

1 **Salar Atrizadeh, Esq. (SBN: 255659)**
2 LAW OFFICES OF SALAR ATRIZADEH
3 9701 Wilshire Blvd., 10th Floor
4 Beverly Hills, CA 90212
5 Telephone: 310-694-3034
6 Facsimile: 310-694-3057
7 Email: salar@atrizadeh.com

8 Attorney for Plaintiff
9 CYNTHIA BECK

FILED
Superior Court of California
County of Los Angeles
12/21/2020

Sherri R. Carter, Executive Officer / Clerk of Court
By: _____ J. Arceo Deputy

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL DISTRICT

CYNTHIA BECK, an individual,

Plaintiff,

vs.

LOS ANGELES COUNTY SHERIFF'S
DEPARTMENT, a public entity, YES
THEORY, LLC, JOSH YOZURA, an
individual, THOMAS BRAG, an individual,
MATT DAJER, an individual, AMMAR
KANDIL, an individual, DERIN EMRE, an
individual, BRANDON MCPHERSON, an
individual, MATTHEW COBUZIO, an
individual, JASON ARIEL LEYVA, an
individual, TREVOR COSTELLOE, an
individual, VONDA MCARTHUR, an
individual, BRANDI CARIGNAN, an
individual, and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 20STCP01714

FIRST-AMENDED COMPLAINT

1. TRESPASS
2. PRIVATE NUISANCE
3. CONVERSION
4. ARSON IN VIOLATION OF PENAL CODE § 451, ET SEQ.
5. CIVIL HARASSMENT IN VIOLATION OF CODE OF CIVIL PROCEDURE § 527.6
6. NEGLIGENCE
7. PROMISSORY ESTOPPEL
8. DECLARATORY AND INJUNCTIVE RELIEF

1 **COMES NOW, PLAINTIFF, AND AVERS AND ALLEGES AGAINST DEFENDANTS**
2 **AND EACH OF THEM AS FOLLOWS:**

3 **JURISDICTION AND VENUE**

- 4 1. Pursuant to Code of Civil Procedure §§ 395 and 395.5, jurisdiction is proper in California
5 because the harms and obligations alleged herein occurred in this judicial district, and the
6 amount of Plaintiff's damages exceed the jurisdictional minimum of this Court.
7
- 8 2. This Court has personal jurisdiction over Defendants pursuant to Code of Civil Procedure
9 § 410.10. Defendants have manifested the malicious intent to target Plaintiff and violate her
10 rights in this jurisdiction. Plaintiff was directly impacted and injured by Defendants' wrongful
11 actions in Los Angeles County.
- 12 3. Venue is proper before this Court because, *inter alia*, Defendants reside and/or do business in
13 Los Angeles County, and/or each of the acts, events, occurrences, or transactions referred to
14 herein occurred in Los Angeles County, and/or had the proximate effect of causing damages
15 to Plaintiff therein.
16

17 **PARTIES**

- 18 4. Plaintiff Cynthia Beck ("Plaintiff") is, and at all times mentioned herein, was an individual
19 residing or doing business in Los Angeles, California.
- 20 5. Defendant Los Angeles County Sheriff's Department ("LASD") is, and at all times mentioned
21 herein, was a public entity in Los Angeles, California.
- 22
- 23 6. Defendant Yes Theory, LLC ("Yes Theory") is, and at all times mentioned herein, was a legal
24 entity doing business in Los Angeles, California.
- 25 7. Defendant Josh Yozura ("Yozura") is, and at all times mentioned herein, was an individual
26 residing or doing business in Los Angeles, California.
- 27
- 28 8. Defendant Thomas Brag ("Brag") is, and at all times mentioned herein, was an individual
residing or doing business in Los Angeles, California.

