

1 Daniel DeSantis, Esq. (SBN: 299997)
Bobby Saadian, Esq. (SBN: 250377)
2 **WILSHIRE LAW FIRM**
3055 Wilshire Blvd., 12th Floor
3 Los Angeles, California 90010
4 Tel: (213) 381-9988
5 Fax: (213) 381-9989
6 ddesantis@wilshirelawfirm.com

7 Attorneys for Plaintiff, KENYA TAYLOR

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

10
11 KENYA TAYLOR, Individually and as a
12 Successor in Interest to Decedent, DAYVON
TAYLOR,

13 Plaintiff,

14 vs.

15 LOS ANGELES UNIFIED SCHOOL
16 DISTRICT, a government entity, LOS
17 ANGELES COUNTY, a government entity;
18 CITY OF LOS ANGELES, a government
19 entity; TYLER D'SHAUN MARTIN-
BRAND, an individual; and DOES 1 through
20 50 inclusive,

21 Defendants.

CASE NO.: 20STCV33128

COMPLAINT FOR DAMAGES

- 1) VIOLATION OF A MANDATORY DUTY;
- 2) NEGLIGENT HIRING, RETENTION, AND SUPERVISION;
- 3) NEGLIGENCE;
- 4) NEGLIGENCE PER SE;
- 5) SURVIVAL ACTION; AND
- 6) WRONGFUL DEATH

DEMAND FOR JURY TRIAL

Complaint Filed:
Assigned to:
Trial Date: Not Yet Set

GENERAL ALLEGATIONS

- 26 1. Decedent DAYVON TAYLOR was a six (6) year old and resident of Los Angeles County,
27 California. He is survived by his mother, who is the Plaintiff to this action.
- 28 2. Plaintiff KENYA TAYLOR is an adult and resident of Los Angeles County, California,

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137

1 and at all relevant times herein was the lawful mother of decedent, DAYVON TAYLOR,
2 and is therefore the rightful entitled heir under the wrongful death and survivor statutes in
3 the state of California to pursue these claims against Defendants, and each of them.

4 3. Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT is a government entity in Los
5 Angeles County, California, and is subject to the laws of California.

6 4. Defendant LOS ANGELES COUNTY is a government entity in Los Angeles County,
7 California, and is subject to the laws of California.

8 5. Defendant CITY OF LOS ANGELES is a government entity in Los Angeles County,
9 California, and is subject to the laws of California.

10 6. Defendant TYLER D'SHAUN MARTIN-BRAND was at all relevant times herein an
11 elementary school employee with Defendant LOS ANGELES UNIFIED SCHOOL
12 DISTRICT, which is a government entity in Los Angeles County, California, and is subject
13 to the laws of California.

14 7. Plaintiff does not know the true names and capacities of the defendants sued herein
15 as Does 1 through 50, inclusive, and thereby sues those defendants by such fictitious
16 names, whether individual, corporate, partner, associate, agent or otherwise.

17 8. Plaintiff is informed and believes, and on such information and belief alleges, that
18 each of the fictitiously named defendants is responsible in some manner for the
19 occurrences and wrongful conduct alleged herein and that Plaintiff's damages, as alleged
20 herein, were proximately caused by their conduct.

21 9. At all times mentioned herein, each of the Defendants sued herein was the agent, servant,
22 and employee of each other and of his said Co-Defendants, and, as such, was acting within
23 the time, place, purpose, and scope of said agency, service, and employment; each and
24 every Defendant, as aforesaid, when acting as a principal, was negligent in the selection
25 and hiring of each and every other Defendant as an agent, servant, and/or employee.

26 10. This Court is proper because the entities Defendant LOS ANGELES UNIFIED SCHOOL
27 DISTRICT, Defendant LOS ANGELES COUNTY, and Defendant CITY OF LOS
28 ANGELES are located within the County of Los Angeles in the state of California. The

1 Court and venue is proper because the acts and violations of mandatory duties which make
2 up this lawsuit occurred within the County of Los Angeles, state of California.

3 **SPECIFIC FACUTAL ALLEGATIONS**

- 4 11. Plaintiff hereby re-alleges all paragraphs above and they are incorporated herein.
- 5 12. At all times relevant herein, Decedent DAYVON TAYLOR was a student at Normandie
6 Avenue Elementary.
- 7 13. Normandie Avenue Elementary is a school in the school district of Defendant LOS
8 ANGELES UNIFIED SCHOOL DISTRICT.
- 9 14. Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT is within Los Angeles County
10 and affiliated and/or controlled with or by Defendant LOS ANGELES COUNTY and/or
11 Defendant CITY OF LOS ANGELES.
- 12 15. In 2019, Normandie Avenue Elementary and Defendant LOS ANGELES UNIFIED
13 SCHOOL DISTRICT offered an after-school program entitled “Beyond The Bell.”
- 14 16. In 2019, decedent DAYVON TAYLOR attended the “Beyond the Bell” program.
- 15 17. While a student at the “Beyond the Bell” program, decedent DAYVON TAYLOR’s
16 supervisor and/or coach with Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT
17 was Defendant TYLER D’SHAUN MARTIN-BRAND.
- 18 18. In 2019 Defendant TYLER D’SHAUN MARTIN-BRAND was employed by Defendant
19 LOS ANGELES UNIFIED SCHOOL DISTRICT.
- 20 19. At all relevant times herein, Defendant TYLER D’SHAUN MARTIN-BRAND was acting
21 as an agent for Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT.
- 22 20. In 2019, Defendant TYLER D’SHAUN MARTIN-BRAND would take Decedent Dayvon
23 Taylor away from other students, teachers, and/or other supervisors and be in isolation with
24 him.
- 25 21. On December 26, 2019, Defendant TYLER D’SHAUN MARTIN-BRAND physically
26 abused and murdered Decedent, DAYVON TAYLOR.
- 27 22. As a result of all of Defendants’ conduct, decedent DAYVON TAYLOR and Plaintiff
28 suffered serious pre-death damages and injuries, including physical injuries, mental

1 32. Persons or entities herein may be found liable under California Government Code § § 15.2
2 and 820.

3 33. Persons or entities herein may be found liable under California Penal Code, §§ 11164, 11165,
4 11166 et al and other Child Abuse Reporting Requirements.

5 34. California Education Code § 44808 requires a safe environment off-premises.

6 35. Persons or entities herein are subject to California Education Code §§ 44830 and 44830
7 through 44842, et al.

8 **FIRST CAUSE OF ACTION**

9 **(VIOLATION OF MANDATORY DUTY AGAINST DEFENDANT LOS ANGELES**

10 **UNIFIED SCHOOL DISTRICT, DEFENDANT LOS ANGELES COUNTY,**

11 **DEFENDANT CITY OF LOS ANGELES, DEFENDANT TYLER D’SHAUN MARTIN-**

12 **BRAND, AND DOES 1 THROUGH 50)**

13 36. Plaintiff hereby re-alleges all paragraphs above and they are incorporated herein.

14 37. Plaintiff alleges that employees, directors, coaches, and supervisors of Defendant LOS
15 ANGELES UNIFIED SCHOOL DISTRICT and/or Defendant COUNTY OF LOS
16 ANGELES and/or Defendant CITY OF LOS ANGELES acting within the course and scope
17 of their employment knew, had reasonable suspicion of, and/or should have known of
18 Defendant TYLER D’SHAUN MARTIN-BRAND’s abusive conduct against children, but
19 failed to act, failed to discharge Defendant TYLER D’SHAUN MARTIN-BRAND, and
20 failed to report the abuse.

21 38. The specific mandatory duties that Plaintiff contends employees, directors, coaches, and
22 supervisors of Defendants failed to perform in this case includes but is not limited to
23 California Penal Code Sections 11165.7, 11165.9, 11166.05, and 11166 et al., the
24 California Constitution Sections 28(a) and (c), the California Education Code Section 220.

