of supporting both Ms. SAREMI and the  
4 students' expression of free speech, decided to retaliate against Ms. SAREMI as the  
5 Journalism Advisor because they agreed with board members DUNN and ANDERSON,  
6 and the vocal parents and community members, including EVERETT, that the article was  
7 inappropriate and should not have been published. CVUSD treated Ms. SAREMI, and  
8 her position as the Journalism Advisor protecting student rights, as someone who would  
9 continue to invite controversy to the district by supporting the publication of articles  
10 relating to "controversial" topics. At all times, Ms. SAREMI was defending the rights of her  
11 students and at no time did Ms. SAREMI receive any support from CVUSD for doing so.  
12 In fact, she received retaliation from her district superiors because, in their mind, she was  
13 making their job more difficult because she decided to defend and support her students  
14 and their rights.

15 42. As part of the concerted and strategic pattern and practice to retaliate and  
16 harass Ms. SAREMI, numerous community members continued to write emails to the  
17 CVUSD Superintendent stating that they were angry that the district allowed someone  
18 like Ms. SAREMI to be the Journalism Advisor and that they allowed the "Let's Talk About  
19 Sex" article to be published. In response to one of those angry emails, CVUSD  
20 Superintendent BAARSTAD responded, "I share your concern . . . and in my opinion  
21 crosses way over the line of good taste. [The students] don't always use good judgment,  
22 and then as educators, we are left to try and influence them within the boundaries of the  
23 Constitution."

24 43. The concerted and strategic pattern and practice of the vocal community and  
25 school board members, including DUNN and ANDERSON, caused CVUSD to turn on  
26 their well-respected teacher and advisor, Ms. SAREMI. In March of 2015, CVUSD  
27 Superintendent BAARSTAD sent an email to the CVUSD school board stating that he  
28

1 should not have supported the student's First Amendment rights, and instead should  
2 have sided with the parents and taken the chance of opening up the district to First  
3 Amendment liability:

4 . . . I feel like I made the wrong call on this one, and should have erred on the side  
5 of protecting students and the reputation of the school and district, even if it meant  
6 a legal challenge for censorship. I decided to respond to these parents with a  
7 narrative of how we reached our decision, and how I have come to view it as the  
8 wrong one. . . I was also asked to comment on the issue by the Acorn. I sent them  
9 a much abridged version of the same concepts, and I did take responsibility for  
10 making what I consider the wrong call.

11 44. In a March 5, 2015 email from BAARSTAD, in response to an eight page letter  
12 written by four lawyers affiliated with and enlisted by EVERETT, DUNN, and  
13 ANDERSON, and forwarded to BAARSTAD by school board member ANDERSON,  
14 BAARSTAD stated:

15 one parent directly challenged me for not being more willing to risk possible legal  
16 censure in the interests of protecting the innocence and feelings of students, and  
17 the reputation of the school and district. His point was, if indeed I felt that the  
18 pictures were inappropriate, and borderline obscene, why not take that position  
19 regardless of the attorney's opinion. That e-mail weighed heavily on me for several  
20 days, and I came to the conclusion that parent was right, and I was in error. While  
21 there may be clear definitions of obscenity in the law, at a more practical level, that  
22 term is subject to personal interpretation. I was uncomfortable and disturbed by  
23 the personal stories of students in the article, and felt the pictures and graphics  
24 were inappropriate and in poor taste, bordering on obscene. That was my take and  
25 I should have acted on it. I should have met with the student editors and faculty  
26 advisor, and advised them that I was stopping distribution of the publication for  
27 those reasons. I am very sorry that I didn't. I allowed well intentioned counsel  
28 representing the District to make that call, and I should have made it. I'm not just  
an educator, I am a father and grandfather. I am deeply concerned that our  
children are bombarded with sexual themes and images by the media, and I  
believe there are social consequences for that in communities across the nation. A  
school should be a place where students are safe from those images. I am not  
naïve, I know that some teenagers in our community are sexually active, but I  
believe most are not.

45. In this same above-referenced March 5, 2015 email, Superintendent  
BAARSTAD went on to state:

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1 At the same time, I don't kid myself. Had I decided to stop the distribution [of *The*  
2 *Panther Prowler*], I suspect at least one of the student editors would have taken  
3 their grievances to the ACLU, and they would have been quick to put me and the  
4 District on notice with great fanfare. There would have been many in the  
5 community just as upset with me for censoring student expression. So be it, at  
6 least I would have been on the right side of the issue from my own perspective.  
7 Mr. EBY, several other District leadership staff and I have had extended  
8 conversations about the narrative above, and we are all in agreement. As  
9 educators we must navigate complex student issues within legal boundaries, and  
10 in the context of very diverse community views. It's not always easy, but in this  
11 case, I should have erred on the side of protecting student innocence, rather than  
12 student speech. I regret that, and apologize to you and your families. I will be  
13 meeting with our high school principals and activities staff to review this issue, and  
14 discuss guidelines and procedures for the future. We are also providing the  
15 Prowler staff advisor and student editors with copies of all the correspondence we  
16 have received from parents and the community, redacted to protect confidentiality.  
17 We want them to understand the consequences for their decisions, and discuss  
18 the relative merits of the written statements.

19 46. This email, and CVUSD's subsequent actions, evidenced CVUSD's  
20 desire to prioritize the demands of certain school board members, parents, and the vocal  
21 community members over the rights of students and created a culture in the CVUSD  
22 administration that ratified the bullying, retaliation, and harassment of this vocal  
23 contingent against Ms. SAREMI. Ms. SAREMI was seen as the one person who stood in  
24 the way of creating a public school district that bowed to the pressure of the religious  
25 vocal community members affiliated with and enlisted by certain school board members.  
26 The culture that was created by CVUSD's ratification of the community retaliation,  
27 harassment and bullying has created a dangerous precedent and a hostile, offensive,  
28 harassing, and intimidating work environment for Ms. SAREMI and other staff members  
who believe in the importance of vigorously defending the rights of students.

47. It was becoming increasingly clear that CVUSD had to take some action to  
appease the very vocal group of certain school board members and community members  
affiliated with and enlisted by these school board members, to include DUNN,  
ANDERSON, and soon-to-be board member EVERETT. In response to BAARSTAD, the

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1 lawyers affiliated with and enlisted by DUNN, ANDERSON, EVERETT stated in an email  
2 dated March 6, 2015, the following:

3 Thank you for your response to our letter and thank you for providing us with a  
4 chronology of events that led up to the publishing of the Panther Prowler. It was  
5 refreshing to see that you take responsibility, express remorse and are candid  
6 enough to state, in retrospect, that you wish you had not allowed the magazine to  
7 be published. We have heard that Mr. EBY has echoed those same sentiments to  
8 other parents and we are gratified. We also noted you made statements to this  
9 effect in the Thousand Oaks Acorn. Again, that showed courage and leadership.  
10 We are also pleased that you are meeting with school principals and other  
11 educators and establishing guidelines so that this kind of thing does not happen  
12 again. As parents, we would like to know what those guidelines are. We are also  
13 hopeful that when you meet with the students you will express your true feelings  
14 and what you wish you would have done. They need to hear that from you. That  
15 discussion from you, from your heart, could benefit their current and future lives in  
16 many ways. That's really something that the entire student body at NPHS would  
17 benefit hearing from you in some way. That would undo much of the damage that  
18 has been caused.

19 48. In a March 11, 2015 email to then-school board member Peggy Buckles, board  
20 member, EVERETT stated the following:

21 Dr. Baarstad and Mr. Eby have both apologized to me personally in an email. I  
22 was greatly relieved to learn that they share many of my concerns. Dr. Baarstad  
23 has publicly stated he regrets following legal counsel's advice to allow the article to  
24 run. They are both working to remedy the situation and mitigate the negative  
25 effects caused by the article not only for the student body but for the entire  
26 community - as many could believe that NPHS is no longer a school parents can  
27 trust. I am specifically writing to you to give you my perspective in hopes that you  
28 will take my point of view into consideration if the school board ever makes  
29 decisions regarding this matter or matters like it in the future. We can't change the  
30 past – we can just hope to mitigate the damage. But we can prevent this sort of  
31 thing in the future. . . This cannot happen again.

32 49. In November of 2016, EVERETT won a seat on the CVUSD school board with  
33 a platform that included her efforts at censoring the students' publication, *The Panther*  
34 *Prowler*. Prior to winning this seat, EVERETT demanded that the CVUSD convene a  
35 group, the Journalism Manual Committee, to generate processes and procedures related  
36 to the publication of *The Panther Prowler*. It was EVERETT's desire to change the laws,  
37  
38

1 policies, and processes currently in place at that time. She wanted the school board to  
2 be able to override California's curricular mandates, the Education Code and the First  
3 Amendment as it relates to curriculum and student journalism.

4 50. On or about March 11, 2015, BAARSTAD and EBY held a meeting with Ms.  
5 SAREMI, some of *The Panther Prowler* student staff, and attorney Adam Goldstein from  
6 the Student Press Law Center, a Washington DC non-profit student publications  
7 advocacy group (who joined by conference call). In a follow-up email, BAARSTAD  
8 related what happened in this meeting to one of the lawyers affiliated with DUNN,  
9 EVERETT, ANDERSON, and other community members and parents, and stated the  
10 following:  
11

12 I provided the students with my observations on the content of the article, and the  
13 pictures and graphics as did Mr. Eby, and our regret that we didn't delay or cancel  
14 the publication until our concerns were addressed. We asked the students to  
15 explain to us their motivations for writing the article, and what they had hoped to  
16 achieve. They did so, explaining that their major focus was to discuss the lack of  
17 frank and accurate information available to teens on issues of sex from both  
18 school programs on sex education and from discussions with parents. We then  
19 talked about the impact of the article as reported by students, parents, and the  
20 community, and what we perceive as the major disconnect between what they  
21 were trying to achieve, and what has actually occurred, and the very negative  
22 impact it has had on the reputation of Newbury Park High School, and the  
23 students and families that place their trust in that institution. . . We asked the  
24 students and faculty advisor to remove the article from the website. They will  
25 discuss this request with the 25 members of the full journalism class, and give us  
26 an answer by Friday. Based upon that answer, we will determine our next steps.

27 51. It was clear that CVUSD endorsed and ratified the concerted and strategic  
28 effort to retaliate against and harass Ms. SAREMI in order to force her to submit to the  
demands of the vocal community.

52. Ms. SAREMI was and continues to be damaged as a result of CVUSD's failure  
to support her stance in defending NPHS journalism students' First Amendment rights.  
After this 2015 incident involving *The Panther Prowler's* "Let's Talk About Sex" article,

1 actions have been taken against Ms. SAREMI that are pretext for harassment, retaliation  
2 and discrimination executed in furtherance of defendants' attempt to create such a  
3 hostile, offensive, and intolerable work environment that she will be forced to quit. Bogus  
4 grievances and complaints have been filed against Ms. SAREMI by people affiliated with  
5 and enlisted by certain school board members. Certain school board members have  
6 spent time teaching the vocal community how to challenge Ms. SAREMI's teaching  
7 credential. As a result of this concerted effort, Ms. SAREMI's teaching credential was, in  
8 fact, challenged for reasons that are pretext for retaliation, and Ms. SAREMI continues to  
9 be the subject of ridicule and slanderous comments at public school board meetings by  
10 people affiliated with and enlisted by certain school board members and CVUSD. Her  
11 support of student First Amendment rights, her support of the FAIR Act and her support  
12 of LGBTQ+ students continues to be met with backlash and retaliation.  
13  
14

15 53. The concerted and strategic efforts by defendants to harass, intimidate, and  
16 retaliate against Ms. SAREMI are all attempts to force her to quit her employment with  
17 the district and to censor *The Panther Prowler*, and to attempt to deny students' First  
18 Amendment and LGBTQ+ rights.

19 54. In an email from Tom O'Toole to board member Peggy Buckles, dated March  
20 16, 2015, Mr. O'Toole stated that he was aware of the bullying Ms. SAREMI was  
21 receiving from community members, parents, and CVUSD, and that he was concerned  
22 about Ms. SAREMI as it became known that her employment might be terminated based  
23 upon the "Let's Talk About Sex" article. Specifically, he stated:

24  
25 In terms of the other bullying, I was requested not to discuss it in the memo so I  
26 won't be able to speak to at the meeting, but I assume you know that Mrs.  
27 SAREMI was threatened with termination of employment the day after the meeting  
28 with the administration referred to in my memo. You can imagine the impact that  
had on the students as well as on Mrs. SAREMI and her family. I brought her  
family dinner when I heard the news, and witnessed the look on her face when she

1 told her husband why – that she might lose her job as she clutched her new baby  
2 and with her four-year old around her legs. I've also witnessed first hand the  
3 impact on her students. A complete indifference to her well being, as well as those  
4 as the student staff, is being shown (from my perspective), as well as the legal  
5 ramifications of all of this action.”

6 55. CVUSD knew that it would face tremendous liability and would be in  
7 violation of state and federal law if it fired or demoted Ms. SAREMI based on these facts.  
8 So instead of firing Ms. SAREMI, CVUSD ratified the retaliation and harassment,  
9 engaged in their own retaliation and harassment, and failed to intervene and support Ms.  
10 SAREMI. CVUSD, thus, engaged in a pattern and practice of retaliation and harassment  
11 aimed at making her employment so difficult and hostile that she would be forced to quit.

12 56. After the “Let’s Talk About Sex” article was published, DUNN demanded that  
13 the journalism students print a rebuttal to the article. DUNN, board president at the time,  
14 placed this issue on the school board meeting Agenda. The students asked Ms. SAREMI  
15 for her advice regarding DUNN’S demand that a rebuttal be printed. She told them to do  
16 what they thought was right and to follow the law. When EVERETT, DUNN, and  
17 ANDERSON found out that Ms. SAREMI did not advise them to print a rebuttal, their  
18 retaliatory attacks became even more harassing and intimidating.

19 57. At a public school board meeting, shortly after the article was published and  
20 after the journalism students declined to publish a rebuttal, these students spoke at the  
21 meeting in support of *The Panther Prowler* and Ms. SAREMI. DUNN and EVERETT  
22 responded to these students statement by blaming Ms. SAREMI for publication of the  
23 article and they tried to force the students to agree to publish a rebuttal. They continued  
24 to place blame on Ms. SAREMI for publication of this article, even though she was still on  
25 maternity leave. No one in the CVUSD administration corrected them by stating that the  
26  
27  
28

1 students were exercising their First Amendment rights and that it is within the purview of  
2 students to decide whether to publish a rebuttal.