- 1 9. Defendant Matt Dajer (“Dajer”) is, and at all times mentioned herein, was an individual
2 residing or doing business in Los Angeles, California.
- 3 10. Defendant Ammar Kandil (“Kandil”) is, and at all times mentioned herein, was an individual
4 residing or doing business in Los Angeles, California.
- 5 11. Defendant Derin Emre (“Emre”) is, and at all times mentioned herein, was an individual
6 residing or doing business in Los Angeles, California.
- 7 12. Defendant Brandon McPherson (“McPherson”) is, and at all times mentioned herein, was an
8 individual residing or doing business in Los Angeles, California.
- 9 13. Defendant Matthew Cobuzio (“Cobuzio”) is, and at all times mentioned herein, was an
10 individual residing or doing business in Los Angeles, California.
- 11 14. Defendant Jason Ariel Leyva (“Levyva”) is, and at all times mentioned herein, was an
12 individual residing or doing business in Los Angeles, California.
- 13 15. Defendant Trevor Costelloe (“Costelloe”) is, and at all times mentioned herein, was an
14 individual residing or doing business in Los Angeles, California.
- 15 16. Defendant Vonda McArthur (“McArthur”) is, and at all times mentioned herein, was an
16 individual residing or doing business in Los Angeles, California.
- 17 17. Defendant Brandi Carignan (“Carignan”) is, and at all times mentioned herein, was an
18 individual residing or doing business in Los Angeles, California.
- 19 18. The true names of Does 1 through 50, inclusive, are unknown to Plaintiff at this time.
- 20 19. Plaintiff sues those Doe Defendants (collectively “Doe Defendants”) by such fictitious names
21 pursuant to Code of Civil Procedure § 474.
- 22 20. Plaintiff is informed and believes, and based on that information and belief alleges that, each
23 of the defendants designated as a Doe Defendant is legally responsible for the events and
24 incidents referred to in this First-Amended Complaint and unlawfully caused the injuries and
25 damages to Plaintiff.
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1 21. Plaintiff is informed and believes, and based on that information and belief alleges that, at all
2 times mentioned in this First-Amended Complaint, Defendants were the principals, agents,
3 co-conspirators, and/or employees of their co-defendants, and in doing the things alleged
4 herein, were acting within the course and scope of such agency and/or employment.

5 **COMMON FACTS AND GENERAL ALLEGATIONS**

6 22. Plaintiff is the owner of the real property located at 28012 Sea Lane Drive, Malibu, California
7 90265 (“Property”).

8 23. On or about February 23, 1998, the Property was severely damaged in a landslide. The
9 landslide required Plaintiff and her three minor children to vacate the Property under a
10 “Yellow Tag” order from the City of Malibu. Plaintiff paid to have a 23-foot high shoring wall
11 constructed and to have the rear of the structure physically dug out of the landslide debris.
12

13 24. In late 1999, Plaintiff moved back into the Property upon completion of the reconstruction.
14

15 25. Plaintiff once again was required to move out of the Property within a year when a series of
16 mudslides began to occur due to the unfixed surrounding properties.

17 26. Plaintiff would like to permanently reside at the Property but cannot do so based on the
18 instability of the surrounding lands not under her control.

19 27. Plaintiff continues to maintain electrical service at the Property and pay the applicable taxes.
20

21 28. However, as stated hereinbelow, Plaintiff has suffered from invasion of privacy, theft of over
22 \$950,000 in personal properties, and cost of repair for physical damage to her Property since
23 the time various online videos were recorded and posted by Defendants.

24 29. Plaintiff has previously visited the Property to discover the entry code on the gate closest to
25 the Property and her adjacent neighbor had been changed without her knowledge.

26 30. Plaintiff has sent at least one letter towards her neighbors and requested the entry code.
27

28 31. Plaintiff became aware of the initial online video publications from the City of Malibu’s Code
Enforcement Office.

1 32. Plaintiff and her partner contacted the City of Malibu’s Code Enforcement Office regarding
2 the following online videos:

- 3 a. <https://www.youtube.com/watch?v=bzh-NLjjSEs&t=49s>
- 4 b. <https://www.youtube.com/watch?v=iEWuT6ZJsr0>
- 5 c. <https://www.youtube.com/watch?v=8DAoleJjDkU>

6 33. The Property is probably the only beachfront residence in Malibu to be surrounded by a chain-
7 link fence. The chain-link fence was placed at the request of the City of Malibu along with
8 additional “NO TRESPASSING” signs.

9 34. Defendants continued their illegal activities on the Property regardless of the amount of
10 fortification and posting of the “NO TRESPASSING” signs.

11 35. Defendants Josh Yozura, Thomas Brag, Matt Dajer, Ammar Kandil, Derin Emre, Brandon
12 McPherson, Matthew Cobuzio, Jason Ariel Leyva, and Trevor Costelloe (who refer to
13 themselves as “Urban Explorers”) have caused the unlawful property entries and/or subsequent
14 burglary since they posted the online videos.

15 36. Plaintiff installed plywood in the Property to keep Defendants, including, but not limited to,
16 the self-proclaimed “Urban Explorers” out since the unlawful property entries and/or
17 subsequent burglary were caused by them.

18 37. In fact, several online comments identify Defendant Yozura by name and even go as far as
19 praising him for breaking into a private home.