25 39. Plaintiff alleges that if employees, directors, coaches, and supervisors of Defendant LOS
26 ANGELES UNIFIED SCHOOL DISTRICT and/or Defendant COUNTY OF LOS
27 ANGELES and/or Defendant CITY OF LOS ANGELES acted in compliance with their
28 mandatory duties, then Defendant TYLER D’SHAUN MARTIN-BRAND would have been

1 stopped before he engaged in his harm against decedent, DAYVON TAYLOR.

2 40. Defendant’s violation of these mandatory duties was a substantial factor in causing harm to
3 Plaintiff and decedent DAYVON TAYLOR, including serious pre-death damages and
4 injuries, including physical injuries, mental anguish, terror, and anxiety.

5 41. Defendant’s violation of these mandatory duties was a substantial factor in causing harm to
6 Plaintiff and decedent DAYVON TAYLOR, including a substantial loss of assistance, care,
7 comfort, companionship, society, guidance, moral support, love, affection, and protection.

8 42. Defendant’s violation of these mandatory duties was a substantial factor in causing harm to
9 Plaintiff and decedent DAYVON TAYLOR, including a loss of financial support, gifts or
10 benefits, funeral, and burial expenses.

11 43. Decedent DAYVON TAYLOR was and is a person that California Penal Code Sections
12 11165.7, 11165.9, 11166.05, and 11166 et al., the California Constitution Section 28(a)
13 and(c), and the California Education Code section 220 was intended to protect.

14
15 **SECOND CAUSE OF ACTION**

16 **(NEGLIGENT HIRING, RETENTION, AND SUPERVISION AGAINST DEFENDANT**
17 **LOS ANGELES UNIFIED SCHOOL DISTRICT, DEFENDANT LOS ANGELES**
18 **COUNTY, DEFENDANT CITY OF LOS ANGELES, AND DOES 1 THROUGH 50)**

19 44. Plaintiff hereby re-alleges all paragraphs above and they are incorporated herein.

20 45. Personnel, employees, directors, and supervisors of Defendant LOS ANGELES UNIFIED
21 SCHOOL DISTRICT and/or Defendant COUNTY OF LOS ANGELES and/or Defendant
22 CITY OF LOS ANGELES hired Defendant TYLER D’SHAUN MARTIN-BRAND.

23 46. Defendant TYLER D’SHAUN MARTIN-BRAND was unfit to work as an elementary
24 school coach and/or supervisor.

25 47. Plaintiff alleges that personnel, employees, directors, and supervisors of Defendant
26 LOS ANGELES UNIFIED SCHOOL DISTRICT and/or Defendant LOS ANGELES
27 COUNTY and/or Defendant CITY OF LOS ANGELES acting within the course and scope
28 of their employment knew, had reasonable suspicion of, and/or should have known of

1 Defendant TYLER D'SHAUN MARTIN-BRAND's abusive conduct against children, but
2 hired him anyways, failed to act once they had reasonable suspicions of the conduct, failed
3 to discharge Defendant TYLER D'SHAUN MARTIN-BRAND, and failed to report the
4 abuse.

5 48. Personnel, employees, directors, and supervisors of Defendant LOS ANGELES UNIFIED
6 SCHOOL DISTRICT and/or Defendant COUNTY OF LOS ANGELES and/or Defendant
7 CITY OF LOS ANGELES negligently and purposefully ignored evidence that would lead a
8 reasonable person to believe that Defendant TYLER D'SHAUN MARTIN-BRAND was
9 engaging in abusive conduct against children and/or decedent, DAYVON TAYLOR.

10 49. Defendant's negligent hiring, supervision, and/or retention was a substantial factor in causing
11 harm to Plaintiff and decedent DAYVON TAYLOR, including serious pre-death damages
12 and injuries, including physical injuries, mental anguish, terror, and anxiety.

13 50. Defendant's negligent hiring, supervision, and/or retention was a substantial factor in causing
14 harm to Plaintiff and decedent DAYVON TAYLOR, including a substantial loss of
15 assistance, care, comfort, companionship, society, guidance, moral support, love, affection,
16 and protection.

17 51. Defendant's negligent hiring, supervision, and/or retention was a substantial factor in causing
18 harm to Plaintiff and decedent DAYVON TAYLOR, including a loss of financial support,
19 gifts or benefits, funeral, and burial expenses.

20 **THIRD CAUSE OF ACTION**

21 **(NEGLIGENCE AGAINST DEFENDANT LOS ANGELES UNIFIED SCHOOL**
22 **DISTRICT, DEFENDANT LOS ANGELES COUNTY, DEFENDANT CITY OF LOS**
23 **ANGELES, AND DOES 1 THROUGH 50)**

24 52. Plaintiff hereby re-alleges all paragraphs above and they are incorporated herein.

25 53. Personnel, employees, directors, and supervisors of Defendant LOS ANGELES UNIFIED
26 SCHOOL DISTRICT and/or Defendant COUNTY OF LOS ANGELES and/or Defendant
27 CITY OF LOS ANGELES acted negligently when they failed to act reasonably, failed to
28 provide Decedent, DAYVON TAYLOR, a safe place to go to school, and failed to protect

1 Decedent, DAYVON TAYLOR.

2 54. Personnel, employees, directors, and supervisors of Defendant LOS ANGELES UNIFIED
3 SCHOOL DISTRICT and/or Defendant COUNTY OF LOS ANGELES and/or Defendant
4 CITY OF LOS ANGELES negligently and purposefully ignored evidence that would lead a
5 reasonable person to believe that Defendant TYLER D'SHAUN MARTIN-BRAND was
6 engaging in abuse against Decedent, DAYVON TAYLOR.

7 55. Defendant's negligence was a substantial factor in causing harm to Plaintiff and decedent
8 DAYVON TAYLOR, including serious pre-death damages and injuries, including physical
9 injuries, mental anguish, terror, and anxiety.

10 56. Defendant's negligence was a substantial factor in causing harm to Plaintiff and decedent
11 DAYVON TAYLOR, including a substantial loss of assistance, care, comfort,
12 companionship, society, guidance, moral support, love, affection, and protection.

13 57. Defendant's negligence was a substantial factor in causing harm to Plaintiff and decedent
14 DAYVON TAYLOR, including a loss of financial support, gifts or benefits, funeral, and
15 burial expenses.

16 **FOURTH CAUSE OF ACTION**

17 **(NEGLIGENCE PER SE AGAINST DEFENDANT LOS ANGELES UNIFIED**
18 **SCHOOL DISTRICT, DEFENDANT LOS ANGELES COUNTY, DEFENDANT CITY**
19 **OF LOS ANGELES, AND DOES 1 THROUGH 50)**

20 58. Plaintiff hereby re-alleges all paragraphs above and they are incorporated herein.

21 59. The specific mandatory duties, law, and/or ordinances that Plaintiff contends Defendant LOS
22 ANGELES UNIFIED SCHOOL DISTRICT and/or Defendant COUNTY OF LOS
23 ANGELES and/or Defendant CITY OF LOS ANGELES violated are Government Code §§
24 815.2, 815.6, 820, California Constitution Section 28, California Code of Regulations §§
25 44807, 5551, 5552, California Government Code § § 15.2 and 820, California Penal Code,
26 §§ 11164, 11165, 111166, California Education Code §§ 44808, 44830 and 44830 through
27 44842.

28 60. During the course of Defendant TYLER D'SHAUN MARTIN-BRAND's attendance and

1 employment with Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT, Defendant
2 LOS ANGELES UNIFIED SCHOOL DISTRICT and/or Defendant COUNTY OF LOS
3 ANGELES and/or Defendant CITY OF LOS ANGELES knew or should have known about
4 Defendant TYLER D'SHAUN MARTIN-BRAND's abusive behaviors and the had a duty
5 to act thereafter. However, Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT
6 and/or Defendant COUNTY OF LOS ANGELES and/or Defendant CITY OF LOS
7 ANGELES failed to act in violation of above referenced code sections.