3 58. Shortly before a CVUSD school board meeting, on March 17, 2015, Ms.  
4 SAREMI received a call from the Unified Association of Conejo Teachers (hereinafter  
5 "UACT"). Some of Ms. SAREMI'S students overheard the President of UACT state that  
6 Ms. SAREMI will probably be fired, or at the very least, that she would be punished or  
7 demoted for allowing *The Panther Prowler* article to be published. At that time, Ms.  
8 SAREMI was instructed by her union not to speak to anyone about *The Panther Prowler*  
9 magazine.  
50

11 59. The above-referenced factual allegations regarding publication of *The Panther*  
12 *Prowler* article and the resulting retaliatory conduct perpetrated by defendants signaled  
13 the beginning of a years-long vendetta against Ms. SAREMI and her position as a  
14 Journalism Advisor, teacher, and defender of student rights and LGBTQ+ students. Ms.  
15 SAREMI continues, to this day, to support her students and protect their rights when they  
16 publish articles about sexuality, LGBTQ students, the FAIR act, and issues relating to the  
17 LGBTQ+ community in general, and she continues to be retaliated against as a result  
18 thereof.  
19

20 60. When Ms. SAREMI returned to NPHS after her maternity leave in May of 2015,  
21 Ms. SAREMI noticed a marked difference in the way she was being treated by CVUSD  
22 administration.  
23

24 61. The harassment of Ms. SAREMI continued into the next school year when an  
25 in-district complaint was filed against her. The timing of this complaint coincided with the  
26 book censorship controversy, wherein *The Panther Prowler* was vocally against  
27 censorship and book-banning. In March, 2017, a close friend and confidante of  
28



1 EVERETT, who was also a parent of one of Ms. SAREMI's students, contacted CVUSD  
2 officials regarding allegations she had against Ms. SAREMI. The complaints against Ms.  
3 SAREMI by Alisa Robakowski involved her daughter, a student in Ms. SAREMI'S  
4 journalism class. For the most part, these complaints were a pretext and part of the  
5 orchestrated and concerted effort to create a hostile, offensive, and retaliatory work  
6 environment for Ms. SAREMI.  
7

8 62. Ms. Robakowski's complaint, and most of the allegations contained therein,  
9 were fabricated in an attempt to continue the scheme of harassment, intimidation and  
10 retaliation that had thus far been unsuccessful in achieving the goal of getting Ms.  
11 SAREMI to quit her role as the Journalism Advisor.  
12

13 63. Ms. Robakowski, in furtherance of the concerted and strategic pattern and  
14 practice to create a hostile, offensive, retaliatory, and harassing environment for Ms.  
15 SAREMI, filed the formal complaint against Ms. SAREMI, specifically stating that she  
16 wanted Ms. SAREMI removed from her position as the Journalism Advisor.  
17

18 64. Shortly after this complaint against Ms. SAREMI had been issued, and in  
19 furtherance of the above-mentioned scheme and vendetta, *The Panther Prowler*  
20 magazine received an email from school board member DUNN. In this email, dated  
21 March 9, 2017, DUNN attacked Ms. SAREMI personally and professionally stating that  
22 she was a secular humanist and compared her to Hitler. He stated, as follows:

23 The community does not want homosexuality, bisexual and transgender  
24 promoted to 7 year olds as the history framework in chapter 5 lines 29-30  
25 recommends. The FAIR Act is very different than the history social science  
26 framework. The secular humanist like your adviser Margaret SAREMI wants to  
27 use the public schools to promote their secular humanist religion and  
28 indoctrinate our children with their propaganda. Hitler and Gobbels did the  
same thing to the German people in the 1930's. Christians and Jews who  
opposed Hitler's secular humanist agenda were gassed . . . The secular  
humanist are using the LGBT issue to promote their contention that there is no

1 God and that all morals are relative. I also suggest you read the Secular  
2 Humanist Manifesto. Especially the part about using the public schools to  
3 indoctrinate our children. Secular humanist is just as much of a religion as  
4 Christianity.

5 65. This email from DUNN to one of *The Panther Prowler* student editors,  
6 highlighted some of deeply held beliefs upon which the vendetta and campaign against  
7 Ms. SAREMI were based. DUNN, EVERETT, ANDERSON, and certain vocal and angry  
8 community members, through their words and actions, believed that Ms. SAREMI was a  
9 significant player in standing in the way of their attempts to censor journalism students,  
10 deprive LGBTQ+ students of their rights, and infuse their religious beliefs and values into  
11 the CVUSD.

12 66. Ms. SAREMI responded to DUNN'S March 9, 2017, email. Immediately  
13 thereafter, Ms. SAREMI was notified by CVUSD that she was under investigation. Ms.  
14 SAREMI was told not to discuss the matter with anyone, including other teachers, and  
15 she was removed from her classroom for three weeks and one day. She was told that  
16 she was not even allowed to answer any emails. When Ms. SAREMI was allowed to  
17 return to class, she was informed by students that Alisa Robakowski, through her  
18 daughter, was telling people Ms. SAREMI had been arrested for a DUI.

19 67. CVUSD, through then-Superintendent Mark McLaughlin ("MCLAUGHLIN"),  
20 knew about this March 9, 2017, email from DUNN and was fully aware of the treatment  
21 and harassment Ms. SAREMI was receiving and that said treatment was part of an  
22 ongoing and concerted effort by EVERETT, DUNN, ANDERSON, and others, but they  
23 did not intervene; they stood by and did not support her, either privately or publicly.  
24 Instead, they ratified the vendetta and campaign against her by endorsing the actions of  
25 the vocal and angry community members, EVERETT, DUNN, and ANDERSON and  
26  
27  
28

1 engaged in both outward and subtle retaliatory actions that signified an allegiance to this  
2 vocal community over their loyal and dedicated teacher, Ms. SAREMI. CVUSD's  
3 retaliatory actions against Ms. SAREMI, and their failures to support and defend Ms.  
4 SAREMI, amounted to a dereliction of CVUSD'S responsibility not only to Ms. SAREMI,  
5 but to CVUSD students as well. Ms. SAREMI was defending her journalism students First  
6 Amendment rights, and the rights of LGBTQ+ students in numerous respects, to include  
7 advocating for appropriate implementation of the FAIR Act. CVUSD's failure to support  
8 Ms. SAREMI in her efforts to support her students and their rights was a betrayal by  
9 CVUSD to its students.

11 68. The laws and the rights of these students dictated that if the CVUSD were to  
12 take formal action against Ms. SAREMI based on her support of controversial topics  
13 covered by *The Panther Prowler*, or based on her support of LGBTQ+ students, CVUSD  
14 would face tremendous liability. CVUSD decided, instead, to endorse and ratify the  
15 hostile and harassing behaviors of the vocal community and school board members and  
16 others to create such an offensive work environment for Ms. SAREMI that she would be  
17 forced to quit.

18 69. When CVUSD became involved in the book-banning/censorship issue  
19 of 2017, Ms. SAREMI was vocal about her concern that CVUSD, EVERETT and certain  
20 board members to include DUNN, and ANDERSON were attempting to censor the  
21 students' reading materials and curriculum. At a school board meeting, Ms. SAREMI  
22 stated the following, and was quoted in a local newspaper, the *Ventura Reporter*.  
23

24 Everett spent 31 minutes going over her policy and claiming that it was a  
25 collaborative effort; I can tell you, as an English teacher working with my  
26 colleagues, it was not a collaborative effort. I don't know where she got that policy  
27 from, it was not the policy that has been worked on and flushed out for the last five  
28 weeks with the teachers and with the parents.

1           70. Ms. SAREMI felt that it was her duty as a teacher and Advisor to be  
2 transparent about how EVERETT was attempting to push through a policy that would  
3 result in the censoring of books and curricular materials. As a result of her vocal stance  
4 against censorship, she continued to be retaliated against and harassed.  
5

6           71. In late 2018-2019, *The Panther Prowler* began publishing a series of articles  
7 about gender identity and LGBTQ students, because of the curricular mandates  
8 contained in the FAIR Act. After each publication of articles with content involving  
9 LGBTQ+ rights, the FAIR Act, or gender pronouns, the concerted and strategic pattern  
50 and practice of retaliation and harassment against Ms. SAREMI became more  
11 pronounced.  
12

13           72. Some of the more subtle retaliatory actions taken by CVUSD included their  
14 recommendation to students and staff to stop circulating *The Panther Prowler* during  
15 lunch, even though it had been distributed during lunch for the past 13 years. This was an  
16 attempt to lessen the magazine's circulation. After articles regarding LGBTQ+ students  
17 began appearing in *The Panther Prowler*, Ms. SAREMI's then-principal, Steve Lepire  
18 ("LEPIRE") disrupted some of the NPHS staff who were disseminating the latest *The*  
19 *Panther Prowler* and told them not to pass it out during lunch.  
20

21           73. Some of the more blatant retaliation and harassment occurred when LEPIRE  
22 and other CVUSD administration made derogatory and defamatory public statements  
23 about Ms. SAREMI. More often than not, these degrading comments came on the heels  
24 of *The Panther Prowler* publications that include articles about sex, gender identity, the  
25 FAIR Act and LGBTQ+ issues. Principal LEPIRE's actions in retaliating against Ms.  
26 SAREMI every time the students published an article that identified injustices against the  
27 LGBTQ+ community, reflected his extreme discomfort with educating students about  
28

1 LGBTQ+ issues. LEPIRE's actions also demonstrated that he believed these articles  
2 reflected negatively on the district and NPHS. On December 6, 2019, LEPIRE took *The*  
3 *Panther Prowler* newspaper to the Associated Student Government ("ASG") students and  
4 their advisor and stated negative comments about the magazine and about The Panther  
5 Prowler. At this time, Mark McLaughlin (hereinafter, "MCLAUGHLIN") was the CVUSD  
6 Superintendent.  
7

8 74. At one board meeting, in May 2019, a student journalist defended Ms.  
9 SAREMI after one of EVERETT'S close friends stated false and defamatory comments  
10 about Ms. SAREMI. During a ten minute break in proceedings at that board meeting, this  
11 student was approached by EVERETT, who harassed and intimidated the student,  
12 attempting to force him to say that Ms. SAREMI brainwashed him and that she forced  
13 him to write certain things in *The Panther Prowler*.  
14

15 75. CVUSD stood by and watched as Ms. SAREMI was subjected to harassment,  
16 intimidation and retaliation and engaged in their own harassment, intimidation, and  
17 retaliation of Ms. SAREMI. LEPIRE was upset regarding an article in the first issue of the  
18 2019-2020 Panther Prowler newspaper. On or about August 2019, LEPIRE asked  
19 SAREMI to come into his office and when she sat down, he threw a copy of *The Panther*  
20 *Prowler* at her, his face expressing his dismay with the latest articles.  
21

22 76. Students have been, and still are afraid to speak out and they are afraid to publicly  
23 support Ms. SAREMI, for fear of reprisal. The students receive no support from CVUSD.

24 77. Instead of supporting Ms. SAREMI against this constant harassment,  
25 CVUSD engaged in actions against Ms. SAREMI that created a greater threat to her  
26 ability to focus on teaching and advising. In addition to retaliation from the community  
27 affiliated and enlisted by EVERETT, DUNN, and ANDERSON, SAREMI also endured  
28

1 harassment and retaliation from CVUSD administration.

2 78. Examples of the ongoing harassment, retaliation, discrimination, and intimidation,  
3 from February, 2015, to the present, include, but are not limited to, the following:

- 4 a. Elders at EVERETT'S church generated a document that stated that *The*  
5 *Panther Prowler* article was obscene and pornographic and that  
6 punishment of the teacher, Ms. SAREMI, was necessary.
- 7 b. EVERETT, DUNN, and ANDERSON enlisted their friends and church  
8 members to engage in a strategic and concerted effort to attack the  
9 credibility and integrity of Ms. SAREMI. These people publicly stated that  
10 Ms. SAREMI is "mentally unfit to be a teacher," and she is "brainwashing  
11 students." Other CVUSD administration knew about these comments and  
12 did nothing.
- 13 c. EVERETT'S husband wrote a letter to the CVUSD demanding that Ms.  
14 SAREMI be fired from her position.
- 15 d. Community members affiliated with and enlisted by EVERETT, DUNN, and  
16 ANDERSON sent harassing emails to Ms. SAREMI, spoke at school board  
17 meetings, displayed posters condemning Ms. SAREMI, gathered people to  
18 attend community meetings at EVERETT'S church where they attacked Ms.  
19 SAREMI's character and used intimidating, harassing, bullying and  
20 humiliating language to attack SAREMI's credibility, her integrity and her  
21 professionalism as it related to her years-long work as a public school  
22 teacher. Other CVUSD administration knew about this retaliation and  
23 harassment and did nothing.
- 24 e. EVERETT circulated a petition signed by church members and the vocal  
25 community to have Ms. SAREMI fired. Other CVUSD administration knew  
26 about this petition and did nothing.
- 27 f. In a March 11, 2015, email to NPHS principal EBY, BAARSTAD, and  
28 ANDERSON, DUNN stated that he had "met last night with representatives  
of the LDS church. They are deeply offended by the Panther Prowler  
magazine and they are asking for removal of the story from the website. . ."  
I have told the LDS church that I will put the item on the school board  
agenda Wednesday for action on March 17 if the Panther staff does not  
agree to the reasonable requests of the LDS church members." DUNN  
further stated, "you are both administrators with the authority to end this  
controversy. If you accomplish nothing, then I will reluctantly take this  
matter to the school board and we will have some intense unproductive  
controversy and publicity."

- 1 g. DUNN and ANDERSON enlisted four lawyers affiliated with EVERETT  
2 through her church to prepare an eight page rebuttal to the Panther Prowler  
3 article and harshly criticize Ms. SAREMI and the students for allowing the  
4 article to be published. They demanded, through threats and bullying, that  
5 they be able to publish their own article in the Panther Prowler refuting the  
6 "Let's Talk About Sex" article, and they demanded that the district severely  
7 restrict the Panther's publishing abilities. In numerous emails from  
8 BAARSTAD to ANDERSON, DUNN, and others, BAARSTAD states his  
9 approval for publishing restrictions and the fact that he agreed that the  
10 article was inappropriate and crossed the line.
- 11 h. Throughout the course of over four years, beginning in March of 2015, to  
12 the present, the CVUSD began a campaign of covert censoring of the  
13 *Panther Prowler* and student journalists who were working under the  
14 direction of Ms. SAREMI. Every time the *Panther Prowler* published articles  
15 that related to supporting LGBTQ+ rights, supporting implementation of the  
16 FAIR Act, or related to gender pronouns and gender identity, CVUSD  
17 administration curtailed circulation of the paper. For instance, the *Panther  
18 Prowler* had always been distributed at lunchtime because this would  
19 ensure highest circulation. However, when articles were published in the  
20 Panther Prowler revolving around issues that EVERETT and the vocal  
21 community found inappropriate and/or controversial, CVUSD  
22 administration, specifically defendant principal LEPIRE recommended  
23 limited distribution of the magazine and specifically recommended that staff  
24 stop passing it out during lunch. LEPIRE was also seen taking a large  
25 stack of the magazine as it was displayed at the NPHS front office, stating  
26 to staff that he did not want parents to see it.
- 27 i. In May and June of 2019, Barbara Sponslor, a community member and  
28 close friend of EVERETT was enlisted to do EVERETT's bidding. She  
spoke at two school board meetings about Ms. SAREMI, angry about an  
articles in the *Panther Prowler*. In these public comments, Ms. Sponslor  
stated, in referring to Ms. SAREMI, that, "I am not sure what planet this  
advisor is on," and that Ms. SAREMI "has an imbalance." She further  
stated, "no one like this should be allowed near students. [Ms. SAREMI]  
should have discouraged this article. This advisor clearly does not care  
about the well-being of students, only about her own personal agenda,  
regardless of whom it hurts. . . . We seem to have a real problem in this  
district with a handful of real political activist teachers who seem to have no  
problem lying and manipulating the students." In this same meeting, a  
NPHS student journalist, Carter Castillo, defended Ms. SAREMI stating that  
he felt a need to correct the record. He stated that Ms. SAREMI was not  
brainwashing students. Other CVUSD administration officials were present  
at this meeting and did nothing to support or defend Ms. SAREMI.

