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ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

MAY 12 2015

Sherri R. Carter, Executive Officer/Clerk  
By Cristina Grijalva, Deputy

Attorneys for Plaintiff,  
LYNN DYMALLY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES

10 LYNN DYMALLY,  
11 Plaintiff,  
12 vs.

Case No.:

BC 5 8 1 6 6 2

COMPLAINT FOR DAMAGES

13 ALBERT ROBLES, an individual; WATER  
14 REPLENISHMENT DISTRICT OF  
15 SOUTHERN CALIFORNIA; and DOES 1  
16 through 10, inclusive,  
17 SOUTHERN CALIFORNIA; and DOES 1  
18 through 10, inclusive,

Defendants

- 1. SEXUAL BATTERY - CALIFORNIA CIVIL CODE SECTION 1708.5
- 2. SEXUAL HARASSMENT - CALIFORNIA CIVIL CODE SECTION 51.9
- 3. GENDER VIOLENCE - CALIFORNIA CIVIL CODE SECTION 52.4
- 4. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

DEMAND FOR JURY TRIAL

23 COMES NOW Plaintiff, LYNN DYMALLY, who hereby submits her Complaint as follows:  
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**PARTIES**

1. Plaintiff, LYNN DYMALLY (hereinafter referred to as “Plaintiff” or “Ms. Dymally”), is and was at all times mentioned herein, a resident of the County of Los Angeles, State of California.
2. At all relevant times herein, Plaintiff was a Member of the Board of Directors of Defendant WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA (hereinafter referred to as “Defendant WRD”).
3. Plaintiff is informed and believes and thereon alleges that Defendant WRD is a California entity and is doing business in the County of Los Angeles, State of California.
4. Plaintiff is informed and believes and thereon alleges that Defendant ALBERT ROBLES (hereinafter referred to as “Defendant Robles”), is and was, at all times mentioned herein, a resident of the County of Los Angeles, State of California.
5. At all times mentioned herein, Defendant Robles was a Director and acting President of Defendant WRD.
6. The true names or capacities, whether individual, corporate, associate or otherwise, of defendants DOES 1 through 10, inclusive, are unknown to plaintiff and therefore plaintiff sues these defendants by such fictitious names. Plaintiff will amend this complaint to allege their true names and capacities when ascertained. Plaintiff is informed and believes and based thereon alleges that each of these fictitiously named defendants is responsible in some manner for the occurrences herein alleged, and that Plaintiff’s damages as herein alleged were proximately caused by their conduct.
7. Plaintiff is informed and believes and thereon alleges that, at all times mentioned, each of the defendants, including Defendant Robles as well as the fictitiously named defendants, was the

1 director, officer, agent, servant, employee or co-venturer of each of the other Defendants,  
2 Specifically Defendant WRD and at all times relevant acting within the purpose and scope of  
3 said directorship, agency, service, employment or joint venture. Plaintiff is further informed  
4 and believes, and upon such information and belief allege, that at all times herein mentioned  
5 each of the Defendants gave consent to, ratified and authorized the acts alleged herein of each  
6 of his, or its co-defendants. As such, Defendant WRD is vicariously liable for the acts of  
7 Defendant Robles mentioned herein.  
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10 **FACTS COMMON TO ALL COUNTS**