8 61. The specific mandatory duties and duties to report and act set forth in the code sections in
9 paragraph 56 above were specifically designed to protect decedent DAYVON TAYLOR
10 against the particular kind of injuries he sustained by Defendant TYLER D'SHAUN
11 MARTIN-BRAND on December 26, 2019.

12 62. Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT's and/or Defendant LOS
13 ANGELES COUNTY's and/or Defendant CITY OF LOS ANGELES' failure to comply
14 with its mandatory duties, failure to report, and failure to act was a substantial factor in
15 causing harm to Plaintiff and decedent DAYVON TAYLOR, including serious pre-death
16 damages and injuries, including physical injuries, mental anguish, terror, and anxiety.

17 63. Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT's and/or Defendant LOS
18 ANGELES COUNTY's and/or Defendant CITY OF LOS ANGELES' failure to comply
19 with its mandatory duties, failure to report, and failure to act was a substantial factor in
20 causing harm to Plaintiff and decedent DAYVON TAYLOR, including a substantial loss of
21 assistance, care, comfort, companionship, society, guidance, moral support, love, affection,
22 and protection.

23 64. Defendant LOS ANGELES UNIFIED SCHOOL DISTRICT's and/or Defendant LOS
24 ANGELES COUNTY's and/or Defendant CITY OF LOS ANGELES' failure to comply
25 with its mandatory duties, failure to report, and failure to act was a substantial factor in
26 causing harm to Plaintiff and decedent DAYVON TAYLOR, including a loss of financial
27 support, gifts or benefits, funeral, and burial expenses.

28 ///

FIFTH CAUSE OF ACTION

(SURVIVAL ACTION PURSUANT TO C.C.P. § 377.30 AGAINST DEFENDANT LOS ANGELES UNIFIED SCHOOL DISTRICT, DEFENDANT LOS ANGELES COUNTY, DEFENDANT CITY OF LOS ANGELES, DEFENDANT TYLER D’SHAUN MARTIN-BRAND, AND DOES 1 THROUGH 50)

65. Plaintiff hereby re-alleges all paragraphs above and they are incorporated herein.
66. No proceeding is now pending in California for the administration of the Decedent DAYVON TAYLOR’s estate.
67. Plaintiff KENYA TAYLOR, mother of Decedent DAYVON TAYLOR, is the successor in interest as defined in Section 377.11 of the C.C.P. and succeeds to the Decedent’s interest in the action or proceeding, and has executed the concurrently filed declaration of KENYA TAYLOR in compliance with C.C.P. Section 377.32. No other person has a superior right to commence the action or proceeding or to be substituted for the Decedent DAYVON TAYLOR in the pending action or proceeding.
68. The acts/or and omissions of Defendants LOS ANGELES UNIFIED SCHOOL DISTRICT, Defendant LOS ANGELES COUNTY, Defendant CITY OF LOS ANGELES, TYLER D’SHAUN MARTIN-BRAND, and DOES 1-50, and each of them, were the direct, legal, and proximate cause of harm and economic damages to Decedent DAYVON TAYLOR prior to his death, which succeeds to Plaintiff KENYA TAYLOR, as the Successor in Interest.
69. Prior to Decedent DAYVON TAYLOR’s death, and at all relevant times as alleged herein, and as part of the enduring the acts and omissions of Defendants, Decedent DAYVON TAYLOR suffered pre-death physical injuries, mental anguish, terror, and anxiety, as well as certain economic losses, including but not limited to, medical costs associated with his care and treatment.
70. The damages for pre-death suffering and economic loss resulting from the negligent acts of the Defendants survive the Decedent DAYVON TAYLOR’s death and are claimed in this survival cause of action.

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SIXTH CAUSE OF ACTION

(WRONGFUL DEATH AGAINST DEFENDANT LOS ANGELES UNIFIED SCHOOL DISTRICT, DEFENDANT LOS ANGELES COUNTY, DEFENDANT CITY OF LOS ANGELES, DEFENDANT TYLER D'SHAUN MARTIN-BRAND, AND DOES 1 THROUGH 50)

71. Plaintiff hereby re-alleges all paragraphs above and they are incorporated herein.
72. As a legal, direct, and proximate result of the conduct of said Defendants and Does 1-50, and each of them, Decedent DAYVON TAYLOR suffered pre-death physical injuries, mental anguish, terror, and anxiety.
73. The acts and omissions of Defendants, and Does 1-50, and each of them, were a substantial factor in causing the death of Decedent DAYVON TAYLOR. As a direct, proximate, and legal result of the death of DAYVON TAYLOR, Plaintiff suffered a loss of assistance, care, comfort, companionship, society, guidance, moral support, love, affection, and protection.
74. As a direct, proximate, and legal result of the death of DAYVON TAYLOR, Plaintiff suffered loss of financial support, gifts or benefits, funeral, and burial expenses.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

1. For the damages and losses of assistance, care, comfort, companionship, society, guidance, moral support, love, affection, and protection;
2. For the damages and losses of financial support, gifts or benefits, funeral, and burial expenses;
3. For all past and future special damages permitted by law;
4. For past and future general damages permitted by law;
5. For all interest allowable by law;
6. For costs of suit incurred herein; and

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7. For such further and other relief as the Court may deem proper.

DATED: August 31, 2020

WILSHIRE LAW FIRM

By: 

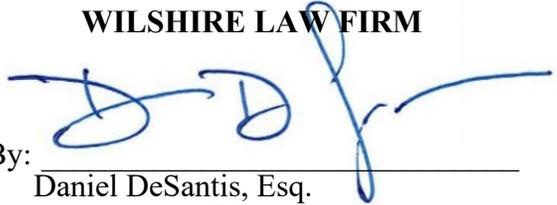
Daniel DeSantis, Esq.
Attorneys for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands, as a matter of right, trial by jury in this case on all causes of action.

DATED: August 31, 2020

WILSHIRE LAW FIRM



By: Daniel DeSantis, Esq.
Attorneys for Plaintiff

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137

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the same.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this August 31, 2020 at Los Angeles, California.



DANIEL DESANTIS, ESQ.
Declarant

EXHIBIT A

WILSHIRE LAW FIRM, PLC

3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010
Tel: (213) 381-9988
Fax: (213) 381-9989
wilshirelawfirm.com



Bobby Saadian, Esq. JD/MBA

Colin M. Jones, Esq.	Johnny Ogata, Esq.
Gail Richardson, Esq.	Daniel DeSantis, Esq.
Justin F. Marquez, Esq.	Nicol Hajjar, Esq.
Robert Dart, Esq.	Vy Nguyen, Esq.
Jon Teller, Esq.	Tae Kim, Esq.
Sutton A. Shapiro, Esq.	Thiago Coelho, Esq.
Daniel B. Miller, Esq.	Megan Lazar, Esq.
Hazel Chang, Esq.	Carlos Montoya, Esq.
Erik Harper, Esq.	Ryan Medler, Esq.