- 1 j. In 2017, as part of the ongoing attempts to create a hostile, offensive,  
2 harassing, and retaliatory work environment for Ms. SAREMI, Ms. SAREMI  
3 was the subject of a bogus grievance and complaint, the allegations of  
4 which were conclusively unfounded.
- 5 k. Certain CVUSD school board members helped community member,  
6 Robakowski, challenge Ms. SAREMI'S teaching credential. As a result, Ms.  
7 SAREMI's teaching credential was, in fact, challenged from April 2019 until  
8 October 2019. Throughout this teaching credential challenge process, Ms.  
9 SAREMI endured immeasurable stress from the unfounded attacks on her  
10 character. As a result of the filing of these bogus claims, the credentialing  
11 committee recommended Ms. SAREMI's credential be suspended.  
12 However, the committee dismissed Ms. SAREMI's case when they received  
13 her appeal that contained facts evidencing certain board members' efforts  
14 and involvement to sabotage Ms. SAREMI's credential, reputation and  
15 career. Throughout this process and investigation of such claims,  
16 numerous letters were generated and sent to the credentialing committee  
17 supporting Ms. SAREMI and her years of dedicated and unwavering service  
18 as a teacher and advisor. In October 2019, Ms SAREMI was cleared by the  
19 credentialing committee.
- 20 i. In reference to the formal complaint to the district by Alisa Robakowski  
21 made against Ms. SAREMI, CVUSD, through its administrators, placed a  
22 reprimand letter in Ms. SAREMI's personnel file in September 2018 to  
23 appease EVERETT and community members who have continued to  
24 harass and intimidate Ms. SAREMI. Ms. SAREMI was assured by CVUSD  
25 administrators, former UCAT president Randy Smith, and CTA  
26 representative Jake Andersen that said reprimand letter had been removed  
27 from her personnel file by MCLAUGHLIN. Contrary to these assurances,  
28 the letter was not removed and still exists.
- 29 m. On June 4, 2019, LEPIRE visited Ms. SAREMI's classroom at NPHS to  
30 purportedly speak to her about a "few things." LEPIRE then leveled  
31 accusations against Ms. SAREMI inferring that she was deficient in  
32 handling her job responsibilities at NPHS in regard to her Advisor status at  
33 the Panther Prowler. He also stated that she should be more actively  
34 involved in deciding the content of the articles published in the Panther  
35 Prowler. Ms. SAREMI told him that she will not tell the students what they  
36 can and should or should not publish. LEPIRE was angry that Ms. SAREMI  
37 continued to encourage her students to write about subjects, controversial  
38 or not, that the students found relevant and timely and that could potentially  
39 anger the vocal community, including school board member EVERETT.  
40 Ms. SAREMI was seen as someone who, because of her unwillingness to  
41 censor her students, created more trouble for LEPIRE and CVUSD. In  
42 September of 2019, LEPIRE yelled at Ms. SAREMI, accusing her of failing  
43 to perform due diligence with Panther Prowler article preparation, stating,

///



1 "You are the adviser, do your job!" He then threw a copy of *the Panther*  
2 *Prowler* at her.

- 3 n. In September 2019, Ms. SAREMI put in an order to the district for a new  
4 computers and monitors as was customary when she needed these items  
5 for her classroom. She spoke specifically with LEPIRE regarding this  
6 request. She has since requested these items twice more and still has not  
7 received a response to this request. Ms. SAREMI needs these items so that  
8 her students can be successful in her Advanced Journalism and yearbook  
9 classes. Prior to the ongoing pattern of harassment and retaliation against  
10 Ms. SAREMI, her requests were always answered and responded to in a  
11 timely fashion.
- 12 o. On October 20, 2019, LEPIRE and Kristi Konish, VP of curriculum, entered  
13 Ms. SAREMI's classroom during lunch when no one else was in the room.  
14 LEPIRE stood in front of the entrance/exit to her desk area, cornering Ms.  
15 SAREMI, and arguing with her regarding the yearbook deadline. LEPIRE  
16 was accusatory, hostile and aggressive.
- 17 p. On November 23, 2019, Ms. SAREMI attended the funeral of a colleague.  
18 At this somber event, Ms. SAREMI was glared at by Superintendent  
19 MCLAUGHLIN and Principal LEPIRE. MCLAUGHLIN and LEPIRE stared  
20 at Ms. SAREMI, looked at each other with raised eyebrows, and then  
21 MCLAUGHLIN whispered into LEPIRE's ear and then they both laughed.  
22 Ms. SAREMI proceeded to sit in the front with her colleagues and friends.  
23 Five minutes later, LEPIRE sat right next to Ms. SAREMI. There were  
24 numerous seats open and he could have sat anywhere.
- 25 q. CVUSD administration discouraged Ms. SAREMI from attending the 2019  
26 NPHS graduation ceremony, despite her having attended every year before  
27 that. LEPIRE stated that she not attend because her presence would  
28 create further conflict.
- r. In September 2019, Ms. SAREMI met with her principal and requested that  
she be able to attend the Washington DC journalism convention with her  
two Journalism staffs. LEPIRE said he would look into this request but  
failed to do so. CVUSD made sure that choir and band have administrators  
attending their conventions and competitions out of state. These  
conventions are at different times and the choir and band classes have just  
as many students as Ms. SAREMI has in her Journalism classes.
- s. Ms. SAREMI was told by LEPIRE that she was not allowed to ask other  
teachers for help or support in her pending credential case. CVUSD  
Superintendent MCLAUGHLIN contacted CTA representative Jake  
Andersen to inquire how he could contact the credentialing committee in  
Sacramento via phone call regarding Ms. SAREMI's credential case stating  
that he wanted to "explain the situation" and how Ms. SAREMI has been  
treated but that he does not want to "go on the record" or put in writing that  
he supported Ms. SAREMI.

- 1
- 2 t. During Ms. SAREMI's appeal process of the credential case, principal
- 3 LEPIRE refused to provide a letter of support for Ms. SAREMI stating her
- 4 suspension would negatively impact her programs and her students, not
- 5 because it was unwarranted (as the numerous letters in support of Ms.
- 6 SAREMI will show), but because he "was told by the district not to."
- 7
- 8 u. When MCLAUGHLIN placed Ms. SAREMI on administrative leave for
- 9 responding to an email one of her students received from defendant board
- 10 member DUNN, she was hurt, confused and upset. MCLAUGHLIN told her
- 11 she could not have any contact with her students and could not be on
- 12 campus without supervision because she was "a liability to the district."
- 13 This representation by CVUSD to Ms. SAREMI caused her extreme
- 14 distress.

15

16 79. This harassment and campaign against Ms. SAREMI was made initially at the

17 direction of EVERETT, DUNN, and ANDERSON, but then quickly included CVUSD

18 district administration.

19

20 80. Another casualty of the harassing and retaliatory behavior of defendants

21 against Ms. SAREMI included harassment of Ms. SAREMI's journalism students. A

22 September 4, 2019, email from a concerned parent to Ms. SAREMI, highlighted some of

23 the actions and behavior of EVERETT toward one of Ms. SAREMI's 14 year old

24 Journalism students. The mother of this student stated that she was very concerned

25 about the behavior of EVERETT and how it had impacted her son. She stated that her

26 son recorded the events of the evening of the May 7, 2019, school board meeting

27 wherein Barbara Sponslor, a community member affiliated with and enlisted by

28 EVERETT, stated derogatory things about Ms. SAREMI, which were televised for the

public.

81. This student spoke at the public school board meeting to defend Ms. SAREMI. In

this email, the mother of this student stated that her son was approached by EVERETT

privately at the break in the meeting. She stated that her son immediately called her in a

1 shaky voice to state that he had been approached by EVERETT who attempted to get  
2 him to state he was influenced by Ms. SAREMI. He said that EVERETT told him that  
3 was he misunderstood the public speaker and he may not recognize or understand what  
4 was being done to him. This mother stated that her son was offended and frightened to  
5 have a school board member question him and his written work in the paper. He stated  
6 that EVERETT had insisted that students would not be able to think the thoughts and  
7 ideas expressed in the Prowler article on their own and that he was in fact influenced by  
8 Ms. SAREMI. This student's mother stated that she believed that Ms. SAREMI should be  
9 aware of the details of the incident because it directly related to Ms. SAREMI. This  
10 mother confirmed that there is continued nastiness directed at Ms. SAREMI. In this  
11 email, this mother also stated that "despite many administrators present at the board  
12 meeting, none stepped in to ensure the physical and emotional wellbeing of my son at  
13 the public board meeting break."

14  
15  
16 82. With respect to the harassment and retaliation Ms. SAREMI endured related to  
17 the grievance, the complaint, and the credential challenge, from 2017 to the present, Ms.  
18 SAREMI was forced to defend herself and received no support from CVUSD because  
19 CVUSD continued to act in such a way as to create such a hostile, offensive, intimidating,  
20 harassing, and retaliatory environment for Ms. SAREMI so that she would be forced to  
21 either quit her role as the Journalism Advisor or quit her employment with CVUSD  
22 entirely. The grievance, complaint, and credential challenge were all part of a pretext to  
23 harass and retaliate against Ms. SAREMI because of her stance in protecting the rights  
24 of her students. As a result of the attack on her character and her credential, Ms.  
25 SAREMI was seen as a liability for the CVUSD, thus she received no support from  
26 CVUSD even though these claims against her were invalid.  
27  
28

1 83. Ms. SAREMI alleges and will show through emails and other written  
2 communications that CVUSD's McLAUGHLIN is and has been complicit in the harassing,  
3 intimidating, retaliatory, and discriminatory conduct of CVUSD school board members  
4 and is and has been afraid to communicate or act in any way that is not supportive of the  
5 agenda of vocal community members and named school board members. CVUSD's  
6 decision to support the harassing and retaliatory conduct of this vocal community has  
7 resulted in and continues to cause ongoing and persistent and chronic physical and  
8 mental injury to Ms. SAREMI.  
9

10 84. Many of the students Ms. SAREMI has been supporting and mentoring for years  
11 are members of a protected class that has historically been discriminated against by  
12 CVUSD and certain school board members. Emails and social media posts from  
13 EVERETT, DUNN, and ANDERSON evidence a clear bias against the LGBTQ+  
14 community. In one instance, EVERETT posted on social media her support of a student  
15 coming to a school board meeting to speak against *The Panther Prowler* article that  
16 encouraged the community to stand up for LGBTQ+ rights.  
17

18 85. It is Ms. SAREMI's contention that defendant CVUSD is in possession of  
19 information regarding certain school board members and community members who  
20 engaged in and continue to engage in the pattern and practice of deliberate harassment  
21 and intimidation that has caused injury to Ms. SAREMI and has created a hostile,  
22 intimidating, and offensive work environment. This hostile work environment has been  
23 continuous and ongoing to the present.  
24

25 86. To this day, Ms. SAREMI continues to be retaliated against, harassed, treated  
26 disparately compared to other staff. She continues to be intimidated and bullied by  
27 defendants and she continues to experience harm to her health as a refusal to censor her  
28

1 students. Ms. SAREMI has suffered embarrassment and mistreatment and has been  
2 emotionally and verbally harmed in ways that will affect her for a very long time. Ms.  
3 SAREMI loves her students and has only ever wanted to be a teacher. She is proud of  
4 the programs that she has built from nothing and has great respect for her students.

5  
6 87. Over the course of the last approximately 4.8 years, Ms. SAREMI has sustained  
7 and continues, to the present, to sustain physical and emotional injuries as a result of the  
8 ongoing pattern and practice of harassment, intimidation, retaliation, and discrimination  
9 perpetrated by defendants, their agents, including administration and staff, acting both  
10 within and outside the course and scope of their employment and affiliation with CVUSD.  
11 These physical and emotional injuries are the direct result of the stress and anxiety Ms.  
12 SAREMI has experienced, and continues to experience, in her capacity as a CVUSD  
13 teacher and advisor from both the pattern and practice of harassment, intimidation,  
14 retaliation, and discrimination as well as CVUSD's failure to support and defend her for  
15 holding firm in protecting her students' First Amendment and LGBTQ+ rights.  
16

17 88. These injuries to Ms. SAREMI have all occurred while in her capacity as an  
18 employee in the Conejo Valley Unified School District, more specifically, as a teacher and  
19 Journalism Advisor at NPHS. Ms. SAREMI's physical and emotional injuries include, but  
20 are not limited to, severe emotional distress, extreme stress and anxiety, post-traumatic  
21 stress injuries, hypertension, stress-related autoimmune disease, insomnia, rashes, and  
22 hair loss. Ms. SAREMI has been seeing numerous doctors and therapists as a result of  
23 these injuries. Her emotional and physical injuries are ongoing, disabling, chronic, and  
24 recurrent.  
25

26 ///

27 ///

28

1 89. As part of the above-stated pattern and practice, including but not limited to,  
2 the deliberate yet unfounded challenges to her teaching credential, the public humiliation  
3 and intimidation she has sustained from EVERETT, DUNN, and ANDERSON and others  
4 affiliated with and enlisted by school board members, the retaliatory administrative leave  
5 for which she was given no notice or rational explanation, and the overall failure of the  
6 CVUSD to support and defend Ms. SAREMI, one of the district's exemplary teachers and  
7 advisors. Ms. SAREMI has sustained, and continues to sustain, damages to her  
8 reputation, her employment, and the benefits of her employment  
9

50 **GOVERNMENT TORT CLAIM ALLEGATIONS**

11 90. On or about October 9, 2019, Ms. SAREMI made a complaint with the  
12 DEPARTMENT OF FAIR EMPLOYMENT & HOUSING on the ground of Defendants'  
13 discrimination because of Ms. SAREMI's association with members of a protected class  
14 and due to her perceived religious creed. Ms. SAREMI experienced retaliation from  
15 defendant because she reported or resisted forms of discrimination and/or harassment.  
16 As a result of defendants' discrimination, Ms. SAREMI was denied employment benefits  
17 and/or privileges and was both reprimanded and suspended.  
18

19 91. On October 12, 2019, the DEPARTMENT OF FAIR EMPLOYMENT &  
20 HOUSING issued a *Notice of Case Closure and Right to Sue*, a true and correct copy of  
21 which is attached as Exhibit A.  
22

23 92. On October 10, 2019, Ms. SAREMI personally served her VERIFIED CLAIM  
24 FORM on CVUSD, pursuant to *Government Code §§ 950 & 911.2*, through Assistant  
25 Superintendent Victor Hayek ("HAYEK"), received by CVUSD's Executive Assistant  
26 Maria Neff. Ms. SAREMI's VERIFIED CLAIM FORM notified the Governing Board of  
27 CVUSD, Superintendent MCLAUGHLIN, and LEPIRE of the aforementioned facts. A  
28

1 true and correct copy of Ms. SAREMI's VERIFIED CLAIM FORM is attached hereto as  
2 Exhibit B.

3 93. On October 14, 2019, CVUSD's HAYEK issued a NOTICE OF  
4 INSUFFICIENCY, contending that the Claim was insufficient, pursuant to *Government*  
5 *Code § 910.8* Without conceding any legitimacy to CVUSD's contention, on October  
6 24, 2019, Ms. SAREMI, via Certified Mail/ Return Receipt Requested, correspondence to  
7 CVUSD'S HAYEK regarding the sufficiency of SAREMI's VERIFIED CLAIM FORM, but  
8 also provided amended claim form supplemental information. A true and correct copy of  
9 Ms. SAREMI's counsel's October 24, 2019 correspondence, and the Supplemental Claim  
10 Form Information, is attached as Exhibit C.

11  
12 94. On November 14, 2019, CVUSD's HAYEK issued CVUSD's rejection of SAREMI's  
13 claim, a copy of which is attached as Exhibit D.

14  
15 **FIRST CAUSE OF ACTION**

16 **Unlawful Discrimination on the Basis of Association with LGBT and/or Gender**  
17 **Non-Conforming Individuals (Gov. Code § 12940(a))**

18 95. Plaintiff Michelle SAREMI incorporates by reference each and every allegation  
19 contained in paragraphs 1 through 94 as though set forth fully herein.

