

**Government Claims Act Notice and Presentment of Claim**

Montebello Unified School District  
Attn. Jennifer Gutierrez  
Clerk of Board of Education  
123 S Montebello Blvd  
Montebello, CA 90640

Montebello Unified School District  
Attn. Risk Management  
123 S Montebello Blvd  
Montebello, CA 90640

**Claimant's Representative**

Michael Freiman, Esq.  
Law Office of Michael Freiman  
100 Wilshire Blvd. Ste 700  
Santa Monica, CA 90401  
(310) 917-1024

Person Authorized to Sign on Claimant's Behalf and Receive Notice

**Claimant**

Walther Medina  
c/o  
Law Office of Michael Freiman  
100 Wilshire Blvd. Ste 700  
Santa Monica, CA 90401

**Respondents**

Montebello Unified School District  
123 S Montebello Blvd  
Montebello, CA 90640

Anthony J. Martinez  
c/o  
Montebello Unified School District  
123 S Montebello Blvd  
Montebello, CA 90640

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### Claim Description

Beginning in or around March, 2019, and continuing through the present, Montebello Unified School District Superintendent Anthony J. Martinez obtained Mr. Medina's trust through promises of money, education (including through Montebello Unified School District), training, involvement in leadership programs, creating a class specifically for Medina, creating a scholarship in Medina's name, and assistance with obtaining citizenship while secretly planning to exploit the trust provided by Medina in Martinez's capacity of Superintendent of Montebello School District as a means of forcing him to engage in a sexual relationship in an unlawful quid pro quo. Medina specifically told Martinez that he was not interested in a romantic relationship and required Martinez to confirm with Medina that Martinez did not expect sexual favors from Medina. Martinez fraudulently told Claimant he did not expect a romantic relationship from Medina.

Throughout Spring and Summer, 2019, Martinez subjected Claimant to romantic messages verbally and in writing, sexual discussion, taking pictures of Claimant, hugging Claimant, touching other parts of his body, and other unwelcomed sexual advances including without limitation asking Plaintiff to take his pants off in Martinez's office at the school district. In August, 2019, Martinez sexually assaulted Claimant by forcibly grabbing his genitals and performing an unwelcomed sexual act upon him at Martinez's home. In or around August, 2019, Martinez sexually assaulted Claimant again by forcibly grabbing Claimant's genitals at Martinez's home.

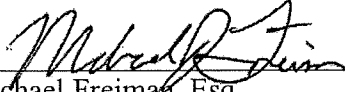
Following Claimant's opposition to and complaints about Martinez's unlawful behavior, Martinez retaliated against Claimant through a campaign of intimidation and harassment intended to exclude and silence Claimant including without limitation showing up uninvited to Claimant's place of work and discussing Claimant's education, family, and other issues even after Claimant

told Martinez he was not to go there, repeatedly calling and text messaging Claimant even after Claimant stopped responding to all of Martinez's messages and told Martinez to cease communicating with him, sending Medina pictures of Medina in school district publications, sending Medina documents related to a scholarship made in Medina's name, misrepresenting Martinez's involvement in educational and leadership programs, making invasive statements regarding Claimant's family, personal life and legal obligations, making statements regarding Claimant's education at the school district, communicating with Claimant's family members, and sending other unwelcome communication to or about Claimant to Claimant and other third parties directly and through social media, which has continued from August, 2019 to the present. As a result of the aforementioned conduct, Claimant was forced to terminate his education within the Montebello School District.

Claimant was subject to sexual assault, sexual harassment, harassment/discrimination on the basis of sex/gender/perceived sexual orientation, retaliation for his opposition to and complaints about the unlawful conduct, assault, battery, intentional infliction of emotional distress, misrepresentation, and other related claims based on the aforementioned conduct. Claimant suffered economic and non-economic damages including without limitation damage to Claimant's education, lost past/future wages/benefits, damage to professional reputation, damage to earning capacity, emotional distress, shame, humiliation, embarrassment, mental suffering, attorney's fees/costs, statutory penalties to the extent allowable by law, and will seek punitive damages to the extent allowable under law in an unlimited civil case.

Dated: September 18, 2019

By: LAW OFFICE OF MICHAEL FREIMAN

  
Michael Freiman, Esq.

Attorney for Claimant Walther Medina