April 21, 2020

Via CERTIFIED MAIL

George Hills Company Inc.
Attn: Cami Herfeh
2910 Inland Empire Blvd., #104
Ontario, CA 91764
cami.herfeh@georgehills.com

Re:	Board File No:	GH19-189
	File No:	GHC0029943
	Claimant:	Kenya Taylor

To Ms. Cami Herfeh:

This amended claim is being sent out of an abundance of caution to put you on notice that, in addition to the claims previously made (original claim and your response attached hereto for your convenience and reference), claimant also alleges:

1. During the course of 2019 and before, Tyler D'Shaun Martin-Brand was an employee and authorized agent of yours. He supervised students in various capacities, including coaching football and athletics at Normandie Avenue Elementary School in Los Angeles. He developed relationships with various students and their parents, including claimant and decedent. He abused and eventually murdered Decedent on December 26, 2019.
2. The entity, the entities employees, and the entities agents failed to provide a safe school environment violation of California Constitution Section 28 and California Code of Regulations §§ 5551, 5552 et. al.
3. The entity, the entities employees, and the entities agents breached various mandatory duties including but limited to California Code Regulations §5551 et. al 5552, California Education Code, § 44807.
4. The entity, the entities employees, and the entities agents are liable under California Government Code § § 15.2 and 820.
5. The entity, the entities employees, and the entities agents violated California Penal Code, §§ 11164, 11165, 111166 et al and other Child Abuse Reporting Requirements.
6. The entity, the entities employees, and the entities agents failed to provide a safe environment off-premises in violation California Education Code § 44808.

7. The entity, the entities employees, and the entities agents violated California Education Code §§ 44830 and 44830 through 44842, et al. by employing and retaining Tyler D'Shaun Martin-Brand.

Should you have any questions, never hesitate to contact me. My phone number is (213) 381-9988 and my email is ddeasantis@wilshirelawfirm.com.

Sincerely,

WILSHIRE LAW FIRM



Daniel DeSantis, Esq.
Senior Trial Attorney

Encl.

Cc: Los Angeles Unified School District
Executive Officer of the Board of Education
333 S. Beaudry Ave., 24th Fl.
Los Angeles, CA 90017

WILSHIRE LAW FIRM, PLC

3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010
Tel: (213) 381-9988
Fax: (213) 381-9989
wilshirelawfirm.com



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Justin F. Marquez, Esq. Vy Nguyen, Esq.
Robert Dart, Esq. Tae Kim, Esq.
Jon Teller, Esq. Daniel DeSantis, Esq.
Sutton A. Shapiro, Esq. Thiago Coelho, Esq.
Daniel B. Miller, Esq. Megan Lazar, Esq.
Hazel Chang, Esq. Carlos Montoya, Esq.
Erik Harper, Esq. Ryan Medler, Esq.

February 5, 2020

SENT VIA U.S. MAIL ONLY

Tracking No.: 9489 0090 0027 6169 9035 23

Executive Officer of the Board of Education
333 S. Beaudry Ave. (24th Floor)
Los Angeles, CA 90017

To whom it corresponds,

Enclosed please find claim for damages. I have included an additional copy as well as a return envelope, please stamp and return.

Very truly yours,

WILSHIRE LAW FIRM

Melody Casique

Melody Casique
Paralegal
melody@wilshirelawfirm.com

Enclosures

**LOS ANGELES UNIFIED SCHOOL DISTRICT
CLAIM FOR DAMAGES
TO PERSON OR PROPERTY**

INSTRUCTIONS:

1. Read entire claim form thoroughly.
2. Fill out claim form completely, as indicated.
3. The claim form must be signed by the claimant (or parent/guardian if claimant is a minor).
4. The filing of a claim form does not guarantee the claim will be paid

NOTE: PRESENTATION OF A FALSE CLAIM IS A FELONY
(PENAL CODE SEC. 72)

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> CLAIM FORM <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>
RESERVED FOR FILING STAMP

1. Name of Claimant: Kenya Taylor	2. Home Telephone: (213)381-9988 Business Telephone: (213)381-9988
3. Address of Claimant: 339 Daisy Avenue, Apt 9, Long Beach, CA 90802.	
4. Name and Address where you wish notices or communications to be sent: Wilshire Law Firm, 3055 Wilshire Blvd., 12th Floor, Los Angeles, CA 90010.	
5. Claimant's Date of Birth: July 6, 1982.	6. Claimant's Social Security No: XXX-XX-XXXX
7. Date when damage occurred: December 26, 2019.	8. Time when damage occurred: Unknown at this time.
9. Where did damage or injury occur? (Name of School, Address, Intersection, etc.) Downey, CA	
10. Exact/precise location of incident: (N/E corner, location on property, etc.) A apartment in Downey, CA.	
11. Describe in detail how damage or injury occurred. (attach additional sheets, diagrams, if necessary) The Decedent was beaten to death by LAUSD'S employee Tyler D'Shaun Martin-Brand AKA "Coach Ty".	
12. Were law enforcement emergency agencies called? Yes _____ No <input checked="" type="checkbox"/>	
13. If a physician was visited because of this injury: Date of Visit: December 26, 2019 Physician's Name: Dignity Health- St. Mary Medical Center	
Physician's address: 1050 Linden Ave, Long Beach, CA, 90813	



14. Why do you believe the Los Angeles Unified School District is responsible? See Attachment "A".	
15. Names of all District employees involved in this injury or damage: Tyler D'Shaun Martin-Brand.	
16. Witnesses to injury or damage. List all persons, with addresses and phone numbers, known to have information: (Attach additional sheet, if necessary) Claimant and Tyler D'Shaun Martin-Brand.	
17. List dollar amount of damages incurred to date (attach copies of receipts or estimates) Excess of \$1,000,000.00	
18. Total dollar amount of damages to date: Excess of \$1,000,000.00	
19. Total estimated dollar amount of future damages: Excess of \$1,000,000.00	
20. Signature of Claimant or person filing on his/her behalf, (give relationship to claimant):  Attorney for claimant.	
21. Print or type name of person listed above Daniel Desantis, Esq.	Date: 02/05/2020

MAIL ORIGINAL COMPLETED FORM, WITH ANY ATTACHMENTS TO:

Executive Officer of the Board of Education
333 S. Beaudry Ave. (24th Floor)
Los Angeles, CA 90017

WARNING

Claims for death, injury to person or to personal property must be filed not later than six (6) months after the occurrence (Gov. Code Section 911.2)

All other claims for damages must be filed not later than one year after the occurrence (Gov. Code Section 911.2)

ATTACHMENT A

1
2 Claimant KENYA KAYLA, individually presents the following information in support
3 of his claims against the COUNTY OF LOS ANGELES:

4 Claimant is the surviving heir of decedent who is making a claim for the wrongful
5 death of her son DAYVON TAYLOR (hereafter “Decedent”).

6 **Why do you believe the Los Angeles Unified School District is responsible?**

7 Decedent was fatally injured by TYLER D’SHAUN MARTIN-BRAND on December
8 26, 2019.

9 Defendant LAUSD hired TYLER D’SHAUN MARTIN-BRAND who
10 assaulted/battered descendant to death. Defendant LAUSD knew the male TYLER D’SHAUN
11 MARTIN-BRAND was a danger to its students. LAUSD negligently hired, trained, and
12 supervised the faculty member, TYLER D’SHAUN MARTIN-BRAND. LAUSD could have
13 stopped the incident from occurring but due to their negligence in failing to implement safety
14 measures or to require appropriate measures, it was a substantial factor in causing the injury to
15 and death of Decedent. LAUSD had a duty to undertake appropriate safety measures to ensure
16 the safety of its students.

17 TYLER D’SHAUN MARTIN-BRAND was an LAUSD employee and/or agent and was
18 in the course and scope of his employment with LAUSD at the time of this incident. LAUSD
19 knew or should have known that TYLER D’SHAUN MARTIN-BRAND was a danger to the
20 students and had violent propensities, but, notwithstanding said duty, TYLER D’SHAUN
21 MARTIN-BRAND was still allowed to work with children. LAUSD created a hazardous
22 circumstance that endangered persons resulting in the death of Decedent.

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1 Claimant reserves the right to allege further allegations and causes of action against the
2 public entity and others, whose identities are currently unknown to claimant herein.