20 96. At all times relevant herein, the California Fair Employment and Housing Act  
21 ("FEHA"), *Government Code § 12900 et seq.*, was in full force and effect and binding  
22 upon Defendant, which regularly employs more than five individuals.

23 97. *Government Code § 12940(a)* deems it an unlawful employment practice to  
24 discharge an employee or otherwise discriminate against an employee with respect to the  
25 terms, conditions, or privileges of employment because of her sex, gender, gender  
26 identity, gender expression or sexual orientation. (*Gov. Code § 12940(a)*.) FEHA's  
27 definitional section states that "sex" and "sexual orientation" include "a perception" that  
28

1 the person has a particular characteristic or characteristics or that the person "is  
2 associated with a person who has, or is perceived to have," a particular characteristic or  
3 characteristics. (*Gov. Code §12926(n).*)

4 98. Thus, *Government Code § 12940(a)* also deems it an unlawful  
5 employment practice to discharge an employee or otherwise discriminate against an  
6 employee with respect to the terms, conditions, or privileges of employment because of  
7 her association with others based on the sex or sexual orientation of those individuals.

8 99. *Government Code §12926* defines "sexual orientation" as "heterosexuality,  
9 homosexuality, and bisexuality," and provides that "sex" includes a person's gender.  
10 (*Gov. Code §12926(q)(2),(r).*) "Gender" includes "a person's gender identity and gender  
11 expression. 'Gender expression' means a person's gender-related appearance and  
12 behavior whether or not stereotypically associated with the person's assigned sex at  
13 birth." (*Gov. Code §12926(q)(2).*)

14 100. As set forth more fully in the incorporated paragraphs hereinabove,  
15 Throughout her employment in the CVUSD, as a teacher and advisor, Ms. SAREMI has  
16 been very open about her support of the LGBTQ community in general, and CVUSD  
17 students specifically. Throughout her employment at CVUSD, Ms. SAREMI's classroom  
18 became known as a safe haven for LGBTQ+ students. CVUSD, its administrators, and  
19 Ms. SAREMI's principal, Mr. LEPIRE, all knew that Ms. SAREMI took on this informal  
20 role as a supporter and defender of LGBTQ+ students.

21 101. Ms. SAREMI displays the LGBTQ+ flag in her classroom and has posted a  
22 "safe space" card in her classroom window. Ms. SAREMI volunteers at, and attends the  
23 PRIDE festival every year. She has been very vocal in discussing with students and staff  
24 her support of articles that focus on LGBTQ+ rights and she has displayed open support  
25 of all students who write about LGBTQ+ issues in *The Panther Prowler* magazine. Ms.  
26 SAREMI participates in the Gay Straight Alliance (GSA) fundraising events with advisor  
27  
28



1 Lucia Lemieux and goes out of her way to open her classroom to create and safe and  
2 nurturing environment for LGBTQ+ students.

3 102. As the Journalism Advisor in charge of overseeing publication of *The*  
4 *Panther Prowler*, Ms. SAREMI always encouraged her students to publish articles that  
5 related to relevant and timely issues. With the passage of the FAIR Act and the  
6 subsequent CVUSD school board meeting discussions that took place regarding  
7 implementation of the Act in CVUSD, Ms. SAREMI's student journalists frequently  
8 published articles that pertained to LGBTQ+ rights. Even though she knew that these  
9 articles would result in backlash and retaliation from her CVUSD administration, Ms.  
10 SAREMI always encouraged her students not to back down and to publish all articles  
11 within the allowance of the First Amendment that they felt were important to publish.

12 103. Defendants, through emails and public comments, have made it  
13 clear that they are against the FAIR Act and they are against incorporating into the  
14 curriculum information and historical contributions of the LGBTQ+ community. In one  
15 email from defendant school board member DUNN to Maya Chari, a *Panther Prowler*  
16 student journalist, DUNN stated that including information about the LGBTQ+ community  
17 would do harm to the CVUSD and to CVUSD's students. He stated that:

18 I look at the benefits of the Fair Act and compare it to the harm it could cause our  
19 district. Our declining enrollment is costing people their jobs. The LGBT community  
20 already has bias representation coming from the main stream media. People who  
21 believe in tradition family values also deserve representation." Community members  
22 affiliated with and enlisted by defendant school board members also spoke against  
23 implementation of the Fair Act, based on their discriminatory view of the LGBTQ+  
24 community. And every time Ms. SAREMI oversaw an article in the *Panther Prowler*  
25 that involved LGBTQ+ rights, she was retaliated against afterward. Defendant  
26 CVUSD knew about all of these emails, communications, and interactions, and they  
27 ratified and endorsed its content and retaliated against Ms. SAREMI because they  
28 saw her as someone who created more problems for CVUSD administration because  
of her stance in protecting LGBTQ+ students and their rights.

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1 104. DEFENDANT CONEJO VALLEY UNIFIED SCHOOL DISTRICT AND  
2 DOES 1 THROUGH 50, INCLUSIVE, through the actions alleged hereinabove, have  
3 repeatedly and consistently violated *Gov. Code § 12940(a)*.

4 105. DEFENDANT CONEJO VALLEY UNIFIED SCHOOL DISTRICT AND  
5 DOES 1 THROUGH 50, INCLUSIVE's violation was a substantial factor in bringing about  
6 harm to Ms. SAREMI, in the manner more specifically alleged hereinabove.

7 106. As a direct result of defendant's conduct, through its agents and/or  
8 employees, Ms. SAREMI has been harmed, injured and damaged, and suffered and  
9 continues to suffer economic loss and damages, physical ailments and injuries, emotional  
10 distress, and the attorney's fees and costs in an amount to be proven at trial, according to  
11 proof, but within the jurisdiction of this superior court.

12 **SECOND CAUSE OF ACTION**

13 **Unlawful Harassment on the Basis of**  
14 **Association with LGBT and/or Gender Non-Conforming Individuals**  
15 ***(Gov. Code § 12940(j))***

16 107. Plaintiff Michelle SAREMI incorporates by reference each and every  
17 allegation contained in paragraphs 1 through 106 as though fully set forth herein.

18 108. Government Code § 12940(j)(1) makes it an unlawful employment practice  
19 to harass any employee based on sex, gender, gender identity, gender expression, or  
20 sexual orientation. FEHA's definitional section states that "sex" and "sexual orientation"  
21 include "a perception" that the person has a particular characteristic or characteristics or  
22 that the person "is associated with a person who has, or is perceived to have," a  
23 particular characteristic or characteristics. (*Gov. Code § 12926(n)*.) Thus, *Government*  
24 *Code § 12940(j)(1)* also deems it an unlawful employment practice to harass an employee  
25 because of her association with others based on the sex or sexual orientation of those  
26 individuals.  
27  
28

1           109.       *Government Code § 12926* defines “sexual orientation” as “heterosexuality,  
2 homosexuality, and bisexuality,” and provides that “sex” includes a person’s gender.  
3 (*Gov. Code § 12926(q)(2),(r)*.) “Gender” includes “a person’s gender identity and gender  
4 expression. ‘Gender expression’ means a person’s gender-related appearance and  
5 behavior whether or not stereotypically associated with the person’s assigned sex at  
6 birth.” (*Gov. Code §12926(q)(2)*.)  
7

8           110. Plaintiff is known by the district as an ally and a safe haven for CVUSD’s  
9 LGBTQ+ student and staff community. In her role as a teacher, she feels compelled to  
50 support all of her students and has created a place for them to go where they will be  
11 supported given the realities of their attending a school district that is located in a  
12 conservative part of Ventura County and given the fact that CVUSD board members and  
13 administration have acted in ways that have made clear that they are not supportive of  
14 these students’ LGBTQ+ status. In her capacity as a teacher and advisor, Ms. SAREMI  
15 has associated with students who are and/or are perceived to be LGBT and/or gender  
16 nonconforming. It is well known at NPHs that Ms. SAREMI has created a safe place for  
17 these students, welcoming them to meet in her classroom, explaining these students’  
18 legal rights to students and school administrators, and encouraging and advising student  
19 journalists who reported on issues related to LGBTQ+ rights. The gender expression of  
20 several of the students with whom Plaintiff associated differed from the gender-related  
21 appearance and behavior stereotypically associated with students’ assigned sex at birth.  
22  
23

24           111. Defendant, through its agents and/or employees, engaged in unlawful  
25 harassment of Plaintiff based on her association with LGBTQ+ and gender non-  
26 conforming students. This harassment was sufficiently pervasive and severe as to alter  
27 the conditions of employment and create a hostile or abusive work environment for Ms.  
28

1 SAREMI. Defendants are liable for the harassing conduct of their agents with supervisory  
2 authority. (*Gov. Code §§12926(d), 12940(j)(1).*) In addition, Defendant is liable for the  
3 harassing conduct of its non-supervisory employees because it knew or should have  
4 known of the harassment to which Ms. SAREMI was subjected and failed to take  
5 immediate and appropriate corrective action. (*Gov. Code § 12940(j)(1).*)  
6

7 112. DEFENDANT CVUSD AND DOES 1 THROUGH 50, INCLUSIVE, through  
8 the actions alleged hereinabove, have repeatedly and consistently violated *Gov.*  
9 *Code§12940(j).*

10 113. DEFENDANT CVUSD and DOES 1 THROUGH 50, INCLUSIVE's violation  
11 was a substantial factor in bringing about harm to Ms. SAREMI, in the manner more  
12 specifically alleged hereinabove.  
13

14 114. As a direct result of defendant's conduct, through its agents and/or  
15 employees, Ms. SAREMI has been harmed, injured and damaged, and suffered and  
16 continues to suffer economic loss and damages, physical ailments and injuries, emotional  
17 distress, and the attorney's fees and costs in an amount to be proven at trial, according to  
18 proof, but within the jurisdiction of this superior court.  
19

### 20 **THIRD CAUSE OF ACTION**

#### 21 **Unlawful Discrimination on the Basis of Religious Affiliation**

22 **(*Gov. Code §12921(a)*)**

23 115. Plaintiff Michelle SAREMI incorporates by reference each and every  
24 allegation contained in paragraphs 1 through 114 as though fully set forth herein.

25 116. *Gov't Code § 12921 (a)* provides that the "opportunity to seek, obtain, and  
26 hold employment without discrimination because of race, religious creed, color, national  
27 origin, ancestry, physical disability, mental disability, medical condition, genetic  
28 information, marital status, sex, gender, gender identity, gender expression, age, sexual

1 orientation, or military and veteran status is hereby recognized as and declared to be a  
2 civil right.”

3 117. Defendant school board members and CVUSD engaged in a pattern of  
4 discrimination and harassment against Ms. SAREMI based upon their stated contention  
5 that Ms. SAREMI was indoctrinating students with her religious beliefs.

6 118. In a March 5, 2017 email, DUNN made highly inflammatory and  
7 discriminatory comments regarding Ms. SAREMI to one of her students. In this email,  
8 DUNN asserted on that, “The secular humanist like [sic] your adviser Margaret [sic]  
9 SAREMI want to use the public schools to promote their secular humanist religion. [sic]  
10 and indoctrinate our children with their propaganda. Hitler and Gobbels [sic] did the  
11 same thing to the German people in the 1930’s. Christians and Jews who opposed  
12 Hitler’s secular humanist agenda were gassed.” DUNN then states, “Secular humanist  
13 [sic] is just as much of a religion as Christianity.”

14 119. Secular Humanism is protected as a religion or belief system under the  
15 Federal & state anti-discrimination statutes. DUNN labeled Ms. SAREMI as a follower of  
16 Secular Humanism and stated that she wants to indoctrinate children and gas Christianity  
17 out of students like Hitler and Goebbels did to the Jews.

18 120. The United States Supreme Court and the Equal Employment Opportunity  
19 Commission have recognized that secular humanism is entitled to the same protections  
20 as any other religion (*Torasco v. Watkins* (1961) 367 U.S. 488, 495 n.11, 29 CFR Section  
21 1605.1). DUNN made these harassing, offensive and derogatory assertions based on his  
22 belief that Ms. SAREMI is a secular humanist. These assertions demonstrate not only  
23 that DUNN discriminates against Secular Humanists, his assertions also demonstrate  
24 part of the background by which he and other defendants based their harassment and  
25 retaliation.

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1           121.       The conduct of the administration of the CVUSD towards Ms. SAREMI to  
2 date gives a strong appearance of also being motivated by this same discriminatory  
3 animus. Ms. SAREMI's principal LEPIRE conducted an investigation of the unfounded  
4 allegations in the 2017 complaint made by the student's mother and determined that  
5 discipline was not warranted. However, after DUNN sent this outrageous email to Ms.  
6 SAREMI's student, CVUSD administration placed Ms. SAREMI on administrative leave  
7 for three weeks and determined that it would subject Ms. SAREMI to a "Letter of  
8 Reprimand" despite the absence of any prior discipline. CVUSD also neglected to include  
9 Ms. SAREMI's written rebuttal to claims written by Assistant Superintendent Jim Garza.  
50 The rebuttal should have been in the personnel file but was not.

11           122.   DEFENDANT CONEJO VALLEY UNIFIED SCHOOL DISTRICT AND DOES  
12 1 THROUGH 50, INCLUSIVE, through the actions alleged hereinabove, have repeatedly  
13 and consistently violated *Gov. Code §12921(a)*.

14           123.   DEFENDANT CONEJO VALLEY UNIFIED SCHOOL DISTRICT AND  
15 DOES 1 THROUGH 50, INCLUSIVE's violation was a substantial factor in bringing about  
16 harm to Ms. SAREMI, in the manner more specifically alleged hereinabove.

17           124.   As a direct result of defendant's conduct, through its agents and/or  
18 employees, Ms. SAREMI has been harmed, injured and damaged, and suffered and  
19 continues to suffer economic loss and damages, physical ailments and injuries, emotional  
20 distress, and the attorney's fees and costs in an amount to be proven at trial, according to  
21 proof, but within the jurisdiction of this superior court.  
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1 **FOURTH CAUSE OF ACTION**

2 **Unlawful Retaliation in Violation of**

3 **FEHA (Gov. Code §12940(h))**

4 125. Plaintiff Michelle SAREMI incorporates by reference each and every  
5 allegation contained in paragraphs 1 through 124 as though set forth fully herein.

6 126. Gov't Code § 12940 (h) provides that it is an unlawful employment practice:  
7 For any employer, labor organization, employment agency, or person to discharge, expel,  
8 or otherwise discriminate against any person because the person has opposed any  
9 practices forbidden under this part or because the person has filed a complaint, testified,  
50 or assisted in any proceeding under this part.

11 127. As set forth hereinabove in detail and incorporated by reference, Ms.  
12 SAREMI suffered and continues to experience retaliation as a result of her stance in  
13 supporting student rights. Ms. SAREMI has stood up for her students and their rights and  
14 has attempted to challenge discrimination, retaliation and harassment directed against  
15 her and others. This retaliation and harassment continues to this day as Ms. SAREMI  
16 continues to endure attacks on her character and continued attempts to get her to quit  
17 her employment.

18 128. Defendant CVUSD AND DOES 1 THROUGH 50, INCLUSIVE, through the  
19 actions alleged hereinabove, have repeatedly and consistently violated Gov.  
20 Code§12940(h).

21 129. Defendant CVUSD and DOES 1 THROUGH 50, INCLUSIVE's violation was  
22 a substantial factor in bringing about harm to Ms. SAREMI, in the manner more  
23 specifically alleged hereinabove.