- 11  
12 8. Plaintiff was appointed to Defendant WRD's Board of Directors on or about September 11,  
13 2013.
- 14 9. During her stint with Defendant WRD, Plaintiff was subjected to repeated incidents of sexual  
15 9. During her stint with Defendant WRD, Plaintiff was subjected to repeated incidents of sexual  
16 battery, as well as harassment.
- 17 10. Specifically, shortly after Plaintiff's appointment to Defendant WRD's Board of Directors,  
18 Defendant Robles invited Ms. Dymally to attend the American Leaders Water Conference in  
19 Washington, D.C. with him as a representative of Defendant WRD.
- 20 11. Ms. Dymally accepted the invitation in her role as a board member. The conference was held  
21 from November 3, 2013 to November 6, 2013. The Defendant WRD funded the trip.
- 22 12. Defendant Robles and Ms. Dymally took the same flight to Washington, D.C., and shared a  
23 cab to the hotel where they both were staying.
- 24 13. Much to Ms. Dymally's surprise, Defendant Robles arranged adjoining rooms. Defendant  
25 Robles then attempted to open the adjoining door to Ms. Dymally's room, but was  
26 unsuccessful.  
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- 1 14. On or about the early morning of November 3, 2013, as Ms. Dymally was returning to her  
2 room from a dinner meeting Defendant Robles and several other individuals, Defendant  
3 Robles forced himself on Ms. Dymally. Defendant Robles was so aggressive that he backed  
4 Ms. Dymally into her room against her will and force. Defendant Robles then began to grope  
5 Ms. Dymally, and in a truly perverse manner, attempted to rip off Ms. Dymally's clothes.  
6 Ms. Dymally continued to struggle with Defendant Robles, and attempted to stop him.  
7 However, Defendant Robles persisted and forced his body on top of Ms. Dymally. Defendant  
8 Robles then attempted to penetrate Ms. Dymally's vagina with his penis.
- 9 15. Defendant Robles was unable to penetrate Ms. Dymally's vagina, and then passed out on top  
10 Ms. Dymally.  
11
- 12 16. Ms. Dymally was able to escape the situation, but was left emotionally traumatized. Ms.  
13 Dymally showered, dressed, and immediately went to a conference interview as a Defendant  
14 Dymally showered, dressed, and immediately went to a conference interview as a Defendant  
15 WRD representative in the hotel.
- 16 17. On the evening of November 3, 2013, Defendant Robles once again attempted to touch Ms.  
17 Dymally in a sexual manner when she returned to her room. Ms. Dymally was able to push  
18 Mr. Robles away and thwart his persistent advances.
- 19 20 18. Upon returning to Los Angeles from the conference, Defendant Robles immediately engaged  
21 in harassing and bullying Ms. Dymally during Defendant WRD board meetings. Defendant  
22 Robles' intentional harassment of and infliction of emotional distress upon Ms. Dymally was  
23 so pervasive that she requested that Defendant Robles be physically kept away from her  
24 during Defendant WRD meetings.  
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1 19. As a result of Defendant Robles' unacceptable and tortious conduct, Ms. Dymally was left  
2 feeling humiliated. Defendant Robles' actions caused Ms. Dymally much depression and  
3 anxiety.

4 **FIRST CAUSE OF ACTION**

5 **Sexual Battery - California Civil Code Section 1708.5**  
6 *(Against All Defendants)*

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- 8 20. Plaintiff refers to the allegations contained in paragraphs 1 through 19, inclusive, and  
9 incorporates each by reference as though fully set forth at length herein.
- 10 21. The aforementioned conduct by Defendant Robles is a violation of California Civil Code  
11 section) 1708.5 in that Defendant Robles acted with the intent to cause a harmful or offensive  
12 contact with Plaintiff, and a sexually offensive contact with Plaintiff directly occurred.
- 13
- 14 22. As a direct and proximate result of the acts of Defendants, Plaintiff has and will continue to  
15 suffer severe mental anguish and emotional distress in the form of anxiety, embarrassment,  
16 suffer severe mental anguish and emotional distress in the form of anxiety, embarrassment,  
17 humiliation, headaches, loss of sleep, confidence, self-esteem and general discomfort; will  
18 incur medical expenses for treatment by psychotherapists and other health care professionals,  
19 and other incidental expenses; suffer loss of earnings and other employment benefits and job  
20 opportunities. Plaintiff is thereby entitled to general and compensatory damages in an amount  
21 according to proof at trial.
- 22 23. Defendants, and each of them, committed the acts alleges herein maliciously, fraudulently,  
23 oppressively and in bad faith, with the wrongful intention of hurting Plaintiff, for an improper  
24 and evil motive amounting to malice, and in conscious disregard of Plaintiff's rights.  
25 Specifically, Defendants acted maliciously in willfully touching Plaintiff without her consent.  
26 Defendants' aforementioned conduct was despicable in that Defendant Robles' attempts to  
27 have sexual intercourse with Plaintiff was so vile, base, or contemptible that it would be  
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1 looked down on despised by reasonable people. Defendants' aforementioned conduct was  
2 oppressive in that Defendants' despicable conduct consciously disregarded Plaintiff's right to  
3 be free from harassment, and subjected Plaintiff to cruel and unjust hardship. Plaintiff is  
4 informed and believes that Defendant WRD, through its officers, managing agents, and/or its  
5 supervisors, authorized, condoned and/or ratified the unlawful conduct as alleged herein.  
6 Plaintiff is therefore entitled to recover punitive damages in an amount according to proof at  
7 trial.  
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9 **SECOND CAUSE OF ACTION**