3 DATED: February 5, 2020

WILSHIRE LAW FIRM

4
5 By: 

6 Daniel Desantis, Esq.
7 Attorney for Claimant
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WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137

February 27, 2020

Wilshire Law Firm
3055 Wilshire Blvd. # 12 floor
Los Angeles, CA 90010

RE: Claim for Damages

Our Client:	Los Angeles Unified School District
Board File No:	GH19-189
Our File No:	GHC0029943
Claimant:	Kenya Taylor
Date of Loss:	December 26,2019

Dear Mr.Daniel Desantis,

George Hills Company is the liability claims administrator for the Los Angeles Unified School District.

We have received the claim submitted to Executive Officer of the Board of Education. This correspondence will serve as an acknowledgment of your claim; not an acceptance or admission of liability. Please be advised we are investigating the circumstances surrounding the claim. The claim review process can take 45 or more days. You will be advised in writing of our decision after our investigation.

In the interim if you have any questions regarding the status of the claim please contact the undersigned.

Sincerely,

Cami Herfeh
Claim Adjuster
(747)877-3010
Cami.Herfeh@GeorgeHills.com
George Hills Company, Inc.



GEORGE HILLS

Our minds over your matters.

2910 E INLAND EMPIRE BLVD STE 104
ONTARIO, CA 91764

LOS ANGELES
CA 90008
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stamps.com
\$0.50 0
US POSTAGE
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FROM 97164



RECEIVED
MAR 03 2020
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90010-117612

EXHIBIT B

WILSHIRE LAW FIRM, PLC

3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010
Tel: (213) 381-9988
Fax: (213) 381-9989
wilshirelawfirm.com



Bobby Saadian, Esq. JD/MBA

Colin M. Jones, Esq.	Johnny Ogata, Esq.
Gail Richardson, Esq.	Daniel DeSantis, Esq.
Justin F. Marquez, Esq.	Nicol Hajjar, Esq.
Robert Dart, Esq.	Vy Nguyen, Esq.
Jon Teller, Esq.	Tae Kim, Esq.
Sutton A. Shapiro, Esq.	Thiago Coelho, Esq.
Daniel B. Miller, Esq.	Megan Lazar, Esq.
Hazel Chang, Esq.	Carlos Montoya, Esq.
Erik Harper, Esq.	Ryan Medler, Esq.

April 20, 2020

Via CERTIFIED MAIL

Carl, Warren & Company
PO Box 116
Glendale, CA 91209

Re: Claim No: 20-1158219*001 (CLW)
 Client: Kenya Taylor
 DOL: 12/26/2019

To Whom It May Concern,

This amended claim is being sent out of an abundance of caution to put you on notice that, in addition to the claims previously made (original claim and your response attached hereto for your convenience and reference), claimant also alleges:

1. During the course of 2019 and before, Tyler D'Shaun Martin-Brand was an employee and authorized agent of yours. He supervised students in various capacities, including coaching football and athletics at Normandie Avenue Elementary School in Los Angeles. He developed relationships with various students and their parents, including claimant and decedent. He abused and eventually murdered Decedent on December 26, 2019.
2. The entity, the entities employees, and the entities agents failed to provide a safe school environment violation of California Constitution Section 28 and California Code of Regulations §§ 5551, 5552 et. al.
3. The entity, the entities employees, and the entities agents breached various mandatory duties including but limited to California Code Regulations §5551 et. al 5552, California Education Code, § 44807.
4. The entity, the entities employees, and the entities agents are liable under California Government Code § 15.2 and 820.
5. The entity, the entities employees, and the entities agents violated California Penal Code, §§ 11164, 11165, 111166 et al and other Child Abuse Reporting Requirements.
6. The entity, the entities employees, and the entities agents failed to provide a safe environment off-premises in violation California Education Code § 44808.

7. The entity, the entities employees, and the entities agents violated California Education Code §§ 44830 and 44830 through 44842, et al. by employing and retaining Tyler D'Shaun Martin-Brand.

Should you have any questions, never hesitate to contact me. My phone number is (213) 381-9988 and my email is ddesantis@wilshirelawfirm.com.

Sincerely,

WILSHIRE LAW FIRM



Daniel DeSantis, Esq.
Senior Trial Attorney

Encl.

Cc: Executive Officer, Board of Supervisors
Attn: Claims
Kenneth Hahn Hall of Administration,
500 West Temple St., Rm 383
Los Angeles, CA 90012

WILSHIRE LAW FIRM, PLC

3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010
Tel: (213) 381-9988
Fax: (213) 381-9989
wilshirelawfirm.com



Bobby Saadian, Esq. JD/MBA

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Jon Teller, Esq. Daniel DeSantis, Esq.
Sutton A. Shapiro, Esq. Thiago Coelho, Esq.
Daniel B. Miller, Esq. Megan Lazar, Esq.
Hazel Chang, Esq. Carlos Montoya, Esq.
Erik Harper, Esq. Ryan Medler, Esq.

February 5, 2020

SENT VIA U.S. MAIL ONLY

Tracking No.: 9489 0090 0027 6169 9035 30

EXECUTIVE OFFICER, BOARD OF SUPERVISORS, ATTENTION: CLAIMS
500 WEST TEMPLE STREET, ROOM 383
KENNETH HANH HALL OF ADMINISTRATION, LOS ANGELES, CA 90012
(213) 974-1440

To whom it corresponds,

Enclosed please find claim for damages. I have included an additional copy as well as a return envelope, please stamp and return.

Very truly yours,

WILSHIRE LAW FIRM

Melody Casique

Melody Casique
Paralegal
melody@wilshirelawfirm.com

Enclosures

CLAIMS FOR DAMAGES TO PERSON OR PROPERTY

TIME STAMP
OFFICE USE ONLY

COUNTY OF LOS ANGELES



INSTRUCTIONS:

1. Read claim thoroughly.
2. Fill out claim as indicated; attach additional information if necessary.
3. Return this original signed claim and any attachments supporting your claim. This form must be signed.

DELIVER OR U.S. MAIL TO:
EXECUTIVE OFFICER, BOARD OF SUPERVISORS, ATTENTION: CLAIMS
500 WEST TEMPLE STREET, ROOM 383,
KENNETH HAHN HALL OF ADMINISTRATION, LOS ANGELES, CA 90012
(213) 974-1440