24 130. As a direct result of defendant's conduct, through its agents and/or  
25 employees, Ms. SAREMI has been harmed, injured and damaged, and suffered and  
26 continues to suffer economic loss and damages, physical ailments and injuries, emotional  
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1 distress, and the attorney's fees and costs in an amount to be proven at trial, according to  
2 proof, but within the jurisdiction of this superior court.

3 **FIFTH CAUSE OF ACTION**

4 **Failure to Prevent Discrimination in Violation of FEHA**

5 ***(Gov. Code §12940(k))***

6 131. Plaintiff Michelle SAREMI incorporates by reference each and every  
7 allegation contained in paragraphs 1 through 130 as though set forth fully herein.

8 132. *Gov't Code § 12940 (k)* provides that it is an unlawful employment practice:  
9 "For an employer, labor organization, employment agency, apprenticeship training  
10 program, or any training program leading to employment, to fail to take all reasonable  
11 steps necessary to prevent discrimination and harassment from occurring."

12 133. As set forth hereinabove in detail and incorporated by reference, Defendant  
13 CVUSD and DOES 1 THROUGH 50, INCLUSIVE has failed to take all reasonable steps  
14 necessary to prevent discrimination from occurring to Ms. SAREMI, in violation of the  
15 Government Code.

16 134. Defendant CVUSD and DOES 1 THROUGH 50, INCLUSIVE's violation was  
17 a substantial factor in bringing about harm to Ms. SAREMI, in the manner more  
18 specifically alleged hereinabove.

19 135. As a direct result of defendant's conduct, through its agents and/or  
20 employees, Ms. SAREMI has been harmed, injured and damaged, and suffered and  
21 continues to suffer economic loss and damages, physical ailments and injuries, emotional  
22 distress, and the attorney's fees and costs in an amount to be proven at trial, according to  
23 proof, but within the jurisdiction of this superior court.  
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1 **SIXTH CAUSE OF ACTION**

2 **Failure to Prevent Harassment in Violation of FEHA**

3 ***(Gov. Code §12940(k))***

4 136. Plaintiff Michelle SAREMI incorporates by reference each and every  
5 allegation contained in paragraphs 1 through 135 as though set forth fully herein.

6 137. *Gov't Code § 12940 (k)* provides that it is an unlawful employment practice:  
7 "For an employer, labor organization, employment agency, apprenticeship training  
8 program, or any training program leading to employment, to fail to take all reasonable  
9 steps necessary to prevent discrimination and harassment from occurring."

10 138. As set forth hereinabove in detail and incorporated by reference, Defendant  
11 CVUSD and DOES 1 THROUGH 50, INCLUSIVE has failed to take all reasonable steps  
12 necessary to prevent harassment from occurring to Ms. SAREMI, in violation of the  
13 Government Code.

14 139. Defendant CVUSD and DOES 1 THROUGH 50, INCLUSIVE's violation was  
15 a substantial factor in bringing about harm to Ms. SAREMI, in the manner more  
16 specifically alleged hereinabove.

17 140. As a direct result of defendant's conduct, through its agents and/or  
18 employees, Ms. SAREMI has been harmed, injured and damaged, and suffered and  
19 continues to suffer economic loss and damages, physical ailments and injuries, emotional  
20 distress, and the attorney's fees and costs in an amount to be proven at trial, according to  
21 proof, but within the jurisdiction of this superior court.

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1 **SEVENTH CAUSE OF ACTION**

2 **Unlawful Retaliation for Advising Pupils Concerning Proper Exercise of Their Free**  
3 **Speech Rights (*Ed. Code § 48907(g)*)**

4 141. Plaintiff Michelle SAREMI incorporates by reference each and every  
5 allegation contained in paragraphs 1 through 140 as though set forth fully herein.

6 142. *Education Code § 48907(g)* makes it unlawful to dismiss, suspend,  
7 discipline, reassign, transfer or otherwise retaliate against an employee solely for acting  
8 to protect a pupil engaged in exercising his or her free speech, as defined under  
9 *California Education Code § 48907(a)*, the First Amendment to the United States  
10 Constitution, or Section 2 of Article I of the California Constitution.

11 143. Pupils of public schools have the right to exercise freedom of speech and of  
12 the press, including but not limited to “the use of bulletin boards, the distributions of  
13 printed materials, the wearing of buttons, badges, and other insignia, and the right of  
14 expression in official publications,” except when pupils’ speech is obscene, libelous,  
15 slanderous, or creates a clear and present danger of unlawful acts on school premises or  
16 of the violation of lawful school regulations, or of substantial disruption of the orderly  
17 operation of the school. U.S. Const. First Amendment; Cal. Const. Art. I, '2 Sec. 2; Cal.  
18 Ed. Code § 48907(a).

19 144. Ms. SAREMI’s journalism students and LGBTQ+ students exercised  
20 and attempted to exercise their statutory and constitutional free speech rights at NPHS in  
21 numerous ways, at all the times relevant to this Complaint during the 2015-2016 school  
22 year to the present, including but not limited to publishing articles regarding the FAIR Act  
23 and issues relating to LGBTQ+ rights in the Panther Prowler. None of these articles  
24 were obscene, libelous or slanderous, nor did they create a clear and present danger of  
25 unlawful acts on school premises, the violation of lawful school regulations, or substantial  
26 disruption of the orderly operation of the school.

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1           145. Defendant CVUSD, through its agents, supervisors, and/or  
2 employees, infringed upon journalism students' and LGBTQ+ students' freedom of  
3 speech in violation of *Education Code § 48907(a)*, the First Amendment to the United  
4 States Constitution, and Section 2 of Article I of the California Constitution by ratifying the  
5 actions of school board members and community members enlisted by and affiliated with  
6 school board members EVERETT, DUNN, and ANDERSON and by harassing, bullying  
7 and retaliating against Ms. SAREMI and her students whenever they published articles  
8 that the CVUSD, school board members, or community members found inappropriate.  
9 The articles that CVUSD, school board members, and community members found  
10 inappropriate involved the rights of LGBTQ+ students, the FAIR Act, or issues related to  
11 sexuality.

12           146. Defendant CVUSD suppressed journalism students' speech about sex and  
13 about LGBTQ+ issues, including by refusing to circulate the *Panther Prowler* at  
14 lunchtime, by physically removing the paper from the front office so parents and  
15 community members would not see it, by attempting to censor the content of the paper,  
16 by siding with the vocal and angry public and certain school board members in their  
17 disdain for the publication of articles that they deemed inappropriate, dangerous, or  
18 distasteful.

19           147. Ms. SAREMI acted to protect her journalism students' and LGBTQ+  
20 students' freedom of speech by explaining to school administration and the public that the  
21 journalism students and the LGBTQ+ students have a right to publish their articles and  
22 they right to have their publication adequately circulated.

23           148. Defendants disciplined and/or retaliated against Ms. SAREMI in various  
24 unjustified and outrageous ways, culminating in CVUSD's discriminatory decision not to  
25 intervene or support her, to place a bogus disciplinary letter in her file, and to make  
26 retaliatory statements about her because she acted to protect journalism students and  
27 LGBTQ+ students' rights and freedom of speech.

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1 149. As a direct, foreseeable, and proximate result of CVUSD's conduct  
2 through its agents and/or employees, Plaintiff suffered and continues to suffer economic  
3 loss and damages, physical ailments, emotional distress, and attorneys' fees and costs in  
4 an amount to be proven at trial.

5 **EIGHTH CAUSE OF ACTION**

6 **Negligent Training and/or Supervision, California Common Law**

7 150. Plaintiff Michelle SAREMI incorporates by reference each and every  
8 allegation contained in paragraphs 1 through 149 as though set forth fully herein.

9 151. Defendant CVUSD has had and continues to have a duty of care  
10 under the common Law and under state statutes, including but not limited to FEHA and  
11 *Education Code § 220 & 260*, to exercise due care in its management of CVUSD  
12 personnel. Such due care requires Defendants to comply with state statutes prohibiting  
13 discrimination, harassment and retaliation, including but not limited to FEHA and  
14 *Education Code §§ 220 & 260*.

15 152. Under the California Government Code, a public entity "is liable for injury  
16 proximately caused by an act or omission of an employee of the public entity within the  
17 scope of his employment if the act or omission would, apart from this section, have given  
18 rise to a cause of action against that employee or his personal representative." (*Gov.*  
19 *Code § 815.2.*)

20 153. During all relevant time periods, CVUSD knew or reasonably should have  
21 known that its personnel, including but not limited to school administrators at NPHS,  
22 engaged in unlawful harassment of, and discrimination against, Ms. SAREMI because of  
23 her association with LGBT and/or gender non-conforming students, and retaliated against  
24 her when she exercised support of implementation of the FAIR Act and support of  
25 LGBTQ+ students' rights. Because Ms. SAREMI would not bow to the pressure of those  
26 who do not want to recognize or support appropriate implementation of the FAIR Act or  
27 support LGBTQ+ rights, or when Ms. SAREMI attempted to challenge discrimination,  
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1 retaliation and harassment directed against her and others, and when she supported the  
2 legal rights and acted to protect the health and safety of NPHS students who are, or were  
3 perceived to be LGBTQ+ and/or gender non-conforming and those who associated with  
4 them. In the alternative, Defendant CVUSD knew or should have known that its  
5 personnel, including but not limited to school board members, school administrators at  
6 NPHS, were ignorant as to the manner in which they must conduct themselves in order to  
7 comply with state statutes and laws prohibiting such retaliation and/or discrimination and  
8 harassment because of association with LGBTQ+ and/or gender nonconforming  
9 individuals.

10 154. Despite said knowledge, CVUSD breached its duty of care by negligently,  
11 willfully and/or recklessly failing to adequately train and/or supervise personnel and by  
12 maintaining them, including but not limited to school board members, school  
13 administrators at NPHS in positions with the responsibility to manage and supervise  
14 employees and to make personnel decisions regarding such employees without providing  
15 such personnel with training, guidance, supervision, and/or other direction about how to  
16 manage and supervise employees and/or to make personnel decisions regarding such  
17 employees in compliance with any and all state statutes prohibiting retaliation and/or  
18 harassment and discrimination because of sexual orientation or association with  
19 LGBTQ+ and/or gender non-conforming individuals.

20 155. During all relevant time periods, CVUSD knew or reasonably should have  
21 known that its personnel, including but not limited to school board members, school  
22 administrators at NPHS, were engaged in the incidents, conduct, acts, and failures to act  
23 described herein and that said incidents, conduct, acts, and failures to act violated Ms.  
24 SAREMI's rights under state statutory law and common law.

25 156. At all times material herein, CVUSD knew or reasonably should have  
26 known that the incidents, conduct, acts, and failures to act as set forth herein would and  
27 did proximately result in injury and damage to Ms. SAREMI.  
28

1           157. At all times material herein, CVUSD knew, or in the exercise of reasonable  
2 care should have known, that unless CVUSD intervened to protect Ms. SAREMI and to  
3 adequately train, supervise, prohibit, control, regulate, discipline, and/or otherwise  
4 penalize the conduct, acts, and failures to act of its personnel, including but not limited to  
5 school administrators at NPHS as set forth herein, said conduct, acts, and failures to act  
6 would continue, thereby subjecting Ms. SAREMI to injury, including economic losses and  
7 emotional distress. CVUSD knew, or in the exercise of reasonable care should have  
8 known, that unless CVUSD intervened to protect Ms. SAREMI and to adequately train,  
9 supervise, prohibit, control, regulate, discipline, and/or otherwise penalize the conduct,  
10 acts, and failures to act of its personnel, including but not limited to school board  
11 members, school administrators at NPHS, CVUSD's failure to so protect, supervise and  
12 intervene would have the effect of encouraging, ratifying, condoning, exacerbating,  
13 increasing and worsening said conduct, acts, and failures to act.

14           158. At all times material herein, CVUSD had the power, ability, authority, and  
15 duty to intervene, train, supervise, prohibit, control, regulate, discipline, and/or penalize  
16 the conduct of its personnel, including but not limited to school administrators at NPHS.

17           159. Despite said knowledge, power, and duty, CVUSD breached and  
18 continues to breach its duty of care by negligently, willfully and/or recklessly failing to act  
19 so as to intervene, supervise, prohibit, control, regulate, discipline, and/or penalize such  
20 conduct, acts, and failures to act or otherwise to protect Ms. SAREMI.

21           160. As a direct and proximate consequence of the failure of CVUSD to protect  
22 Ms.SAREMI and to adequately train, supervise, prohibit, control, regulate, discipline,  
23 and/or otherwise penalize the conduct, acts, and failures to act of its personnel, including  
24 but not limited to school board members, school administrators at NPHS, said conduct,  
25 acts, and failures to act were perceived by its personnel as, and in fact had the effect of,  
26 ratifying, encouraging, condoning, exacerbating, increasing, and/or worsening said  
27 conduct, acts, and failures to act.

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1 161. At all times material herein, the failure of CVUSD to protect Ms.  
2 SAREMI and to adequately train, supervise, prohibit, control, regulate, discipline, and/or  
3 otherwise penalize the conduct, acts, and failures to act of its personnel, including but not  
4 limited to school administrators at NPHS, violated Ms. SAREMI's rights under state  
5 statutory and common law.

6 162. As a direct, foreseeable, and proximate result of CVUSD's conduct through  
7 its agents and/or employees, Ms. SAREMI suffered and continues to suffer economic  
8 loss and damages, physical ailments, emotional distress, and attorneys' fees and costs in  
9 an amount to be proven at trial.

10 **NINTH CAUSE OF ACTION**

11 **Taxpayer Action for Declaratory and Injunctive Relief**

12 **(Code Civ Proc § 526a.)**

13 163. Plaintiff Michelle SAREMI incorporates by reference each and every  
14 Allegation contained in paragraphs 1 through 162 as though set forth fully herein.

15 164. Defendant's expenditure of county, state, school district, and/or municipal  
16 taxpayers' funds for the implementation of the pattern, practice and/or policy of  
17 harassment, discrimination and retaliation challenged herein is unlawful. Ms. SAREMI, as  
18 a state, county, and/or municipal taxpayer, and as a property taxpayer has an interest in  
19 enjoining the continued unlawful expenditure of tax funds. Pursuant to *Code Civ Proc* §  
20 526a and this Court's equitable power, Ms. SAREMI seeks declaratory and injunctive  
21 relief to prevent continued harm and to protect herself, the students, including NPHS  
22 Journalism students, and staff of NPHS, and the public, from CVUSD's unlawful practices  
23 which retaliated and harassed NPHS students and staff who exercised their First  
24 Amendment rights.

25 165. Ms. SAREMI seeks declaratory and injunctive relief to prevent continued  
26 harm and to protect herself, LGBTQ+ students, and staff of NPHS, and the public,  
27 regarding their actual or perceived sexual orientation, gender identity, and/or gender  
28

1 expression and/or their association with LGBTQ+ and/or gender non-conforming  
2 persons, and/or their actual or perceived religion. CVUSD has subjected NPHS students  
3 to a hostile educational environment and staff to a hostile work environment, and CVUSD  
4 has retaliated against them for their refusal to stand down and/or bow to the pressure of  
5 defendants and community members affiliated with defendants resulting in harassment,  
6 retaliation, and discrimination within NPHS and the CVUSD.

7 166. There is an actual controversy between Ms. SAREMI and CVUSD  
8 Concerning their respective rights and duties in that Ms. SAREMI contends that the  
9 practices of CVUSD, as described herein, are in violation of state law, whereas CVUSD  
10 contends otherwise. Ms. SAREMI seeks a judicial declaration of the rights and duties of  
11 the respective parties.