20 38. Defendant Yozura has blocked public access to the YouTube video. However, on August 12,
21 2018, he has posted it on the following website: [https://www.maxvideoz.com/abandoned-dark-
22 mansion-9000000-on-beach-secret-room-found](https://www.maxvideoz.com/abandoned-dark-mansion-9000000-on-beach-secret-room-found). In fact, Defendant Yozura has entitled this
23 video as ABANDONED DARK MANSION \$9,000,000 ON BEACH!! (SECRET ROOM
24 FOUND) to attract the general public’s attention.
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1 39. Defendants have continued the harassment, destruction, and invasion of privacy by publishing
2 Plaintiff's minor children's identities, their academic report cards, and Plaintiff's financial
3 information on the internet despite the additional security measures.

4 40. Plaintiff has discovered the following links which depict the unlawful entries and video
5 recordings within her Property:

- 6 1. <https://www.youtube.com/watch?v=8DAoleJjDkU>
- 7 2. <https://www.youtube.com/watch?v=iEWuT6ZJsr0>
- 8 3. <https://www.youtube.com/watch?v=gtw3ORw1Gg0&t=19s>
- 9 4. <https://www.youtube.com/watch?v=oNj--isart4&t=7s>
- 10 5. <https://www.youtube.com/watch?v=v6rM-KQUVrE>
- 11 6. <https://www.youtube.com/watch?v=2BBSTpnKxzk>
- 12 7. <https://www.youtube.com/watch?v=qSvvUxINyNo>
- 13 8. <https://www.youtube.com/watch?v=IHwtY-KdLec>
- 14 9. <https://www.youtube.com/watch?v=sukTyQjZvZE>
- 15 10. <https://www.youtube.com/watch?v=enJXAli8ujc>
- 16 11. <https://www.youtube.com/watch?v=UFuhVm7y64o>
- 17 12. <https://www.youtube.com/watch?v=htJXQxlilxU>
- 18 13. <https://www.youtube.com/watch?v=-Iw1yHGoO6A>
- 19 14. <https://www.youtube.com/watch?v=loplQ1kVsYw>

20 41. The video found on <https://www.youtube.com/watch?v=8DAoleJjDkU> that was posted by
21 Defendant Yes Theory on July 16, 2017 is entitled "Abandoned \$9,000,000 Beach Mansion
22 (underground vault found)" and has been viewed approximately 4,726,500 times.

23 42. The video found on <https://www.youtube.com/watch?v=htJXQxlilxU> that was posted by
24 Defendant McPherson on March 4, 2019 is entitled "The Curious Case of Malibu's
25 Abandoned Mansions" and has been viewed approximately 600 times.
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- 1 43. The video found on <https://www.youtube.com/watch?v=1oplQ1kVsYw> that was posted by
2 Defendant McPherson on March 6, 2019 is entitled “Abandoned \$9,000,000 Beach Mansion”
3 and has been viewed approximately 1,650 times.
- 4 44. The video found on <https://www.youtube.com/watch?v=-Iw1yHGoO6A> that was posted by
5 Defendant McPherson on March 8, 2019 is entitled “Inside An Abandoned \$20,000,000 Bel-
6 Air Mansion” and has been viewed approximately 2,125 times.
- 7
8 45. Defendants, and their cohorts, were encouraged to engage in violations of Plaintiff’s rights
9 based upon the publication of the online videos.
- 10 46. On or about September 4, 2017, Plaintiff’s partner visited the Property to ensure its security
11 and safety.
- 12 47. Plaintiff’s partner accessed the Property’s entrance using his authorized codes on the electronic
13 gates. Plaintiff’s partner observed a rented truck backed up on the front door, a private vehicle,
14 and unknown individuals carrying personal properties away.
- 15
16 48. Plaintiff’s partner stopped his vehicle in the driveway approximately forty feet from the truck.
- 17 49. Plaintiff’s partner stepped out of his vehicle and called down to the burglars by stating: “What
18 are you doing?” The burglars’ initial response was to run behind the truck or those in the
19 Property to disappear so they would not be identified.
- 20
21 50. Plaintiff’s partner proceeded to the rear of his vehicle and obtained his lawfully-registered
22 firearm from its locked box and loaded magazine located in another locked box in compliance
23 with state or federal laws. Thereafter, he ordered the burglars to come out and identify
24 themselves. However, some of them followed his instructions but others failed or refused to
25 follow them.
- 26
27 51. Plaintiff’s partner ejected the magazine from his pistol, relocked the pistol into its container
28 secured in his vehicle, and performed the same task with the magazine upon ascertaining that
his life was not in immediate danger.