1. <input type="checkbox"/> Mr. <input checked="" type="checkbox"/> Ms. <input type="checkbox"/> Mrs. LAST NAME FIRST NAME M.I. <p style="text-align: center;">Taylor Kenya</p>			10. WHY DO YOU CLAIM COUNTY IS RESPONSIBLE? See Attachment "A"		
2. ADDRESS OF CLAIMANT <u>339 Daisy Avenue, Apt 9</u>					
CITY		STATE		ZIP CODE	
<u>Long Beach</u>		<u>CA</u>		<u>90802</u>	
HOME PHONE			ALTERNATE PHONE		
<u>(213) 381-9988</u>			<u>()</u>		
3. CLAIMANT'S BIRTHDATE: <u>11/04/2013</u>			4. CLAIMANT'S SOCIAL SECURITY NUMBER <u>XXX-XX-XXXX</u>		
5. ADDRESS TO WHICH CORRESPONDENCE SHOULD BE SENT <u>Wilshire Law Firm</u>					
STREET		CITY, STATE		ZIP CODE	
<u>3055 Wilshire Blvd., 12th Floor</u>		<u>Los Angeles, CA</u>		<u>90010</u>	
6. DATE AND TIME OF INCIDENT <u>December 26, 2019</u>			11. NAMES OF ANY COUNTY EMPLOYEES (AND THEIR DEPARTMENTS) INVOLVED IN INJURY OR DAMAGE (IF APPLICABLE):		
7. WHERE DID DAMAGE OR INJURY OCCUR? <u>Downey, CA</u>			NAME <u>Tyler D'Shaun Martin-Brand.</u>		DEPARTMENT
STREET		CITY, STATE		ZIP CODE	
<u>Downey, CA</u>					
8. DESCRIBE IN DETAIL HOW DAMAGE OR INJURY OCCURRED AND LIST DAMAGES (attach copies of receipts or repair estimates): <u>Decendant was beaten to death by Defendant's employee.</u>			12. WITNESS(ES) TO DAMAGES OR INJURY: LIST ALL PERSONS AND ADDRESSES OF PERSONS KNOWN TO HAVE INFORMATION:		
<u>Tyler D'Shaun Martin-Brand AKA "Coach Ty".</u>			NAME <u>Claimant.</u>		PHONE <u>()</u>
			ADDRESS		
			NAME		PHONE
					<u>()</u>
			ADDRESS		
9. WERE POLICE OR PARAMEDICS CALLED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			13. IF PHYSICIAN(S) WERE VISTED DUE TO INJURY, PROVIDE NAME, ADDRESS, PHONE NUMBER, AND DATE OF FIRST VISIT FOR EACH:		
(IF YES) AGENCY'S NAME _____ REPORT # _____			DATE OF FIRST VISIT <u>12/26/2019</u>		PHYSICIAN'S NAME <u>Dignity Health- St. Mary Medical Center</u>
					PHONE <u>(562) 491-9000</u>
CHECK IF LIMITED CIVIL CASE <input type="checkbox"/>			STREET <u>1050 Linden Ave</u>		CITY, STATE <u>Long Beach, CA</u>
					ZIP CODE <u>90813</u>
TOTAL DAMAGES TO DATE		TOTAL ESTIMATED PROPECTIVE DAMAGES			
<u>\$ excess of \$1,000,000</u>		<u>\$ excess of \$1,000,000</u>			
		DATE OF FIRST VISIT		PHYSICIAN'S NAME	
		STREET		CITY, STATE	
				ZIP CODE	

THIS CLAIM MUST BE SIGNED

NOTE: PRESENTATION OF A FALSE CLAIM IS A FELONY (PENAL CODE SECTION 72)

CLAIMS FOR DEATH, INJURY TO PERSON OR TO PERSONAL PROPERTY MUST BE FILED NOT LATER THAN 6 MONTHS AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)

ALL OTHER CLAIMS FOR DAMAGES MUST BE FILED NOT LATER THAN ONE YEAR AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)

14. PRINT OR TYPE NAME <u>Daniel Desantis, Esq.</u>		DATE <u>02/05/2020</u>	15. SIGNATURE OF CLAIMANT OR PERSON FILING ON HIS/HER BEHALF GIVING RELATIONSHIP TO CLAIMANT 		DATE <u>02/05/2019</u>
--------------------------------------------------------	--	---------------------------	-----------------------------------------------------------------------------------------------------	--	---------------------------

ATTACHMENT A

1
2 Claimant KENYA KAYLA, individually presents the following information in support
3 of his claims against the COUNTY OF LOS ANGELES:

4 Claimant is the surviving heir of decedent who is making a claim for the wrongful
5 death of her son DAYVON TAYLOR(hereafter “Decedent”).

6 **WHY DO YOU CLAIM COUNTY IS RESPONSIBLE?**

7 Decedent was fatally injured by TYLER D’SHAUN MARTIN-BRAND on December
8 26, 2019.

9 Defendant COUNTY OF LOS ANGELES hired TYLER D’SHAUN MARTIN-BRAND
10 who assaulted/battered descendant to death. Defendant COUNTY OF LOS ANGELES knew the
11 male TYLER D’SHAUN MARTIN-BRAND was a danger to its students. The COUNTY OF
12 LOS ANGELES negligently hired, trained, and supervised the faculty member, TYLER
13 D’SHAUN MARTIN-BRAND. The COUNTY OF LOS ANGELES could have stopped the
14 incident from occurring but due to their negligence in failing to implement safety measures or to
15 require appropriate measures, it was a substantial factor in causing the injury to and death of
16 Decedent. The COUNTY OF LOS ANGELES had a duty to undertake appropriate safety
17 measures to ensure the safety of its students.

18 TYLER D’SHAUN MARTIN-BRAND was a COUNTY OF LOS ANGELES employee
19 and/or agent and was in the course and scope of his employment with the COUNTY OF LOS
20 ANGELES, or near the COUNTY OF LOS ANGELES at the time of this incident. The
21 COUNTY OF LOS ANGELES knew or should have known that TYLER D’SHAUN MARTIN-
22 BRAND was a danger to the students and had violent propensities, but, notwithstanding said
23 duty, TYLER D’SHAUN MARTIN-BRAND was still allowed to work with children. The
24 COUNTY OF LOS ANGELES created a hazardous circumstance that endangered persons
25 resulting in the death of Decedent.

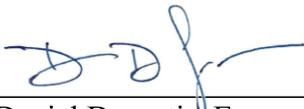
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1 Claimant reserves the right to allege further allegations and causes of action against the
2 public entity and others, whose identities are currently unknown to claimant herein.

3
4 DATED: February 5, 2020

WILSHIRE LAW FIRM

5
6 By: 
7 Daniel Desantis, Esq.
8 Attorney for Claimant
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WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137



CARL WARREN & COMPANY
Claims Management and Solutions

March 6, 2020

Kenya Taylor
In Care of Wilshire Law Firm
3055 Wilshire Blvd. 12th Floor
Los Angeles, CA 90010

Re: Our Principal : County of Los Angeles
Date of loss : December 26, 2019
Claim Number: 20-1158219*001 (CLW)
Claimant : Kenya Taylor
Your claim # : N/A

Dear Mr. Desantis,

We are the administrators for the self-insured liability claims program for the County of Los Angeles. The above referenced claim that you filed with the County of Los Angeles Board of Supervisors on February 13, 2020, has been referred to us for handling.

Notice is hereby given that the claim that you presented to the Los Angeles County Board of Supervisors on February 6, 2020, was rejected on March 6, 2020. No further action will be taken on this matter.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

This time limitation applies only to causes of action for which Government Code Sections 900 - 915.4 require 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,
CARL WARREN & COMPANY

Carol Woods
Claims Specialist

Encl: Proof of Service



CARL WARREN & COMPANY
Claims Management and Solutions

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)

) ss.

COUNTY OF LOS ANGELES)

I am employed in the County aforesaid. I am over the age of eighteen years; my business address is:

P.O. Box 116, Glendale, CA 91209-0116

On March 6, 2020 , I served within REJECTION OF CLAIM OF Kenya Taylor, presented to County of Los Angeles (Claim No. 20-1158219*001 (CLW)) by placing a true copy

thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the

United States mail at Glendale, California, addressed as follows:

Kenya Taylor
In Care of Wilshire Law Firm
3055 Wilshire Blvd. 12th Floor
Los Angeles, CA 90010

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 6, 2020 , at GLENDALE, California.


Samuel Meza

EXHIBIT C

WILSHIRE LAW FIRM, PLC

3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010
Tel: (213) 381-9988
Fax: (213) 381-9989
wilshirelawfirm.com



Bobby Saadian, Esq. JD/MBA

Colin M. Jones, Esq.	Johnny Ogata, Esq.
Gail Richardson, Esq.	Daniel DeSantis, Esq.
Justin F. Marquez, Esq.	Nicol Hajjar, Esq.
Robert Dart, Esq.	Vy Nguyen, Esq.
Jon Teller, Esq.	Tae Kim, Esq.
Sutton A. Shapiro, Esq.	Thiago Coelho, Esq.
Daniel B. Miller, Esq.	Megan Lazar, Esq.
Hazel Chang, Esq.	Carlos Montoya, Esq.
Erik Harper, Esq.	Ryan Medler, Esq.