12 167. Unless and until CVUSD's unlawful practices as alleged herein are enjoined  
13 and restrained by order of this Court, it will continue to cause great and irreparable injury  
14 to Ms. SAREMI and other taxpayers, who have no adequate remedy at law. Further,  
15 relief by damages alone for CVUSD's continuing unlawful practices would require a  
16 multiplicity of suits.

## 17 **TENTH CAUSE OF ACTION**

### 18 **Intentional Infliction of Emotional Distress**

19 168. Plaintiff Michelle SAREMI incorporates by reference each and every  
20 allegation contained in paragraphs 1 through 167 as though set forth fully herein.

21 169. As set forth in the fully incorporated paragraphs herein, defendant CVUSD  
22 and DOES 1-50's conduct was extreme and outrageous.

23 170. Defendant CVUSD and DOES 1-50, through the conduct identified at length  
24 herein, intended to cause SAREMI emotional distress, or at the very least CVUSD acted  
25 with reckless disregard of the probability that SAREMI would suffer emotional distress,  
26 knowing that SAREMI would be, was and still is effected by CVUSD's conduct and  
27 behavior towards her.

28



1 171. SAREMI suffered physical harm and emotional distress due to CVUSD's  
2 intentional conduct, as mentioned at length in the incorporated allegations hereinabove.

3 172. CVUSD's conduct was a substantial factor in causing SAREMI's severe  
4 emotional distress.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff Michelle SAREMI hereby prays for judgment as follows:

- 7 1. For compensatory damages, general damages and special damages according to  
8 proof;
- 9 2. That the Court enter a declaratory judgment that each of the unlawful practices,  
10 policies, customs and usages set forth hereinabove are violations of applicable  
11 law, including *Gov. Code §12940(a); Gov. Code §12940(j); Gov. Code*  
12 *§12921(a); Gov. Code §12940(h); Gov. Code §12940(k); Gov. Code*  
13 *§12940(k); (Ed. Code § 220); Ed. Code § 48907(g);*
- 14 3. That the Court enjoin the defendants from engaging in each of the unlawful  
15 practices, policies, customs and usages set forth hereinabove are violations of  
16 applicable law, including *Gov. Code §12940(a); Gov. Code §12940(j); Gov. Code*  
17 *§12921(a); Gov. Code §12940(h); Gov. Code §12940(k); Gov. Code*  
18 *§12940(k); (Ed. Code § 220); Ed. Code § 48907(g);*
- 19 4. For interest, including pre-judgment interest, at the legal rate;
- 20 5. For reasonable attorneys' fees pursuant to *Gov. Code §12965(b) & C.C.P. §*  
21 *1021.5*, and any other applicable statutes;
- 22 6. For costs of suit; and,

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7. For such other and further relief as the Court deems just and proper.

DATED: January 8, 2020

HAFNER LAW GROUP



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Mary Haffner  
Attorneys for Plaintiff

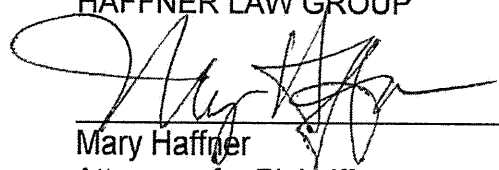
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**DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial on all claims and all causes of action herein to which she has a constitutional and/or statutory right to a jury trial.

DATED: January 8, 2020

HAFFNER LAW GROUP



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Mary Haffner  
Attorneys for Plaintiff

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**EXHIBIT A**



**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711  
<http://www.dfeh.ca.gov> | Email: [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

October 12, 2019

Michelle Saremi  
979 Lagrange Ave  
Newbury Park, CA 91320

RE: **Notice of Case Closure and Right to Sue**  
DFEH Matter Number: 201910-07894112  
Right to Sue: Saremi / Conejo Valley Unified School District et al.

Dear Michelle Saremi,

This letter informs you that Department of Fair Employment and Housing received your request for a Right to Sue. The above-referenced complaint was **filed on October 9, 2019** with the Department of Fair Employment and Housing. As of October 9, 2019, your case is closed. Department of Fair Employment and housing will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure letter or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GAVIN NEWSOM, GOVERNOR

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove, CA | 95758  
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711  
<http://www.dfeh.ca.gov> | Email: [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

October 12, 2019

**RE: Notice of Filing of Discrimination Complaint**  
DFEH Matter Number: 201910-07894112  
Right to Sue: Saremi / Conejo Valley Unified School District et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. This case is not being investigated by DFEH and is being closed immediately. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to DFEH is requested or required.

Sincerely,

Department of Fair Employment and Housing



**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711  
<http://www.dfeh.ca.gov> | Email: [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

October 12, 2019

Mary Haffner  
86 S. Laurel Street  
Ventura, CA 93001  
Matthew Haffner  
86 S. Laurel Street  
Ventura, CA 93001

RE: **Notice to Complainant's Attorney**  
DFEH Matter Number: 201910-07894112  
Right to Sue: Saremi / Conejo Valley Unified School District et al.

Dear Mary Haffner Matthew Haffner:

Attached is a copy of your complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

**Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer.** You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the DFEH does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Department of Fair Employment and Housing



**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING  
RIGHT-TO-SUE**

Your submission of this document acknowledges that you have read and agree to the DFEH's Privacy Policy. By submitting this document, you are declaring under penalty of perjury under the laws of the State of California that to the best of your knowledge all information stated is true and correct, except matters stated on information and belief, which you believe to be true.

**DFEH CASE NUMBER (IF APPLICABLE):**

201910-07894112

**COMPLAINANT:**

**NAME:**  
MICHELLE SAREMI

**TELEPHONE NUMBER:**  
8056419334

**ADDRESS:**  
979 LAGRANGE AVE

**EMAIL ADDRESS:**  
MHAFNER@HAFNERLAWGROUP.COM

**CITY/STATE/ZIP:**  
NEWBURY PARK, CA 91320

**RESPONDENT:**

**NAME:**  
CONEJO VALLEY UNIFIED SCHOOL DISTRICT

**TELEPHONE NUMBER:**  
8054979511

**ADDRESS:**  
750 MITCHELL ROAD

**CITY/STATE/ZIP:**  
NEWBURY PARK, CA 91320

**NUMBER OF EMPLOYEES:** 2050

**TYPE OF EMPLOYER:** PUBLIC SCHOOL DISTRICT

**RECEIVED**

**OCT 09 2019**

Department of Fair Employment & Housing  
Elk Grove



**ADD CO-RESPONDENT:**

NAME: SANDEE EVERETT, MIKE DUNN & JOHN ANDERSEN

TITLE: BOARD MEMBER AND FORMER BOARD MEMBERS

ADDRESS: CONEJO VALLEY UNIFIED SCHOOL DISTRICT

750 MITCHELL ROAD, NEWBURY PARK, CA 91320

TELEPHONE NUMBER: 8054979511

**ADD CO-RESPONDENT:**

NAME: MARK McLAUGHLIN, STEVE LEPIRE & JIM GARZA

TITLE: SUPERINTENDENT, PRINCIPAL & ASSISTANT SUPERINTENDENT

ADDRESS: CONEJO VALLEY UNIFIED SCHOOL DISTRICT

750 MITCHELL ROAD, NEWBURY PARK, CA 91320

TELEPHONE NUMBER: 8054979511

**DATE OF HARM:**

LAST DATE OF HARM (Month/Day/Year): 10/09/2019

1. I ALLEGE THAT I EXPERIENCED:  Discrimination  Harassment

**BECAUSE OF MY ACTUAL OR PERCEIVED:**

- Age (40 and over)
- Ancestry
- Association with a member of a protected class
- Baby Bonding Leave (employers of 20-49 people)
- Color
- Criminal History
- Disability (physical or mental)
- Family Care or Medical Leave (CFRA) (employers of 50 or more people)
- Gender Identity or Expression
- Genetic Information or Characteristic
- Marital Status
- Medical Condition (cancer or genetic characteristic)
- Military and Veteran Status
- National Origin (includes language restrictions)
- Pregnancy, childbirth, breastfeeding, and/or related medical conditions
- Race
- Religious creed (includes dress and grooming practices)
- Sex/Gender
- Sexual harassment – hostile environment
- Sexual harassment – quid pro quo
- Sexual orientation
- Other (specify) \_\_\_\_\_

**AS A RESULT, I WAS:**

- Asked Impermissible non-job-related questions
  - Demoted
  - Denied accommodation for pregnancy
  - Denied accommodation for religious beliefs
  - Denied any employment benefit or privilege
  - Denied Baby Bonding Leave (employers of 20-49 people)
  - Denied employer paid health care while on pregnancy disability leave
  - Denied equal pay
  - Denied Family Care or Medical Leave (CFRA) (employers of 50 or more people)
  - Denied hire or promotion
  - Denied or forced to transfer
  - Denied reasonable accommodation for a disability
  - Denied the right to wear pants
  - Denied work opportunities or assignments
  - Forced to quit
  - Laid off
  - Reprimanded
  - Suspended
  - Terminated
  - Other (specify) \_\_\_\_\_
- 

I ALLEGE THAT I EXPERIENCED:  Retaliation

**BECAUSE I:**

- Participated as a witness in a discrimination or harassment complaint
- Reported or resisted any form of discrimination or harassment
- Reported patient abuse (hospital employees only)
- Requested or used a disability-related accommodation
- Requested or used a pregnancy-disability-related accommodation
- Requested or used a religious accommodation
- Requested or used baby bonding leave (employers of 20-49 people)
- Requested or used leave under the California Family Rights Act or FMLA (employers of 50 or more people)

**AS A RESULT I WAS:**

- Asked impermissible non-job-related questions
- Demoted
- Denied accommodation for pregnancy
- Denied accommodation for religious beliefs
- Denied any employment benefit or privilege
- Denied baby bonding leave (employers of 20-49 people)
- Denied employer paid health care while on pregnancy disability leave
- Denied equal pay
- Denied Family Care or Medical Leave (CFRA) (employers of 50 or more people)
- Denied hire or promotion
- Denied or forced to transfer
- Denied reasonable accommodation for a disability
- Denied the right to wear pants
- Denied work opportunities or assignments
- Forced to quit
- Laid off
- Reprimanded
- Suspended
- Terminated
- Other (specify) \_\_\_\_\_

2. Do you have an attorney who agreed to represent you in this matter?  Yes  No  
If yes, please provide the attorney's contact information.

**COMPLAINANT'S REPRESENTATIVE INFORMATION**

Attorney Name: MARY HAFFNER & MATTHEW HAFFNER

Attorney Firm Name: HAFFNER LAW GROUP

Attorney Address: 86 S. LAUREL STREET

Attorney City, State, and Zip: VENTURA, CA 93001

3. Briefly describe what you believe to be the reason(s) for the discrimination, harassment, or retaliation. (Optional)

Since 2015, and ongoing, Michelle Saremi has been the target of harassment, intimidation, discrimination, and retaliation by the Conejo Valley Unified School District, its agents, administration, staff, school board members Sandee Everett, Mike Dunn and John Andersen, and parents associated with these specific school board members. In 2015, Ms. Saremi was the journalism teacher advisor overseeing the student news magazine, The Panther Prowler. School board members Everett, Dunn, and Andersen did not agree with the contents of the Panther Prowler, in part, based upon their religious beliefs. As a result thereof, these board members, and the Conejo Valley Unified School District, through its agents, administration and employees, have engaged in a concerted effort to create and perpetuate a harassing, hostile and offensive work environment for Michelle Saremi. In addition, Michelle Saremi's association with members of a protected class, namely LGBTQ students, and her religious status, have made her the target of discrimination, harassment and retaliation in violation of both State and Federal laws. The harassment and intimidation included, but is not limited to, board members damaging Ms. Saremi's reputation in the broader community, the retaliatory administrative leave for which she was given no rational explanation, challenging her teaching credential and encouraging others to challenge her credential, publicly intimidating and humiliating her and her students.

Michelle Saremi associates with the LGBT community at Newbury Park High School, part of the Conejo Valley Unified School District. Michelle Saremi was discriminated against, and continues to suffer discrimination, based upon her association not only with LGBT, but because of her association with people that did not share the same religious creed as CVUSD Board Members Sandee Everett, Mike Dunn and John Anderson. As well, Ms. Saremi was directly discriminated against based upon her religion. Over the course of the last 4 years, Respondents have, and continue to refer to Michelle Saremi as a "secular humanist" and have, and continue to, harass and discriminate against Michelle Saremi based upon her religion.

**VERIFICATION PAGE – THIS PAGE MUST BE COMPLETED**

**Before submitting the form, you must verify who you are and whether you are submitting this information for yourself or someone else.**

Verifier Name: MATTHEW HAFFNER

Verifier's Relationship to Complainant: LAWYER FOR

Verifier's City and State: VENTURA CA

**By submitting this document, you are declaring under penalty of perjury under the laws of the State of California that to the best of your knowledge all information stated is true and correct, except matters stated on information and belief, which you believe to be true.**

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**EXHIBIT B**



**CONEJO VALLEY UNIFIED SCHOOL DISTRICT**  
**1400 East Janss Road**  
**Thousand Oaks, CA 91362**

**Attention: Risk Manager**

**VERIFIED CLAIM FORM**  
**Damages to Person or Property**

Instructions	Date Stamp
<ol style="list-style-type: none"><li>1. Claims to death, injury to person or property must be filed not later than six (6) months after the occurrence (Government Code § 911.2)</li><li>2. Claim for damages to real property must be filed not later than one (1) year after the occurrence (Government Code § 911.2)</li><li>3. Read entire claim form before filing</li><li>4. This claim form must be signed on page 2 at the bottom</li><li>5. Attach separate sheets, if necessary, to give full details. PLEASE SIGN EACH SHEET</li></ol>	

To: Conejo Valley Unified (School District) Conejo Valley Unified (School Name)

Name of Claimant Michelle Saremi  Adult  Minor

Home Address of Claimant 978 LaGrange Avenue City, State, Zip \_\_\_\_\_ Home Telephone \_\_\_\_\_

Business Address of Claimant Newbury Park, CA 91320 City, State, Zip \_\_\_\_\_ Business Telephone 805-641-9334

Give address and telephone number to which you desire notices to be sent Haffner Law Group, 86 South Laurel Street, Ventura 93001

Date and time of Injury, Damages, or Loss 2015-present, ongoing injury Location (exact location) Conejo Valley Unified School District  
Newbury Park HS  
School board meetings - CVUSD

Nature of Injury, Damages, or Loss: see attached

If no injuries, so state: \_\_\_\_\_

The circumstances giving rise to this claim are as follows: see attached

\_\_\_\_\_

Why do you claim the district or school is responsible? see attached

\_\_\_\_\_



The names of the public employees causing the claimant's injuries are:

Sander Everett, Mike Dunn, John Andersen, Mark McLaughlin, Steve Lepire, Jim Garza, and others to be named.