- 1 52. Plaintiff's partner was approached by Defendant McArthur who produced a stale letter from
2 the City of Malibu and represented that it constituted a written authorization to empty the
3 Property. However, upon review of the letter, it was nothing more than a correspondence from
4 the City of Malibu regarding the landslide.
- 5 53. Plaintiff's partner was also approached by Defendant Carignan who confirmed that the City of
6 Malibu had hired them to enter the Property and remove the personal properties.
- 7 54. Defendant McArthur has an extensive criminal record which was or should have been
8 available to Defendant LASD during or after the burglary.
- 9 55. Defendant Carignan has an extensive criminal record which was or should have been available
10 to Defendant LASD during or after the burglary.
- 11 56. On or about September 7, 2017, Plaintiff's partner confirmed with Craig George, who was the
12 Director of Building and Safety, that the City of Malibu had not instructed anyone to enter the
13 Property and remove personal properties.
- 14 57. Plaintiff's partner was wrongfully arrested even though he presented evidence of his legal
15 residence on the Property. Plaintiff's partner had keys to the Property and the vehicle he was
16 driving was registered in his name as well as Plaintiff's name. The vehicle was fully registered
17 and a copy of the current registration was in the vehicle at the time of incident. Nevertheless,
18 the burglars had no keys or other evidence to prove their legal right to be on the Property and
19 remove personal properties.
- 20 58. Defendant LASD's deputies, after handcuffing Plaintiff's partner, and no one else, looked at
21 his California Identification Card and stated: "You do not live here."
- 22 59. Plaintiff's partner informed Defendant LASD's deputies that his California Identification Card
23 listed his business address as he resides in more than one location in this state and government
24 agencies list one address only.
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- 1 60. Plaintiff's partner informed Defendant LASD's deputies that if they went to the home office
2 on the second floor, they could go through the file cabinets and view documents that clearly
3 linked him to the Property, including, but not limited to, official letters or building permits and
4 plans that listed his name therein.
- 5 61. Defendant LASD's deputies simply told him to "shut up" as he sat in the late afternoon sun
6 handcuffed in the rear of a patrol vehicle with the windows rolled up.
- 7 62. Defendant LASD's deputies removed Plaintiff's jointly-owned vehicle off the Property and
8 confiscated her partner's cell phone which has not been returned until the present time.
- 9 63. Nevertheless, the burglars were allowed to drive away with the loaded truck due to Defendant
10 LASD's failure or refusal to secure the Property and arrest the burglars.
- 11 64. On or about September 5, 2017, Plaintiff spoke with Defendant LASD's deputies by telephone
12 about the burglary.
- 13 65. Plaintiff informed Detective Soloman, who on information and belief, was in charge of the
14 investigation, that she did not authorize the removal of any personal properties.
- 15 66. Defendant LASD's wrongful arrest and lack of investigation has encouraged Defendants to
16 access to the Property and take away Plaintiff's personal properties.
- 17 67. Defendant LASD has encouraged Defendants to continue their unlawful actions by allowing
18 access to the Property.
- 19 68. In fact, when Plaintiff's partner visited Defendant LASD, he was treated with disrespect and
20 the deputies refused to retrieve the stolen personal properties even though they knew the
21 identity of the burglars.
- 22 69. Defendants have engaged in a violation of Plaintiff's rights by posting videos of the Property
23 online without authorization.
- 24 70. Defendants have entered the Property without authorization.
- 25 71. Defendants have damaged or removed Plaintiff's personal properties without authorization.
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1 72. Defendant LASD has failed or refused to make arrests even after a senior officer was
2 interviewed by Fox News and publicly announced the responsible individuals would be
3 arrested and prosecuted by law enforcement agents.

4 73. Defendant LASD has promised to investigate and prosecute the co-defendants who have
5 entered the Property, damaged or removed personal properties, and set fire on the roof deck.

6 74. However, no such action has occurred even though co-defendants have entered the Property,
7 damaged or removed personal properties, and set fire on the roof deck.

8 75. Defendant Levya, and his cohorts, have set fire on the Property's roof deck by using
9 flammable or combustible materials or substances. On information and belief, Defendant
10 Leyva uses the alias "Future Mob" as his YouTube profile or username to remain anonymous.

11 76. Defendant Leyva, and his cohorts, have laughed about their criminal activities on the
12 following YouTube video on how Defendant LASD did not take any action against them:

13 <https://www.youtube.com/watch?v=v6rM-KQUVrE>

14 77. Plaintiff has reported Defendant McPherson to Defendant LASD as having published three
15 videos of his unlawful entries into Plaintiff's properties.

16 78. Defendant LASD has been unwilling to investigate and/or prosecute Defendant McPherson or
17 any other person who may be involved in the crimes.

18 79. Plaintiff has discovered more than a dozen videos of violations being committed on her
19 Property that have been published on YouTube in addition to publications on other websites,
20 including, but not limited to, [pinterest.com](https://www.pinterest.com), [pinterest.ca](https://www.pinterest.ca), and [pinterest.co.uk](https://www.pinterest.co.uk).