April 20, 2020

Via CERTIFIED MAIL

Los Angeles City Clerk
200 North Spring St., Rm. 395
City Hall, Los Angeles, CA 90012

Re: Claim No: C20-04179
Client: Kenya Taylor
DOL: 12/26/2019

To Whom It May Concern,

This amended claim is being sent out of an abundance of caution to put you on notice that, in addition to the claims previously made (original claim and your response attached hereto for your convenience and reference), claimant also alleges:

1. During the course of 2019 and before, Tyler D'Shaun Martin-Brand was an employee and authorized agent of yours. He supervised students in various capacities, including coaching football and athletics at Normandie Avenue Elementary School in Los Angeles. He developed relationships with various students and their parents, including claimant and decedent. He abused and eventually murdered Decedent on December 26, 2019.
2. The entity, the entities employees, and the entities agents failed to provide a safe school environment violation of California Constitution Section 28 and California Code of Regulations §§ 5551, 5552 et. al.
3. The entity, the entities employees, and the entities agents breached various mandatory duties including but limited to California Code Regulations §5551 et. al 5552, California Education Code, § 44807.
4. The entity, the entities employees, and the entities agents are liable under California Government Code § § 15.2 and 820.
5. The entity, the entities employees, and the entities agents violated California Penal Code, §§ 11164, 11165, 111166 et al and other Child Abuse Reporting Requirements.
6. The entity, the entities employees, and the entities agents failed to provide a safe environment off-premises in violation California Education Code § 44808.

7. The entity, the entities employees, and the entities agents violated California Education Code §§ 44830 and 44830 through 44842, et al. by employing and retaining Tyler D'Shaun Martin-Brand.

Should you have any questions, never hesitate to contact me. My phone number is (213) 381-9988 and my email is d-desantis@wilshirelawfirm.com.

Sincerely,

WILSHIRE LAW FIRM

A handwritten signature in blue ink, appearing to read "D. DeSantis", with a long horizontal line extending to the right.

Daniel DeSantis, Esq.
Senior Trial Attorney

Encl.

Cc: Los Angeles Unified School District
Division of Risk Management
333 S. Beaudry Ave.
Los Angeles, CA 90017

WILSHIRE LAW FIRM, PLC

3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010
Tel: (213) 381-9988
Fax: (213) 381-9989
wilshirelawfirm.com



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Daniel B. Miller, Esq. Megan Lazar, Esq.
Hazel Chang, Esq. Carlos Montoya, Esq.
Erik Harper, Esq. Ryan Medler, Esq.

February 5, 2020

SENT VIA U.S. MAIL ONLY

Tracking No.: 9489 0090 0027 6169 9035 47

CITY CLERK
200 NORTH SPRING STREET, ROOM 395
CITY HALL, LOS ANGELES, CA 90012

To whom it corresponds,

Enclosed please find claim for damages. I have included an additional copy as well as a return envelope, please stamp and return.

Very truly yours,

WILSHIRE LAW FIRM

Melody Casique

Melody Casique
Paralegal
melody@wilshirelawfirm.com

Enclosures

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

CLAIM NO. _____

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages relating to any other type of occurrence must be filed not later than one year after the occurrence. (Gov. Code Sec. 911.2)
3. Read entire claim before filing. Claim can be mailed or filed in person. No faxes accepted.
4. See Page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on Page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details. **SIGN EACH SHEET.**
7. Fill out in duplicate. **ONE COPY TO BE RETAINED BY CLAIMANT.**
8. Claim must be filed with **CITY CLERK**, (Gov. Code Sec. 915a)
200 NORTH SPRING STREET, ROOM 395, CITY HALL, LOS ANGELES, CA 90012

TO: CITY OF LOS ANGELES

Name of Claimant

Age of Claimant

Kenya, Taylor

37

Home address of Claimant

City, State and Zip Code

Home Telephone Number

339 Daisy Ave, Apt 9

Long Beach, CA 90802

213-381-9988

Business address of Claimant

City, State and Zip Code

Business Telephone Number

Give address to which you desire notices or communications to be sent regarding this claim:

3055 Wilshire Blvd, 12th Floor, Los Angeles, CA 90010

How did DAMAGE or INJURY occur? Please include as much detail as possible.

See Attachment A

When did DAMAGE or INJURY occur? Please include the date and time of the damage or injury.

December 26, 2019, near midnight.

Where did DAMAGE or INJURY occur? Please describe fully, and locate on the diagram on the reverse side of this sheet. Where appropriate, please give street names and addresses or measurements from specific landmarks:

Downey, CA.

What particular ACT or OMISSION do you claim caused the injury or damage? Please give names of City employees causing the injury or damage and identify any vehicles involved by license plate number, if known.

See Attachment A

Please list the names and address of Witnesses, Doctors and Hospitals:

Tyler D'Shaun Martin-Brand and Dignity Health St. Mary Medical Center, 1050 Linden Ave, Long Beach, CA 90813.

What DAMAGE or INJURIES do you claim resulted? Please give full extent of injuries or damages claimed:

Death of claimant's son.

What is the AMOUNT of your claim? Please itemize your damages:

Excess of \$1,000,000.00

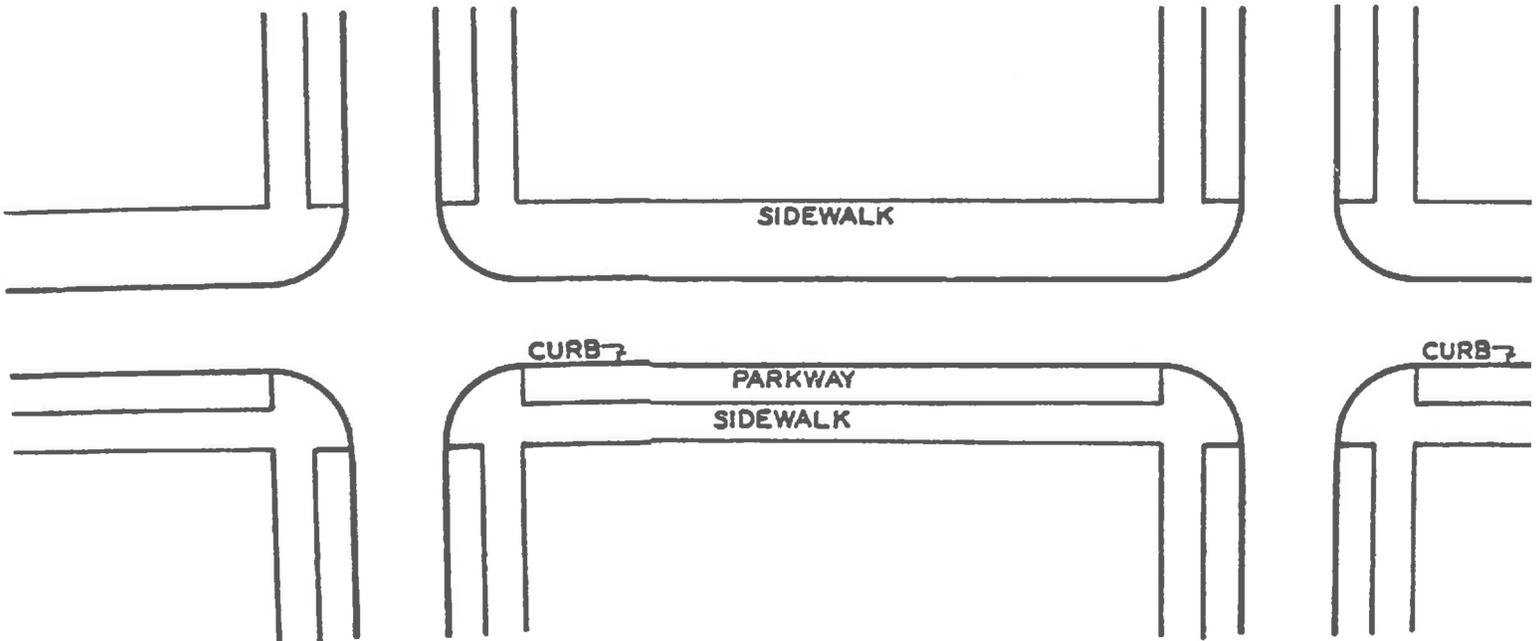
If you have received any insurance payments, please give the names of the insurance companies:

N/A

For all accidents claims please place on the following diagram the names of the streets where the accident occurred and the nearest cross-streets; indicate the place of the accident by an "X" and by showing the nearest address and distances to street corners. Please indicate where North is on the diagram.