The amount claimed, as of the date of presentation of this claim, is as follows:

Damages incurred to date (exact):		Estimated prospective damages as far as known:	
Damage to Property:	\$ <u>          </u>	Future expenses for medical and hospital care:	\$ <u>TBD</u>
Expenses for medical and hospital care:	\$ <u>TBD</u>	Future loss of earnings:	\$ <u>TBD</u>
Loss of earnings:	\$ <u>TBD</u>	Other prospective special damages:	\$ <u>TBD</u>
Special damages for: <u>Undetermined</u> <u>In excess of 1 million dollars</u>	\$ <u>TBD</u>	Prospective general damages:	\$ <u>TBD</u>
General Damages:	\$ <u>TBD</u>	Total estimated prospective damages:	\$ <u>TBD</u>
Total Damages incurred to date:	\$ <u>TBD</u>	<u>Undetermined, in excess of 1 million dollars</u>	\$ <u>          </u>
Total Amount claimed as of date of presentation of this claim: <u>of 1 million dollars</u>			

If the amount of the claim exceeds \$10,000, indicate the following:  Municipal court, or  Superior court

Was injury or damage investigated by police?  Yes  No

Police Department and Report Number \_\_\_\_\_

Were paramedics or ambulance called?  Yes  No

Fire Department or Ambulance Company \_\_\_\_\_

Witnesses:

_____	_____	_____
Name	Address	Telephone
_____	_____	_____
Name	Address	Telephone
_____	_____	_____
Name	Address	Telephone

Hospitals, Doctors, Medical Providers:

<u>Dr. Roscoe</u>	<u>25 W Rolling Oaks, Suite 206</u>	<u>805 402-8617</u>
Hospital <u>Dr. Lessman</u>	Address <u>227 W. Janss Rd #110</u>	Telephone <u>805-496-6057</u>
<u>Dr. Purmer</u>	<u>2220 Lynn Rd. #208</u>	<u>805-480-2600</u>
Doctor or other Provider <u>Dr. Abrishami</u>	Address <u>29525 Canwood St. #109</u>	Telephone <u>813-338-7099</u>
<u>Dr. Beeson</u>	_____	_____
Doctor or other Provider	Address	Telephone

The undersigned states that he or she is the person making the above stated claim, or is a person representing said claim and acting on behalf of the claimant above named, and declares under penalty of perjury that the foregoing is true and correct insofar as is known as of this date.

October 9, 2019  
Date

Ventura, California  
City, State

[Signature]  
Signature of Claimant or Authorized Representative

Lawyer for Claimant  
Relationship to Claimant  
Michelle Saremi

Nature of Injury, Damages or loss:

1. Physical and emotional damages:

Over the course of the last 4.8 years, Michelle Saremi has sustained and continues, to the present, to sustain physical and emotional injuries as a result of an ongoing pattern and practice of harassment, intimidation, discrimination and retaliation perpetrated by Conejo Valley Unified School District, its agents, administration, staff, and school board members, acting both within and outside the course and scope of their employment with the school district. These activities will be more fully explained in the civil complaint. These physical and emotional injuries are the result of the stress and anxiety she has experienced in her capacity as a Conejo Valley Unified School District teacher and advisor from the pattern and practice of harassment, intimidation, discrimination and retaliation.

Michelle Saremi's physical and emotional injuries include, but are not limited to, severe emotional distress, extreme stress and anxiety, post-traumatic stress injuries, hypertension, stress-related autoimmune disease, insomnia, rashes, and hair loss. Michelle Saremi's physical and emotional damages are ongoing, disabling, chronic and recurrent. In addition to numerous other causes of action, Michelle Saremi will be seeking general and special damages, attorneys' fees and injunctive relief.

2. Damages to reputation, employment, benefits of employment:

As part of the above-stated pattern and practice, Michelle Saremi has sustained, and continues to sustain, damages to her reputation, her employment, and the benefits of her employment including but not limited to, the deliberate challenges to her teaching credential, the public humiliation and intimidation she has sustained from school board members, the retaliatory administrative leave for which she was given no rational explanation, and other retaliatory reprimands and suspensions.

3. Additional injuries that Michelle Saremi has sustained will be alleged in the forthcoming civil complaint.

The circumstances giving rise to this claim are as follows, and why do you claim the district is responsible?

Since 2015, Michelle Saremi has been the target of harassment, intimidation, discrimination, and retaliation by the Conejo Valley Unified School District, its agents, administration, staff, school board members Sandee Everett, Mike Dunn and John Andersen, and parents associated with these specific school board members. In 2015, Ms. Saremi was the journalism teacher advisor overseeing the student news magazine, The Panther Prowler. School board members Everett, Dunn, and Andersen did not

agree with the contents of the Panther Prowler, in part, based upon their religious beliefs. As a result thereof, these board members and the Conejo Valley Unified School District, through its agents, administration and employees have engaged in a concerted effort to create a harassing, hostile and offensive work environment for Michelle Saremi. In addition, Michelle Saremi's association with members of a protected class, namely LGBTQ students, and her religious status, have made her the target of discrimination, harassment and retaliation in violation of both State and Federal laws. The harassment and intimidation included, but is not limited to, board members damaging Ms. Saremi's reputation in the broader community, the retaliatory administrative leave for which she was given no rational explanation, challenging her teaching credential and encouraging others to challenge her credential, publicly intimidating and humiliating her and her students.

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**EXHIBIT C**

# HAFFNER LAW GROUP

October 24, 2019

**VIA CERTIFIED MAIL/ RETURN RECEIPT REQUESTED**

Dr. Victor P. Hayek  
Deputy Superintendent, Business Services  
CONEJO VALLEY UNIFIED DISTRICT  
750 Mitchell Road  
Newbury Park, CA 91320

**RE: Claimed Notice of Insufficiency- Michelle Saremi**

Dear Dr. Hayek:

We are in receipt of your October 14, 2019, correspondence contending that our client's claim form was insufficient. Your position is untenable and your demand for the "date, place and other circumstances of the occurrence or transaction for each and every instance upon which Ms. Saremi bases her Claim..." is not in conformity with the legal requirements for making a government tort claim. *Gov't Code § 910* provides the following requirements:

A claim shall be presented by the claimant or by a person acting on his or her behalf and shall show all of the following:

- (a) The name and post office address of the claimant.
- (b) The post office address to which the person presenting the claim desires notices to be sent.
- (c) The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
- (d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim.
- (e) The name or names of the public employee or employees causing the injury, damage, or loss, if known.
- (f) The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

(*Gov't Code § 910.*)

86 S. Laurel Street, Ventura, CA 93001  
(805) 641-9334 · Facsimile: (805) 980-5014  
[www.HaffnerLawGroup.com](http://www.HaffnerLawGroup.com)

October 24, 2019  
Dr. Victor P. Hayek  
Deputy Superintendent, Business Services  
RE: Claimed Notice of Insufficiency  
Page Two

Compliance with section 901's requirements is not literal, regardless of your demand for the "date, place and other circumstances of the occurrence or transaction for each and every instance upon which Ms. Saremi bases her Claim..." As the court reiterated in *Orth v. Superior Court of Merced Cty.* (1966) 244 Cal. App. 2d 474, 479-80, while the "filing of a claim is mandatory in such cases, literal compliance with the claim statute is not required – substantial compliance is sufficient."

The California Supreme Court provided direction into the evaluation of substantial compliance, in *City of San Jose v. Superior Court* (1974) 12 Cal. 3d 447, 456-57, where the court held that: "[W]e conclude that to gauge the sufficiency of a particular claim, two tests shall be applied: Is there *some* compliance with *all* of the statutory requirements; and, if so, is this compliance sufficient to constitute *substantial* compliance?" (*City of San Jose v. Superior Court, supra*, 12 Cal. 3d 447, 456-57, emphasis original.)

The Second District Court of Appeal (Ventura County's appellate district) in *Olson v. Manhattan Beach Unified Sch. Dist.* (2017) 17 Cal. App. 5th 1052, 1060, recently explained the concept of substantial compliance as follows:

Under the doctrine of substantial compliance the court may conclude a claim is valid if it substantially complies with all of the statutory requirements for a valid claim even though it is technically deficient in one or more particulars." [Citation omitted.] *The doctrine is based on the premise that substantial compliance fulfills the purpose of the claims statutes, namely, to give the public entity timely notice of the nature of the claim so that it may investigate and settle those having merit without litigation.*

(*Olson v. Manhattan Beach Unified Sch. Dist, supra*, 17 Cal. App. 5th 1052, 1060, emphasis added.)

Acknowledging the court's interpretation of *Gov't Code § 910*, analysis of Ms. Saremi's Verified Claim Form determines that she substantially complied with the requirements and that your demand for literal interpretation is not legally supported.

86. S. Laurel Street, Ventura, CA 93001  
(805) 641-9334, Fax (805) 980-5014  
haffnerlawgroup.com

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October 24, 2019  
Dr. Victor P. Hayek  
Deputy Superintendent, Business Services  
RE: Claimed Notice of Insufficiency  
Page Three

*Gov't Code § 910* is interpreted against Ms. Saremi's claim:

A claim shall be presented by the claimant or by a person acting on his or her behalf and shall show all of the following:

(c) The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.- CVUSD's form contains only the language: "The circumstances giving rise to this claim are as follows:" Ms. Saremi Claim Form responded, "See attached."

Attached to the Verified Claim Form is a single-spaced, two page document entitled, "Nature of Injury, Damages or loss:" This document provides the following information:

The date: (Gov't Code § 910(c))

Over the course of the last 4.8 years... at p.3.  
Since 2015, Michelle Saremi has been the target of harassment, intimidation, and retaliation by the Conejo Valley...  
In 2015, Ms. Saremi was the journalism teacher advisor... School Board member Everett, Dunn and Anderson did not agree with the contents of the Panther Prowler, based upon their religion beliefs. As a result thereof, these board members and the Conejo Valley Unified School District, through its agents, administration and employees have engaged in a concerted effort to create a harassing, hostile and offensive work environment...p.4

As Ms. Saremi's has alleged a pattern and practice has been perpetrated by CVUSD and its agent since 2015, it is unnecessary for her to provide the "date, place and other circumstances of the occurrence or transaction for each and every instance upon which Ms. Saremi bases her Claim..." CVUSD is on notice of the claim sufficiently to allow an investigation of the allegations, while the conduct has been ongoing for years.

86. S. Laurel Street, Ventura, CA 93001  
(805) 641-9334, Fax (805) 980-5014  
haffnerlawgroup.com

October 24, 2019  
Dr. Victor P. Hayek  
Deputy Superintendent, Business Services  
RE: Claimed Notice of Insufficiency  
Page Four

The place: (*Gov't Code § 910(c)*)

The "location" identified on the Verified Claim Form is: "Conejo Valley Unified School District, School Board Meetings, and Newbury Park High School." Understanding the purpose of *Gov't Code § 910* is to put CVUSD on notice of the claim, the location is sufficiently identified; however, in case further direction is needed, be reminded that Newbury Park High School is located at 1403 E. Janss Road, Thousand Oaks, CA 91362. The CVUSD School Board Meetings are held in the high school's Board Meeting room.

The circumstances of the occurrence or transaction which gave rise to the claim asserted: (*Gov't Code § 910(c)*)

Ms. Saremi's Nature of Injury, Damages or loss provides the following:

The circumstances giving rise to this claim are as follows, and why do you claim the district is responsible?

Since 2015, Michelle Saremi has been the target of harassment, intimidation, discrimination, and retaliation by the Conejo Valley Unified School District, its agents, administration, staff, school board members Sandee Everett, Mike Dunn and John Andersen, and parents associated with these specific school board members. In 2015, Ms. Saremi was the journalism teacher advisor overseeing the student news magazine, The Panther Prowler. School board members Everett, Dunn, and Andersen did not agree with the contents of the Panther Prowler, in part, based upon their religious beliefs.

As a result thereof, these board members and the Conejo Valley Unified School District, through its agents, administration and employees have engaged in a concerted effort to create a harassing, hostile and offensive work environment for Michelle Saremi. In addition, Michelle Saremi's association with members of a protected class, namely LGBTQ students, and her religious status, have made her the target of discrimination, harassment and retaliation in violation of both State and Federal laws. *The harassment and intimidation included, but is not limited to, board members damaging Ms. Saremi's reputation in the broader community, the retaliatory administrative leave for which she was given no rational explanation, challenging her teaching credential and encouraging others to challenge her credential, publicly intimidating and humiliating her and her students.* (Emphasis added.)

86. S. Laurel Street, Ventura, CA 93001  
(805) 641-9334, Fax (805) 980-5014  
haffnerlawgroup.com



October 24, 2019  
Dr. Victor P. Hayek  
Deputy Superintendent, Business Services  
RE: Claimed Notice of Insufficiency  
Page Five

As a result, Ms. Saremi's Verified Claim Form complies with the requirements of (Gov't Code § 910(c)). Demanding that Ms. Saremi provide the "date, place and other circumstances of the occurrence or transaction for each and every instance upon which Ms. Saremi bases her Claim..." is evasive and not legally supported. CVUSD is sufficiently on notice of Ms. Saremi's claim to be able to investigate and respond, which constitutes its statutory obligation.

Regardless, in an effort to preclude any repeated contention that CVUSD is somehow not sufficiently on notice of this claim, we have included additional facts and circumstances as an amendment to the Verified Claim Form. Each separate sheet is signed, per the Verified Claim Form's Instructions. The supplemental information provides additional, recent details identifying the facts and circumstances involving the harassment, intimidation and discrimination, including dates, locations, and the identity of CVUSD employees that have perpetrated the conduct.

This information follows the original claim form information, beneath the header, **"October 24, 2019 Supplemental Information pursuant to Conejo Valley Unified School District's Notice of Insufficiency."**

I am confident that this additional information has more than sufficiently put CVUSD on notice of Ms. Saremi's claim.

Sincerely,

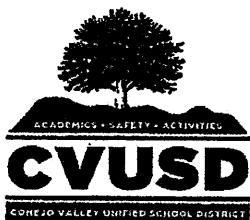
HAFFNER LAW GROUP



Matthew Haffner

Enclosure  
(Verified Claim Form + Supplement)

86. S. Laurel Street, Ventura, CA 93001  
(805) 641-9334, Fax (805) 980-5014  
haffnerlawgroup.com



**CONEJO VALLEY UNIFIED SCHOOL DISTRICT**  
**1400 East Janss Road**  
**Thousand Oaks, CA 91362**

**Attention: Risk Manager**

**VERIFIED CLAIM FORM**  
**Damages to Person or Property**

Instructions	Date Stamp
<ol style="list-style-type: none"> <li>1. Claims to death, injury to person or property must be filed not later than six (6) months after the occurrence (Government Code § 911.2)</li> <li>2. Claim for damages to real property must be filed not later than one (1) year after the occurrence (Government Code § 911.2)</li> <li>3. Read entire claim form before filing</li> <li>4. This claim form must be signed on page 2 at the bottom</li> <li>5. Attach separate sheets, if necessary, to give full details. PLEASE SIGN EACH SHEET</li> </ol>	

To: Conejo Valley Unified \_\_\_\_\_  
(School District) (School Name)

Michelle Saremi \_\_\_\_\_  Adult  Minor  
Name of Claimant

978 LaGrange Avenue \_\_\_\_\_  
Home Address of Claimant City, State, Zip Home Telephone

Newbury Park, CA 91320 \_\_\_\_\_  
Business Address of Claimant City, State, Zip Business Telephone

Haffner Law Group, 86 South Laurel Street, Ventura 93001 \_\_\_\_\_  
Give address and telephone number to which you desire notices to be sent

2015-present, ongoing injury \_\_\_\_\_ Conejo Valley Unified School District \_\_\_\_\_  
Date and time of Injury, Damages, or Loss Location (exact location) Newbury Park HS School board meetings - CVUSD

Nature of Injury, Damages, or Loss:  
see attached

If no injuries, so state:

The circumstances giving rise to this claim are as follows:  
see attached

Why do you claim the district or school is responsible?  
see attached

The names of the public employees causing the claimant's injuries are:

Sandee Everett, Mike Dunn, John Andersen, Mark McLaughlin, Steve Lepire, Jim Garza, and others to be named.