21 80. Defendant LASD has failed or refused to arrest anyone even when Plaintiff's partner was
22 present during the burglary and immediately called them.

23 81. Moreover, on or about May 26, 2018, a neighbor called Plaintiff's partner to inform that a
24 party was in progress inside the Property.
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1 82. Plaintiff's partner drove to the Property and confirmed that unknown individuals were inside
2 the Property without authorization. Plaintiff's partner contacted Defendant LASD. As such,
3 two deputies arrived and visually confirmed a makeshift ladder to the second-floor deck and
4 observed the glass smashed out of the door. The deputies were able to audibly hear multiple
5 voices and loud music.

6 83. Plaintiff's partner requested the deputies to arrest the unknown individuals who were present
7 at the Property without authorization. However, the deputies failed or refused to enter the
8 Property. Plaintiff's partner went up the makeshift ladder and entered the Property in their
9 presence. Plaintiff's partner observed the unknown individuals and made visual contact with
10 them. Thereafter, the unknown individuals flipped the light switches to darken the entry, living
11 room, dining room, kitchen and laundry room areas they were illegally occupying.

12 84. Plaintiff's partner exited the Property and informed the deputies of the unknown individuals he
13 visually observed inside the Property. However, instead of investigating the incident, the
14 deputies informed Plaintiff's partner they were leaving and not making any arrests.

15 85. Plaintiff and her family members are not safe from intruders based on the failure or refusal of
16 the responsible law enforcement agency to investigate these incidents.

17 86. Plaintiff and her personal properties are not safe from damage based on the failure or refusal of
18 the responsible law enforcement agency to investigate these incidents.

19 87. In fact, even though Defendants have committed multiple violations (e.g., arson, trespass,
20 nuisance, conversion) and published them on the internet, Defendant LASD, which is the
21 responsible law enforcement agency, has not properly investigated the incidents.

22 88. Therefore, Defendant LASD's inactions have encouraged co-defendants and their cohorts to
23 unlawfully enter and damage the Property.
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- 1 89. In fact, on or about January 18, 2019, Plaintiff's legal counsel wrote a formal letter to
2 Defendant LASD to request more information about its investigation. However, the request
3 was ignored by Defendant LASD without a justifiable reason.
- 4 90. For example, on information and belief, Defendant Cobuzio has posted the following video on
5 the internet: www.youtube.com/watch?v=1HwtY-KdLec
- 6 91. For example, on information and belief, Defendant Leyva has posted videos on the internet.
7 Plaintiff has provided Defendant Leyva's identity and residential address to Defendant LASD
8 but no action was taken by its agents or representatives.
- 9 92. For example, on or about March 8, 2019, Defendant McPherson entered another one of
10 Plaintiff's properties without authorization and posted a video on YouTube which depicted his
11 unlawful entry.
- 12 93. For example, on or about April 3, 2019, Defendant Costelloe posted pictures of the Property
13 from inside the yard on the following website:
14 https://www.reddit.com/r/AbandonedPorn/comments/b92tvv/the_first_house_ever_built_in_be
15 [l](https://www.reddit.com/r/AbandonedPorn/comments/b92tvv/the_first_house_ever_built_in_be)
16 [_air_now](https://www.reddit.com/r/AbandonedPorn/comments/b92tvv/the_first_house_ever_built_in_be).
17
- 18 94. For example, on or about April 3, 2019, Defendant Costelloe uploaded photographs of the
19 interior of Plaintiff's other property, including, but not limited to, a photo of her partner's
20 vehicle on the following link: <https://imgur.com/gallery/ZrPmttN>.
- 21 95. In fact, one of the photos shows the vehicle's front window is broken. Thereafter, Plaintiff's
22 partner discovered his vehicle was vandalized around the same time.
- 23 96. On or about October 23, 2019, Plaintiff spoke with Defendant LASD regarding the issuance of
24 the burglary report for the Property. Plaintiff was informed that no report would be issued until
25 the investigation was closed and that it would not be closed until Plaintiff's partner, Girard
26 Saenz, appeared for an additional interview.
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1 97. On or about October 24, 2019, Mr. Saenz spoke with Detective Soloman via telephone and
2 informed him that he would discuss the additional interview with his attorney as he had
3 already submitted to an interview on the day of the burglary.

4 98. On or about October 24, 2019, Mr. Saenz instructed his attorney to contact Detective Soloman
5 regarding the additional interview.

6 99. Defendant LASD has continued to hold the position that the burglars were innocent since
7 Plaintiff hired them to remove her personal properties.
8

9 100. Defendant LASD has claimed that Plaintiff had personally authorized the burglars to enter
10 the Property and remove the personal properties.