10 **Sexual Harassment - California Civil Code Section 51.9**  
11 ***(Against All Defendants)***

- 12 24. Plaintiff refers to the allegations contained in paragraphs 1 through 23, inclusive, and  
13 incorporates each by reference as though fully set forth at length herein.
- 14 25. The aforementioned conduct by Defendant Robles is a violation of California Civil Code  
15 25. The aforementioned conduct by Defendant Robles is a violation of California Civil Code  
16 section) 51.9 in that: Defendant Robles and Plaintiff were in a business/professional  
17 relationship with each other as both were Board Members of Defendant WRD; Defendant  
18 Robles made unwelcome, pervasive, and severe sexual advances and physical conduct of a  
19 sexual nature upon Plaintiff based on her gender; and Plaintiff was unable to easily terminate  
20 the relationship as a Defendant WRD Board Member.
- 21 26. As a direct and proximate result of the acts of Defendants, Plaintiff has and will continue to  
22 suffer severe mental anguish and emotional distress in the form of anxiety, embarrassment,  
23 humiliation, headaches, loss of sleep, confidence, self-esteem and general discomfort; will  
24 incur medical expenses for treatment by psychotherapists and other health care professionals,  
25 and other incidental expenses; suffer loss of earnings and other employment benefits and job  
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1 opportunities. Plaintiff is thereby entitled to general and compensatory damages in an amount  
2 according to proof at trial.

3 27. Defendants, and each of them, committed the acts alleges herein maliciously, fraudulently,  
4 oppressively and in bad faith, with the wrongful intention of hurting Plaintiff, for an improper  
5 and evil motive amounting to malice, and in conscious disregard of Plaintiff's rights.  
6 Specifically, Defendants acted maliciously in willfully touching Plaintiff without her consent.  
7 Defendants' aforementioned conduct was despicable in that Defendant Robles' attempts to  
8 have sexual intercourse with Plaintiff was so vile, base, or contemptible that it would be  
9 looked down on despised by reasonable people. Defendants' aforementioned conduct was  
10 oppressive in that Defendants' despicable conduct consciously disregarded Plaintiff's right to  
11 be free from harassment, and subjected Plaintiff to cruel and unjust hardship. Plaintiff is  
12 informed and believes that Defendant WRD, through its officers, managing agents, and/or its  
13 informed and believes that Defendant WRD, through its officers, managing agents, and/or its  
14 supervisors, authorized, condoned and/or ratified the unlawful conduct as alleged herein.  
15 Plaintiff is therefore entitled to recover punitive damages in an amount according to proof at  
16 trial.  
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19 **THIRD CAUSE OF ACTION**

20 **Gender Violence - California Civil Code Section 52.4**  
21 *(Against All Defendants)*

22 28. Plaintiff refers to the allegations contained in paragraphs 1 through 27, inclusive, and  
23 incorporates each by reference as though fully set forth at length herein.

24 29. The aforementioned conduct by Defendant Robles is a violation of California Civil Code  
25 section) 52.4 in that Defendant Robles used and/or attempted to use physical force against in  
26 his attempts at engaging in sexual conduct with Plaintiff based on her gender as described in  
27 detail above.  
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1 30. As a direct and proximate result of the acts of Defendants, Plaintiff has and will continue to  
2 suffer severe mental anguish and emotional distress in the form of anxiety, embarrassment,  
3 humiliation, headaches, loss of sleep, confidence, self-esteem and general discomfort; will  
4 incur medical expenses for treatment by psychotherapists and other health care professionals,  
5 and other incidental expenses; suffer loss of earnings and other employment benefits and job  
6 opportunities. Plaintiff is thereby entitled to general and compensatory damages in an amount  
7 according to proof at trial.  
8

9 31. Defendants, and each of them, committed the acts alleges herein maliciously, fraudulently,  
10 oppressively and in bad faith, with the wrongful intention of hurting Plaintiff, for an improper  
11 and evil motive amounting to malice, and in conscious disregard of Plaintiff's rights.