The amount claimed, as of the date of presentation of this claim, is as follows:

Damages incurred to date (exact):		Estimated prospective damages as far as known:	
Damage to Property:	\$ <u>          </u>	Future expenses for medical and hospital care:	\$ <u>TBD</u>
Expenses for medical and hospital care:	\$ <u>TBD</u>	Future loss of earnings:	\$ <u>TBD</u>
Loss of earnings:	\$ <u>TBD</u>	Other prospective special damages:	\$ <u>TBD</u>
Special damages for: <u>Undetermined</u>	\$ <u>TBD</u>	Prospective general damages:	\$ <u>TBD</u>
<u>In excess of 1 million dollars</u>		Total estimated prospective damages:	\$ <u>TBD</u>
General Damages:	\$ <u>TBD</u>	<u>Undetermined, in excess</u>	
Total Damages incurred to date:	\$ <u>TBD</u>	<u>of 1 million dollars</u>	\$ <u>          </u>

Total Amount claimed as of date of presentation of this claim:

If the amount of the claim exceeds \$10,000, indicate the following:  Municipal court, or  Superior court

Was injury or damage investigated by police?  Yes  No

Police Department and Report Number \_\_\_\_\_

Were paramedics or ambulance called?  Yes  No

Fire Department or Ambulance Company \_\_\_\_\_

Witnesses:

_____	_____	_____
Name	Address	Telephone
_____	_____	_____
Name	Address	Telephone
_____	_____	_____
Name	Address	Telephone

Hospitals, Doctors, Medical Providers:

<u>Dr. Roscoe</u>	<u>25 W Rolling Oaks, Suite 206</u>	<u>805 402-8617</u>
Hospital <u>Dr. Lessman</u>	Address <u>227 W. Janss Rd #110</u>	Telephone <u>805-496-6057</u>
<u>Dr. Purmer</u>	<u>2220 Lynn Rd. #208</u>	<u>805-480-2600</u>
Doctor or other Provider <u>Dr. Abrishami</u>	Address <u>29525 Canwood St. #109</u>	Telephone <u>813-338-7099</u>
Doctor or other Provider <u>Dr. Beeson</u>	Address _____	Telephone _____

The undersigned states that he or she is the person making the above stated claim, or is a person representing said claim and acting on behalf of the claimant above named, and declares under penalty of perjury that the foregoing is true and correct insofar as is known as of this date.

October 9, 2019 Date Ventura, California City, State

[Signature] Signature of Claimant or Authorized Representative Haffner Law Group Relationship to Claimant Lawyer for Claimant  
Michelle Saremi

Note: This document is a public record and may be disclosed/released pursuant to the California Public Records Act

Nature of Injury, Damages or loss:

1. Physical and emotional damages:

Over the course of the last 4.8 years, Michelle Saremi has sustained and continues, to the present, to sustain physical and emotional injuries as a result of an ongoing pattern and practice of harassment, intimidation, discrimination and retaliation perpetrated by Conejo Valley Unified School District, its agents, administration, staff, and school board members, acting both within and outside the course and scope of their employment with the school district. These activities will be more fully explained in the civil complaint. These physical and emotional injuries are the result of the stress and anxiety she has experienced in her capacity as a Conejo Valley Unified School District teacher and advisor from the pattern and practice of harassment, intimidation, discrimination and retaliation.

Michelle Saremi's physical and emotional injuries include, but are not limited to, severe emotional distress, extreme stress and anxiety, post-traumatic stress injuries, hypertension, stress-related autoimmune disease, insomnia, rashes, and hair loss. Michelle Saremi's physical and emotional damages are ongoing, disabling, chronic and recurrent. In addition to numerous other causes of action, Michelle Saremi will be seeking general and special damages, attorneys' fees and injunctive relief.

2. Damages to reputation, employment, benefits of employment:

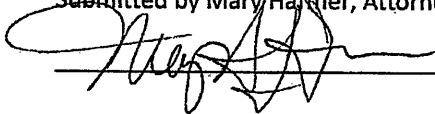
As part of the above-stated pattern and practice, Michelle Saremi has sustained, and continues to sustain, damages to her reputation, her employment, and the benefits of her employment including but not limited to, the deliberate challenges to her teaching credential, the public humiliation and intimidation she has sustained from school board members, the retaliatory administrative leave for which she was given no rational explanation, and other retaliatory reprimands and suspensions.

3. Additional injuries that Michelle Saremi has sustained will be alleged in the forthcoming civil complaint.

The circumstances giving rise to this claim are as follows, and why do you claim the district is responsible?

Since 2015, Michelle Saremi has been the target of harassment, intimidation, discrimination, and retaliation by the Conejo Valley Unified School District, its agents, administration, staff, school board members Sandee Everett, Mike Dunn and John Andersen, and parents associated with these specific school board members. In 2015, Ms. Saremi was the journalism teacher advisor overseeing the student news magazine,

Submitted by Mary Haffner, Attorney for Claimant



10/24/2019

The Panther Prowler. School board members Everett, Dunn, and Andersen did not agree with the contents of the Panther Prowler, in part, based upon their religious beliefs. As a result thereof, these board members and the Conejo Valley Unified School District, through its agents, administration and employees have engaged in a concerted effort to create a harassing, hostile and offensive work environment for Michelle Saremi. In addition, Michelle Saremi's association with members of a protected class, namely LGBTQ students, and her religious status, have made her the target of discrimination, harassment and retaliation in violation of both State and Federal laws. The harassment and intimidation included, but is not limited to, board members damaging Ms. Saremi's reputation in the broader community, the retaliatory administrative leave for which she was given no rational explanation, challenging her teaching credential and encouraging others to challenge her credential, publicly intimidating and humiliating her and her students.

**October 24, 2019 Supplemental Information pursuant to Conejo Valley Unified School District's Notice of Insufficiency**

The following supplemental information is incorporated by reference to the original Government Tort claim, as though fully set forth herein:

Claimant Michelle Saremi has and continues to suffer numerous ongoing injuries as a result of a pattern and practice perpetrated by the named respondents, and this pattern and practice has been ongoing since 2015 and has continues to the present.

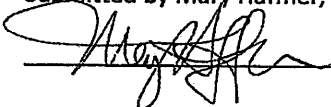
Claimant's injuries are continuing and ongoing and she has suffered all of these injuries while in her capacity as an employee in the Conejo Valley Unified School District, more specifically, as teacher and journalism advisor at Newbury Park High School.

From April 25, 2019, to the present, the following actions took place at Newbury Park High School. This list is not all inclusive, but is sufficient to provide Respondent with more than adequate notice in order to investigate Claimant's complaint:

As part of the ongoing pattern and practice of discrimination, harassment, retaliation, and intimidation, Claimant Saremi was told by her principal that she was not allowed to ask other teachers for help or support in her pending Certified Teacher Credentialing ("CTC") case. She receives no support from District administration or the District office as a result of their preference to support the discriminatory and harassing conduct of CVUSD Board members.

On May 10, 2019, at Newbury Park High School, as part of the pattern and practice of creating a hostile and offensive work environment for Claimant Saremi, Respondent Board member Everett approached students after a school board meeting making intimidating and threatening comments in an effort to get the students to agree with her that Claimant Saremi forces the students to include certain information in the Panther

Submitted by Mary Haffner, Attorney for Claimant



10/24/2019

Prowler. The names and identities of students and other witnesses will become clear in the discovery portion of the civil complaint. Claimant is in possession of evidence to include surveillance video corroborating these claims.

On May 10, 2019, as part of the pattern and practice to intimidate and harassment Claimant Saremi, Respondent Everett conspired with Barbara Sponsor, Everett's close ally and friend, to publicly attack Claimant Saremi in a speech at a televised school board meeting. Other District Respondents, through their actions, endorsed these attacks and evidence the Respondent District's complicity in creating a hostile, offensive, and intimidating work environment for Claimant Saremi.

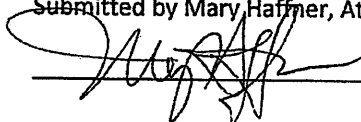
Respondent McLaughlin, a named Respondent herein, contacted Claimant Saremi and/or the CTC regarding Claimant Saremi's CTC case stating that he wanted to "explain the situation" and how Claimant has been treated but that he does not want to "go on the record" or put in writing that he supports Claimant. Claimant alleges and will show through emails and other written communications that Respondent McLaughlin is and has been complicit in the harassing, intimidating, retaliatory, and discriminatory conduct of CVUSD school board members and is and has been afraid to communicate or act in any way that is not supportive of the harassing, intimidating, retaliatory, and discriminatory agenda of named Respondent school board members.

Additionally, the harassing conduct of community members who are closely affiliated with named Respondent school board members has been implicitly endorsed by CVUSD administration. Respondent McLaughlin's conduct as well as the conduct of all named Respondents has been extremely damaging to Claimant Saremi and the lack of support from District administration, along with the harassing, intimidating, retaliatory, and discriminatory conduct of Board members and others that will be named in the formal civil complaint are all responsible for Claimant Saremi's ongoing and persistent injuries.

Respondents were complicit and have endorsed and continue to implicitly endorse the harassment, intimidation, discrimination and retaliation by failing to provide any support to Claimant Saremi while she has been an employee working diligently in her role as a teacher, advisor, and mentor to students. Many of the students she has been supporting and mentoring for years are members of a protected class that has historically been discriminated against and that, emails and other written communications will show, Respondents have engaged in a pattern and practice of discriminating against said protected class.

During Claimant Saremi's CTC appeal, a district administrator, a named Respondent herein, refused to provide a letter of support for my appeal process because he "was told by the district not to." It is Claimant's contention that Respondent CVUSD is in possession of information regarding Respondent school board members and community members regarding the pattern and practice of deliberate harassment and

Submitted by Mary Haffner, Attorney for Claimant



10/24/2019

intimidation that has caused injury to Claimant Saremi and has created a hostile, intimidating, and offensive work environment. This hostile work environment has been continuous and ongoing to the present. Claimant Saremi has evidence that Respondents have created a hostile, intimidating, and offensive work environment in an attempt to get her to quit her position as a CVUSD teacher and advisor. Claimant will be requesting any and all documents to include emails, text messages, reports, and letter that evidence this harassing conduct.

On May 31, 2019, Respondent CVUSD, through administrators named as Respondents, placed a reprimand letter in her personnel file to appease Respondent school board member and community members who have continued to harass and intimidate Claimant Saremi. Claimant Saremi was assured by a Respondent CVUSD administrator that said reprimand letter would not be placed in her personnel file because there was no legitimacy to the reprimand. Contrary to the assurances, the letter was not removed and still existed. Responsible members of respondent include, but may not be limited to, Jake Anderson, Randy Smith, and Mark McLaughlin.

Also on May 31, 2019, Claimant was retrieved by Steve Lepire via AP Bennett Wutkee who came to her fifth period class and advised Claimant in front of her students that the principal needed to see her NOW and that he (Wutkee) would cover my class. When Claimant entered Lepire's office, a UACT rep, Steve Johnson, was already sitting at the conference table. With the door shut, Lepire accused Claimant of tampering with the Panther Prowler. Respondent's personnel included, but may not be limited to, Steve Lepire; Mark McLaughlin; Sandee Everett; and, Betsy Connolly, Board President.

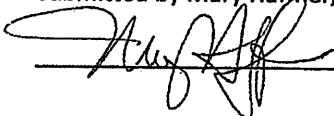
On June 4, 2019, Respondent's Administrator Lepire visited Claimant's classroom at NPHS to purportedly speak to Claimant about a "few things." Mr. Lepire then supplied accusations against Claimant inferring that she was deficient in handling her job responsibilities at NPHS in regard to the publication, "Panther Prowler."

On September 20, 2019, Claimant received a text message from Respondent's Administrator Lepire asking to meet with Claimant. Lepire accused Claimant of not performing her my due diligence with article preparation. Lepire then yelled at Claimant, "You are the adviser. Do your job!"

On October 20, 2019, Steve Lepire, principal, and Kristi Konish, VP of curriculum, entered Claimant's classroom during lunch when no one else was in the room. Lepire stood in front of the entrance/exit to my desk area, cornering Claimant, and argued with Claimant regard the yearbook deadline. Lepire was accusatory, hostile and aggressive.

On October 23, 2019, Claimant continues to await the resolution of Respondent's CTC complaint. Respondent's complaint was issued to harass, oppress and intimidate Claimant. Respondent's Administrators responsible for the CTC complaint include, but may not be limited to, Elen Doty, Jake Anderson, Kavita Rai, Maya Chari, and Mark McLaughlin.

Submitted by Mary Haffner, Attorney for Claimant



10/24/2019

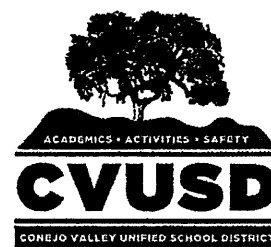
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**EXHIBIT D**



Mark W. McLaughlin, Ed.D.  
Superintendent

Victor P. Hayek, Ed.D.  
Deputy Superintendent, Business Services



November 14, 2019

VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Michelle Saremi  
c/o Haffner Law Group  
86 South Laurel Street  
Ventura, CA 93001

To: Michelle Saremi and her attorney Haffner Law Group:

**NOTICE AND RETURN OF GOVERNMENT CLAIM (PARTIAL) –  
NO ACTION TAKEN**

NOTICE IS HEREBY GIVEN that the Government Claim dated October 9, 2019, including the supplemental information presented by you to the Conejo Valley Unified School District on October 24, 2019, is being returned as to those incidents alleged to have occurred before April 9, 2019, because a claim was not presented within 6 months after the events or occurrences as required by law. See Government Code Sections 901 and 911.2(a). Because the claim as to these events was not presented within the time allowed by law, no action was taken on the claim as to these events.

**WARNING**

Your only recourse at this time is to apply without delay to the Conejo Valley Unified School District for leave to present a late claim as to the incidents alleged to have occurred before April 9, 2019. See Government Code Sections 911.4 to 912.2, inclusive, and Government Code Section 946.6. In some circumstances, leave to present a late claim will be granted. See Government Code Section 911.6.

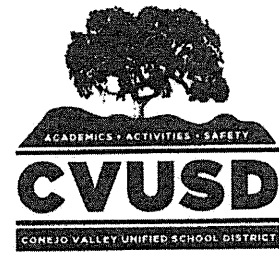
You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

**NOTICE OF REJECTION OF GOVERNMENT CLAIM (PARTIAL)**

FURTHER NOTICE IS HEREBY GIVEN that the Government Claim dated October 9, 2019, including the supplemental information presented by you to the Conejo Valley Unified School District on October 24, 2019, was rejected on November 14, 2019, as to the incidents alleged to have occurred from April 9, 2019, through October 9, 2019.

Mark W. McLaughlin, Ed.D.  
Superintendent

Victor P. Hayek, Ed.D.  
Deputy Superintendent, Business Services



**Re: Notice and Return of Government Claim (Partial) and Notice of Rejection of Government Claim (Partial)**

**WARNING**

Subject to certain exceptions, you have only 6 months after the date this notice was deposited in the mail to file a court action on this claim as to the incidents alleged to have occurred from April 9, 2019 through October 9, 2019. See Government Code Section 945.6. This time limitation applies only to causes of action for which Govt. Code §§ 900-915.4 requires you to present a claim. Other causes of action, including those arising under federal law, may have different time limitations.

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,

A handwritten signature in black ink, appearing to be 'V. Hayek', is written over the 'Very truly yours,' text.

Dr. Victor P. Hayek  
Deputy Superintendent, Business Services  
Conejo Valley Unified School District  
Serving the communities of Newbury Park, Thousand Oaks & Westlake Village