11 101. On or about November 1, 2019, Plaintiff contacted Detectives Dunn and Soloman who
12 work for Defendant LASD and were overseeing the investigation. Plaintiff requested a copy of
13 her file, including, but not limited to, the investigation reports. However, she was denied
14 access to the file by the above-listed detectives. Plaintiff was told that she is not entitled to the
15 file and the burglars had rightfully entered the Property.
16

17 102. Then, on or about December 4, 2019, Plaintiff submitted an online Complaint Form
18 (“Complaint Form”) to the Los Angeles County Office of Inspector General under Case No.:
19 OIG2019-05694 regarding Defendant LASD’s negligent investigations and lack of due
20 diligence or transparency.
21

22 103. On or about January 27, 2020, Plaintiff became aware that Defendant LASD had stopped
23 its formal investigation.

24 104. On or about June 11, 2020, Plaintiff filed a Claim for Damages to Person or Property
25 (“Claim”) with the County of Los Angeles Board of Supervisors under File No.: 20-
26 1160935*001.
27

28 105. On or about June 23, 2020, Plaintiff’s Claim was denied by the County of Los Angeles,
Office of the County Counsel, which is the overseeing government agency.

1 106. Thereafter, on or about August 12, 2020, Plaintiff issued an Application for Permission to
2 Present Late Claim (“Application”) to the County of Los Angeles Board of Supervisors
3 pursuant to Government Code § 911.4.

4 107. On or about September 16, 2020, Plaintiff’s Application was denied by the County of Los
5 Angeles, Office of the County Counsel, which is the overseeing government agency.

6 108. Defendants have made threats towards Plaintiff and her family and falsely accused her of
7 abandoning the Property.
8

9 109. Defendants have entered Plaintiff’s Property without permission, took pictures and videos,
10 and published them online to annoy, intimidate, or harass her for no legitimate purpose.

11 110. Plaintiff has been terrified for herself and her family members as a result of Defendants’
12 conduct. Plaintiff has suffered and continues to suffer from emotional distress as a direct result
13 of their conduct. Plaintiff has suffered from a significant amount of monetary damages in
14 excess of the jurisdictional limit.
15

16 **FIRST CAUSE OF ACTION**
17 **TRESPASS**
(Against All Defendants Except Defendant LASD)

18 111. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
19 fully set forth herein.

20 112. Plaintiff owned, leased, occupied, and/or controlled the property.
21

22 113. Defendants intentionally, recklessly, or negligently entered Plaintiff’s property.

23 114. Defendants intentionally, recklessly, or negligently caused another person to enter
24 Plaintiff’s property.

25 115. Plaintiff did not give permission for the entry into the Property and/or Defendants
26 exceeded Plaintiff’s permission as stated hereinabove.
27

28 116. Plaintiff was actually harmed by Defendants’ conduct.

117. Defendants’ conduct was a substantial factor in causing Plaintiff’s harm.

SECOND CAUSE OF ACTION
PRIVATE NUISANCE
(Against All Defendants Except Defendant LASD)

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3 118. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
4 fully set forth herein.

5 119. Plaintiff owned, leased, occupied, and/or controlled the property.

6 120. Defendants, by acting or failing to act, created a condition or permitted a condition to exist
7 that was harmful to health, was indecent or offensive to the senses, or was an obstruction to
8 the free use of property so as to interfere with the comfortable enjoyment of life or property.
9

10 121. Defendants, *inter alia*, created a fire hazard or other potentially dangerous condition to
11 Plaintiff's property that substantially interfered with Plaintiff's use or enjoyment of her land.

12 122. An ordinary person would reasonably be annoyed or disturbed by Defendants' conduct.

13 123. Plaintiff did not consent to Defendants' conduct.

14 124. Plaintiff was harmed as a result of Defendants' conduct.

15 125. Defendant's conduct was a substantial factor in causing Plaintiff's harm.

16 126. Finally, the seriousness of the harm outweighs the public benefit of Defendants' conduct.
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THIRD CAUSE OF ACTION
CONVERSION
(Against All Defendants Except Defendant LASD)

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20 127. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
21 fully set forth herein.
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23 128. Plaintiff owned, possessed, and had a right to possess the personal properties that were
24 removed by Defendants.

25 129. Defendants substantially interfered with Plaintiff's personal properties by knowingly or
26 intentionally taking possession of those personal properties, preventing Plaintiff from having
27 access to personal properties, destroying personal properties, or refusing to return personal
28 properties after Plaintiff demanded their return.

1 130. Plaintiff did not consent to Defendants' conduct as stated hereinabove.

2 131. Plaintiff was harmed as a result of Defendants' conduct which was a substantial factor in
3 causing Plaintiff's harm.