Note: if the diagram does not fit the situation, please attach your own diagram.

N/A



Signature of Claimant or person filing on claimant's behalf giving relationship to claimant:

Print Name:

Date:

02/05/2020

Daniel Desantis, Esq.

ATTACHMENT A

1
2 Claimant KENYA KAYLA, individually presents the following information in support
3 of his claims against the CITY OF LOS ANGELES:

4 Claimant is the surviving heir of decedent who is making a claim for the wrongful
5 death of her son DAYVON TAYLOR (hereafter “Decedent”).

6 **How did the DAMAGE or INJURY occur?**

7 Decedent was fatally injured by TYLER D’SHAUN MARTIN-BRAND on December
8 26, 2019.

9 Defendant CITY OF LOS ANGELES hired TYLER D’SHAUN MARTIN-BRAND who
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12 ANGELES negligently hired, trained, and supervised the faculty member, TYLER D’SHAUN
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15 appropriate measures, it was a substantial factor in causing the injury to and death of Decedent.
16 The CITY OF LOS ANGELES had a duty to undertake appropriate safety measures to ensure
17 the safety of its students.

18 TYLER D’SHAUN MARTIN-BRAND was a CITY OF LOS ANGELES employee
19 and/or agent and was in the course and scope of his employment with the CITY OF LOS
20 ANGELES, or near the CITY OF LOS ANGELES at the time of this incident. The CITY OF
21 LOS AGELES knew or should have known that TYLER D’SHAUN MARTIN-BRAND was a
22 danger to the students and had violent propensities, but, notwithstanding said duty, TYLER
23 D’SHAUN MARTIN-BRAND was still allowed to work with children. The CITY OF LOS
24 ANGELES created a hazardous circumstance that endangered persons resulting in the death of
25 Decedent.

26 ///

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1 Claimant reserves the right to allege further allegations and causes of action against the
2 public entity and others, whose identities are currently unknown to claimant herein.

3 **What particular ACT or OMISSION do you claim caused the injury or damage?**

4 Decedent was fatally injured by TYLER D'SHAUN MARTIN-BRAND on
5 December 26, 2019.

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22 Decedent.

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1 Claimant reserves the right to allege further allegations and causes of action against the
2 public entity and others, whose identities are currently unknown to claimant herein.

3 DATED: February 5, 2020

WILSHIRE LAW FIRM

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5 By: 
6 Daniel Desantis, Esq.
7 Attorney for Claimant
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WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137



MICHAEL N. FEUER
CITY ATTORNEY

March 17, 2020

Wilshire Law Firm
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010

RE: Our Claim No.: C20-04179
Your Client/Insured: Keyna Taylor
Date of Loss: 12/26/2020

Dear Sir/Madam:

Your claim against the City has been referred to this office.

After reviewing the circumstances of your claim and the applicable law, it has been determined that your claim should be denied. The principal reason for denial of your claim is as follows:

The Los Angeles Unified School District (L.A.U.S.D.) is a separate public entity and not part of the City of Los Angeles. (See enclosure for address)

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

*****WARNING*****

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

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

Very truly yours,

Brian Sam
Chief Investigator

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

YOUR CLAIM SHOULD BE FILED WITH:

DIVISION OF RISK MANAGEMENT

**333 S. Beaudry Ave.
28th Floor
Los Angeles, California 90017**

Telephone #'s (213)241-3139 or (213)241-7002

PROOF OF SERVICE BY MAIL

I, Fern Potchana, declare as follows:

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

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

On March 17, 2020, at my place of business at Los Angeles, California, I mailed a Denial Letter for Claim Number C20-04179 by placing it, with postage thereon fully prepaid, for collection and mailing via the United States mail addressed as follows:

Wilshire Law Firm
3055 Wilshire Blvd., 12th Floor
Los Angeles, CA 90010

I declare under penalty of perjury that the following is true and correct. Executed on March 17, 2020, at Los Angeles, California.



Fern Potchana

SCANNED



OFFICE OF THE CITY ATTORNEY
MIKE FELDER
CITY ATTORNEY - CLAIMS
200 North Main Street, Room 600
Los Angeles, CA 90012

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS

neopost®
03/16/2020
US POSTAGE \$000.41
04116412252421
ZIP 90012

RECEIVED
MAR 20 2020



AAJESAB 90010

SCANNED

DECLARATION OF KENYA ANN TAYLOR

1
2 1. I, KENYA ANN TAYLOR, am the surviving legal parent of DAYVON
3 TAYLOR, and seeks to commence an action as the decedent’s successor-in-interest, and
4 declare under penalty of perjury under the laws of this state stating the following:

5 2. The Decedent in the above entitled case is DAYVON TAYLOR.

6 3. The Decedent died on December 26, 2019. The location of death was at St.
7 Mary Medical Center – Long Beach, located at 1050 Linden Ave, Long Beach, CA 90813.

8 4. No proceeding is now pending in California for administration of the
9 Decedent’s estate.

10 5. I, KENYA ANN TAYLOR, am the Decedent’s successor in interest as defined
11 by the Code of Civil Procedure §377.1 and succeed to the Defendant’s interest in this action.

12 6. No other person(s) has a superior right to commence the action or to be
13 substituted for the Decedent in the pending action.

14 7. As of today’s date, I am not in possession of my son’s death certificate because
15 the Department of Health and Services has not made it available. Once received, I will file and
16 serve a supplemental declaration with a true and correct copy of my son’s death certificate.

17
18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct. Executed this August 31, 2020 at Los Angeles, California.

20
21
22 DocuSigned by:

23 _____
KENYA ANN TAYLOR

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, CA 90010.

On August 31, 2020 served the foregoing document(s) described as **COMPLAINT FOR DAMAGES, DECLARATION OF DANIEL DESANTIS IN SUPPORT; DECLARATION OF KENYA TAYLOR IN SUPPORT**, on all interested parties in this action as set forth on the attached service list in the following manner:

BY MAIL: I am familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business.

BY FACSIMILE: In addition to service by mail as set forth above, a copy of said document(s) was also delivered by facsimile transmission to the addressee(s) pursuant to Code of Civil Procedure §1013(e).

BY OVERNIGHT MAIL: I caused said document(s) to be picked up via FEDERAL EXPRESS for delivery to the addressee(s) set forth on the attached service list on the next business day.

BY PERSONAL SERVICE: I caused said document(s) to be delivered via personal delivery to the addressee(s) set forth on the attached service list.

BY ELECTRONIC SERVICE: said document(s) to be delivered via electronic mail to the addressee(s) set forth on the attached service list.

STATE: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

FEDERAL: I declare that I am employed in the office of the member of the bar of this court at whose direction the service was made.

Executed on August 31, 2020 at Los Angeles, California.


ALEX LANZARINI

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SERVICE LIST

Cami Herfeh
GEORGE HILLS
2910 Inland Empire Boulevard #104
Ontario, CA 91764
Tel: (747) 877-3010
Fax: (909) 806-4043
cami.herfeh@georgehills.com

Representative for Defendants
LAUSD