12 Specifically, Defendants acted maliciously in willfully touching Plaintiff without her consent.

13 Defendants' aforementioned conduct was despicable in that Defendant Robles' attempts to  
14 Defendants' aforementioned conduct was despicable in that Defendant Robles' attempts to

15 have sexual intercourse with Plaintiff was so vile, base, or contemptible that it would be  
16 looked down on despised by reasonable people. Defendants' aforementioned conduct was

17 oppressive in that Defendants' despicable conduct consciously disregarded Plaintiff's right to  
18 be free from harassment, and subjected Plaintiff to cruel and unjust hardship. Plaintiff is

19 informed and believes that Defendant WRD, through its officers, managing agents, and/or its  
20 supervisors, authorized, condoned and/or ratified the unlawful conduct as alleged herein.

21 Plaintiff is therefore entitled to recover punitive damages in an amount according to proof at  
22 trial.

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**FOURTH CAUSE OF ACTION**

**Intentional Infliction Of Emotional Distress**  
*(Against All Defendants)*

32. Plaintiff incorporates by reference thereto, and make a part hereof, as though fully set forth herein, each, every, and all of the allegations contained in paragraphs 1 through 31 of this Complaint herein.
33. Defendants acted with reckless disregard of the probability of causing Plaintiff to suffer emotional distress by: sexually assaulting Plaintiff, and verbally and mentally harassing Plaintiff at Defendant WRD Board Meetings, as alleged in this complaint.
34. The extreme and outrageous nature of Defendants' conduct, specifically, their reckless, careless, and intentional: sexually assaulting Plaintiff, and verbally and mentally harassing Plaintiff at Defendant WRD Board Meetings, would cause an average member of the community to immediately react in outrage.  
community to immediately react in outrage.
35. Specifically, Defendants engaged extreme and outrageous conduct when Defendant Robles continued to sexually assault, and verbally and mentally harass Plaintiff, despite the knowledge of Plaintiff's protests to such conduct and Plaintiff's continued requests to address the problems.
36. Defendants' outrageous conduct is the direct and proximate cause of Plaintiff suffering emotional and physical distress, embarrassment, humiliation, mental anguish, and losses to reputation.
37. The extreme and outrageous conduct of Defendants was the direct and proximate cause of the severe emotional distress suffered by Plaintiff. The resulting damage to Plaintiff is in excess of the minimum subject matter jurisdiction of this Court and according to proof.

1 **PRAYER**

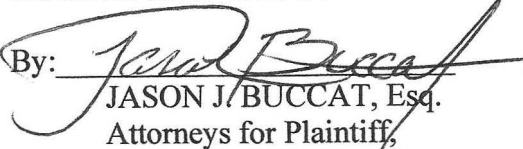
2 WHEREFORE, Plaintiff prays judgment against Defendants, and each of them, jointly and severally,  
3 as follows:  
4

- 5 1. Compensatory damages, including lost earnings and other employment benefits, together with  
6 interest thereon at the maximum rate allowed by law, in a sum according to proof at the time of trial;  
7  
8 2. Present value of lost future earnings and benefits, and loss of earning capacity, according to proof;  
9  
10 3. General damages, including damages for physical and emotional distress, embarrassment, anxiety,  
11 humiliation and mental anguish, in a sum according to proof at the time of trial;  
12  
13 4. Exemplary and punitive damages in a sum appropriate to punish defendants and set an example for  
14 others;  
14 others;  
15  
16 5. Attorney's Fees;  
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18 6. Costs of suit herein;  
19  
20 7. Prejudgment interest; and  
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22 8. Such other and further relief as the Court may deem proper.

23 Dated: May 11, 2015

Respectfully submitted,

24 **BUCCAT LAW GROUP**

25  
26 By:   
27 JASON J. BUCCAT, Esq.  
28 Attorneys for Plaintiff,  
Lynn Dymally

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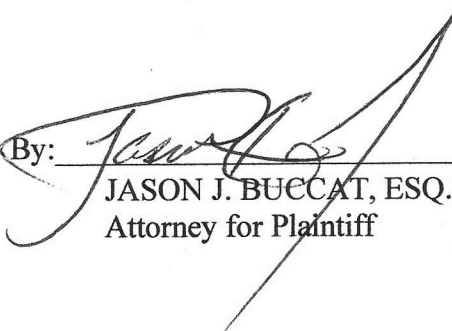
**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury.

DATED: May 11, 2015

Respectfully submitted,

BUCCAT LAW GROUP

By:  \_\_\_\_\_  
JASON J. BUCCAT, ESQ.  
Attorney for Plaintiff