4 **FOURTH CAUSE OF ACTION**
5 **ARSON IN VIOLATION OF PENAL CODE § 451, ET SEQ.**
6 **(Against All Defendants Except Defendant LASD)**

7 132. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
8 fully set forth herein.

9 133. Arson is the unlawful act of burning a structure, forest land, or property to: (1) injure
10 someone; (2) defraud an insurance company; or (3) damage someone else's property out of
11 spite, jealousy, annoyance, revenge, or other reason.

12 134. Defendants willfully and maliciously set fire to, or burned, or caused to be burned
13 Plaintiff's property.

14 135. Defendants willfully and maliciously aided, counseled, or procured the burning of
15 Plaintiff's property.

16 136. Defendants are guilty of arson since they willfully and maliciously set fire to or partially
17 burned Plaintiff's property.

18 137. Defendants are guilty of unlawfully causing a fire since they recklessly set fire to, or
19 burned, or caused to be burned Plaintiff's property.

20 138. Defendants have possessed, manufactured, or disposed of flammable, or combustible
21 materials or substances, or incendiary devices in an arrangement or preparation, with intent to
22 willfully and maliciously use the materials, substances, or devices to set fire to or burn
23 Plaintiff's property.

24 139. Defendants have willfully and maliciously attempted to set fire to or attempted to burn or
25 to aid, counsel, or procure the burning of Plaintiff's property.
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FIFTH CAUSE OF ACTION
CIVIL HARASSMENT IN VIOLATION OF CODE OF CIVIL PROCEDURE § 527.6
(Against All Defendants Except Defendant LASD)

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3 140. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
4 fully set forth herein.

5 141. Defendants' wrongful conduct alleged hereinabove, although not directly threatening
6 violence, nevertheless was "a knowing and willful course of conduct directed at a specific
7 person that seriously alarms, annoys, or harasses the person and that serves no legitimate
8 purpose," thus constituting civil harassment under C.C.P. § 527.6(b) as well as crimes under
9 Penal Code §§ 422, 451-457.1, 653m, and/or 653.2. The "course of conduct [was] such as
10 would cause a reasonable person to suffer substantial emotional distress, and [did] actually
11 cause substantial emotional distress to the [Plaintiff]" as required by C.C.P. § 527.6(b).

12
13 142. Plaintiff did in fact suffer substantial emotional distress as a direct consequence of
14 Defendants' course of conduct.

15
16 143. Plaintiff has been generally, specially, and consequentially damaged in the amount to be
17 established according to evidence as a direct and proximate consequence of Defendants'
18 harassment.

19 144. Plaintiff is entitled to an award of the attorney's fees that is incurred to prosecute this legal
20 action and to seek an injunction pursuant to C.C.P. § 527.6(s).

21
22 145. The civil harassment was committed willfully and intentionally, and by means of
23 oppression, fraud, and malice, and in conscious disregard of Plaintiff's rights.

24 146. Plaintiff is entitled to an award of exemplary or punitive damages under Civil Code § 3294
25 in an amount to be established at trial to meaningfully punish Defendants and to thereby deter
26 similar conduct by them in the future. Also, punitive damages are especially appropriate in this
27 case because of Defendants' past pattern of oppressive and harassing conduct.
28

1 147. Defendants' harassment alleged herein, unless enjoined by a preliminary injunction order
2 and a permanent injunction judgment of this Honorable Court, or in the alternative, statutory
3 temporary restraining order and three-year injunction under C.C.P. § 527.6, will continue to
4 cause great and irreparable injury to Plaintiff.

5 148. Plaintiff has no adequate remedy at law for injuries that Plaintiff is currently suffering and
6 are threatened to be suffered from Defendants' illegal conduct.

7
8 **SIXTH CAUSE OF ACTION**
9 **NEGLIGENCE**
10 **(Against All Defendants)**

11 149. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
12 fully set forth herein.

13 150. Defendants had a duty towards Plaintiff to use reasonable care.

14 151. Defendants failed to use reasonable care to prevent harm towards Plaintiff.

15 152. Defendants breached this duty by engaging in the acts described herein.

16 153. Defendants' actions were the proximate or legal cause of the resulting injuries which were
17 foreseeable.

18 154. Defendants' breach of duty has caused Plaintiff's injuries.

19 155. Defendants knew or should have known that their conduct will cause damages.

20 156. Defendants were negligent by acting or by failing to act in a reasonable manner.

21 157. Defendants were negligent because they engaged in acts that reasonably prudent persons
22 would not engage in the same situation or failed to act as reasonably prudent persons in the
23 same situation.

24 158. Defendants' actions are in violation of, *inter alia*, Civil Code § 1714(a) and should be held
25 liable for their violations.
26
27
28

SEVENTH CAUSE OF ACTION
PROMISSORY ESTOPPEL
(Against Defendant LASD Only)

1
2
3 159. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
4 fully set forth herein.

5 160. Defendant LASD made promises to investigate and prosecute the co-defendants for their
6 violations.

7
8 161. Defendant LASD made promises that Plaintiff's Property would be safe from burglary,
9 trespass, or other violations that were committed by co-defendants.

10 162. Defendant LASD's promises, which should be reasonably expected to induce action or
11 forbearance on the part of Plaintiff, in fact did induce an action or forbearance, and are
12 binding since injustice can be avoided only by enforcement of its promises.

13 163. Defendant LASD intended that Plaintiff rely on its representations, statements, or
14 promises and Plaintiff relied on them as stated herein.

15
16 164. Plaintiff's reliance was reasonable and foreseeable because any party would have relied on
17 Defendant LASD's representations, statements, or promises under the circumstances.

18 165. Defendant LASD neither carried out its representations, statements, or promises nor did it
19 intend to perform them when they were made as stated herein.

20 166. Plaintiff has been injured and continues to be injured by reliance on these representations,
21 statements, or promises as stated herein.

EIGHTH CAUSE OF ACTION
DECLARATORY AND INJUNCTIVE RELIEF
(Against All Defendants)

22
23
24
25 167. Plaintiff re-alleges and incorporates by reference the above-listed paragraphs as though
26 fully set forth herein.

27
28 168. The ongoing nature and damage resulting from Defendants' illegal actions are of such a
nature that Plaintiff is without an adequate legal remedy at law.

1 169. Plaintiff has suffered and will continue to suffer irreparable harm as a result of
2 Defendants' acts. Defendants will continue to cause irreparable harm towards Plaintiff unless
3 enjoined by this Honorable Court.

4 170. An actual controversy has arisen and now exists between Plaintiff and Defendants
5 concerning their respective rights and responsibilities. Therefore, a judicial declaration is
6 necessary and appropriate so the parties may ascertain their rights and responsibilities under
7 the applicable laws.
8

9 171. Defendants' wrongful acts are continuing and have caused and are causing irreparable
10 damages towards Plaintiff. Unless Plaintiff obtains declaratory relief from this Honorable
11 Court, and/or unless such conduct by Defendants is preliminarily and permanently enjoined,
12 Plaintiff will continue to suffer irreparable damages which will necessitate the filing of
13 multiple and/or successive lawsuits.
14

15 172. Plaintiff is entitled to injunctive relief pursuant to the applicable laws. Plaintiff is entitled
16 to a preliminary and/or permanent injunction against Defendants to force them to comply with
17 the applicable laws and to enjoin Defendants from causing additional harm.
18

19 **PRAYER FOR RELIEF**

20 **WHEREFORE**, Plaintiff prays for judgment against Defendants, and each of them, jointly and
21 severally, as follows:


- 22 1. For monetary damages, in excess of the jurisdictional amount, or according to proof;
- 23 2. For compensatory, general, and monetary damages, past, present, and future in an amount to
24 fully compensate Plaintiff within the jurisdictional limits of this Court, according to proof;
- 25 3. For punitive and exemplary damages, as appropriate, according to proof;
- 26 4. For attorney's fees and costs, as appropriate, according to proof;
- 27
- 28

- 1 5. For incidental and/or consequential damages, as appropriate, past, present, and future,
2 according to proof;
- 3 6. For pre-judgment and/or post-judgment interest;
- 4 7. For applicable statutory damages, past, present, and future, according to proof;
- 5 8. For applicable special damages, past, present, and future, according to proof;
- 6 9. For applicable economic damages, past, present, and future, according to proof;
- 7
- 8 10. For declaratory relief, and/or preliminary and permanent injunction prohibiting the conduct
9 and activities alleged herein; and
- 10 11. For such other and further relief as the Court deems just and equitable, and conforming to
11 proof at the time of trial.

12 **DEMAND FOR JURY TRIAL:** Plaintiff hereby demands a trial by jury of her peers to the
13 fullest extent allowed by law.

14 Dated: December 21, 2020

LAW OFFICES OF SALAR ATRIZADEH

17 By: 

18 _____
SALAR ATRIZADEH, ESQ.
19 Attorney for Plaintiff
20 CYNTHIA BECK
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VERIFICATION

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I, CYNTHIA BECK, the undersigned, certify and declare that I am the Plaintiff in this matter. I have read the foregoing First-Amended Complaint and know and understand its contents thereof. The matters stated herein are true of my own knowledge and belief, except as to those matters alleged and/or stated on my information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed on December 21, 2020, in Los Angeles, California.



CYNTHIA BECK