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MAY 28 2019

SUSAN Y. SOONG   
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

1 **Andrea Wood**  
2 **40 Hilldale Court**  
3 **Orinda, Cal. 94563**  
4 **Tel.: (415) 375-1686**  
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6  
7 **UNITED STATES DISTRICT COURT**  
8 **NORTHERN DISTRICT OF CALIFORNIA**  
9 **SAN FRANCISCO DIVISION**

10  
11 **ANDREA WOOD**

12 **Plaintiff**

13  
14 **v.**

15  
16 **COUNTY OF CONTRA COSTA, LOIS**  
17 **HAIGHT, KELLIE CASE, EDYTH**  
18 **WILLIAMS, MARY CAREY, JUDITH**  
19 **LAWRENCE, PATRICIA LOWE, ERICA**  
20 **BAINS, THOMAS MADDOCK, JOHN DOE,**  
21 **and JANE DOE**

22  
23 **Defendants**

24 **JURY TRIAL DEMANDED**  
25  
26

**CASE NO. 19-cv-2678-LB**

**AMENDED COMPLAINT**

**Date: August 15, 2019**

**Time: 9:00 A.M.**

**Court Room B, 15<sup>th</sup> Floor**

**Magistrate Judge: Hon. L. Beeler**

27 **COMPLAINT FOR VIOLATION OF FIRST AMENDMENT, 42 U.S.C.**  
28 **§1983, FOURTEENTH AMENDMENT, 18 U.S.C. 1961, et seq., AND**  
29 **SUPPLEMENTARY CLAIMS**  
30

**JURISDICTION**

1. This is an action for relief, proximately the result of conduct engaged in by the County of Contra Costa, Lois Haight, Erica Bains, Kellie Case, Edyth Williams, Patricia Lowe, Judith Lawrence, and Thomas Maddock in violation of First Amendment, 42 U.S.C. §1983, Fourteenth Amendment, 18 U.S.C 1961, *et seq*, and Supplementary Claims.

2. This Court has personal jurisdiction over the Defendants because all factual allegations derive from violations of First Amendment, 42 U.S.C. §1983, Fourteenth Amendment, 18 U.S.C., 1961 *et seq*, and for the sake of judicial expediency, this Court has supplemental jurisdiction over all other claims, brought now or ever, that are so related to claims in the actions of the parties within such original jurisdiction that they form part of the same dispute pursuant to 28 U.S.C. §1367.

3. This Court has subject matter jurisdiction over this dispute pursuant to 28 U.S.C. §1331 and 1338 (federal question jurisdiction). Jurisdiction is premised upon the Federal defendants' violation of First Amendment, 42 U.S.C. §1983, Fourteenth Amendment, and 18 U.S.C. 1961, *et seq*..

**VENUE**

4. Venue is proper in this district pursuant to 28 U.S.C. §§1391 and 1400 because the bulk of Plaintiff's business is transacted in the County of Contra Costa, California, and for the Defendants that do not, and for the sake of judicial expediency, this Court has supplemental jurisdiction over the Defendants that are so related to claims in the actions of the parties within such original jurisdiction that they form the Court's jurisdiction is invoked pursuant to 28 U.S.C. §§1331, 1343.

#### THE PARTIES

5. Plaintiff, Andrea Wood (hereinafter "Plaintiff"), is a *sui juris* resident of Orinda, Cal. residing at:

40 Hilldale Court  
Contra Costa County  
Orinda, California  
+1 (415) 375-1686

6. Federal defendant County of Contra Costa (hereinafter "County") is a county in the U.S. State of California, covering an area of 716 square miles, consisting of a population of 1.1 million residents with a principal place of business at:

751 Pine Street  
Contra Costa County  
Martinez, California 94553  
(925) 313-1180

74 7. Federal defendant Lois Haight (hereinafter “Haight”), sued in her individual  
75 capacity, is a *sui juris* resident of places unknown and is a Superior Court  
76 Judge of the Superior Court of Contra Costa County with a principal place of  
77 business at:

78 640 Ygnacio Valley Drive  
79 Contra Costa County,  
80 Walnut Creek, California, 94596  
81 +1 (925) 608-1000  
82

83 8. Federal defendant Mary P. Carey (hereinafter “Carey”) is a *sui juris* resident  
84 of places unknown and is a preferred attorney in the family courts of Contra  
85 Costa County with a principal place of business at:

86 1850 Mount Diablo Boulevard, Suite 670  
87 Contra Costa County  
88 Walnut Creek, California 94596  
89 +1 (925) 943-1843

90 9. Federal defendant, Erica Bains (hereinafter “Bains”), is a *sui juris* resident of  
91 Orinda, Cal. residing at:

92 24 Hilldale Court  
93 Contra Costa County  
94 Orinda, California  
95 +1 (925) 258-9390  
96

10.Federal defendant Kellie Case (hereinafter “Case”), sued in her individual capacity, is a *sui juris* resident of places unknown and is a Social Worker at Contra Costa Child Protective Services with a principal place of business at:

400 Ellinwood Way  
Contra Costa County  
Pleasant Hill, California 94523 +1  
(877) 881-1116

11.Federal defendant Edyth Williams (hereinafter “Williams”), sued in her individual capacity, is a *sui juris* resident of places unknown and is a Social Worker at Contra Costa Child Protective Services with a principal place of business at:

400 Ellinwood Way  
Contra Costa County  
Pleasant Hill, California 94523  
+1 (877) 881-1116

12.Federal defendant Judith Lawrence (hereinafter “Lawrence”) is a *sui juris* attorney for child, HP, with a principal place of business at:

615 Green Street  
Contra Costa County  
Martinez, California 94553  
+1 (925) 995-8452

13.Federal defendant Patricia Lowe (hereinafter “Lowe”), sued in her individual capacity, is a *sui juris* resident of places unknown and is Deputy County

Counsel in the Office of County Counsel, with a principal place of business  
at:

751 Pine Street  
Contra Costa County  
Martinez, California 94553

14. Federal defendant Thomas Maddock (hereinafter “Maddock”), sued in his  
individual capacity, is a *sui juris* resident of places unknown and is a Superior  
Court Judge of the Superior Court of Contra Costa County with a principal  
place of business at:

1000 Center Drive  
Contra Costa County,  
Pittsburgh, California, 94565  
(925) 608-1000

+1

## STATEMENT OF FACTS

15. On August 17, 2017, TP (age 14), HP (age 12), and KP (age 7) were removed  
from Plaintiff’s, the biological mother’s, home entering without an Access  
Order, without warrant, no authorization to enter, and without an Order of  
Temporary Removal all in violation of §340(b) of the Juvenile Dependency  
Law (“JDL”) – forceable entry; there was no imminent danger present.

16. In a \$2.5 million home surrounded by a security gate and security cameras  
and attended by the maternal grandmother Sandra Wood DeUdy (“DeUdy”),

143 and as reported by TP, Plaintiff, DeUdy, handyman the cupboards were  
144 always filled with nutritious food and they had a live in, full-time nanny for  
145 the children, Steffi Guggenbichler (“Guggenbichler”), approximate age 25, of  
146 Austrian decent, and a former registered nurse since on or about August 2010.

147 17.The biological father of TP, HP, and KP, Jeremy Packwood passed away in  
148 2007.

149 18.DeUdy was interviewed by the county social worker Kellie Case. DeUdy  
150 objected to the taking of TP, HP, and KP. and attested that any removal would  
151 be without probable cause, contrary to the legal definition of messy  
152 conditions, also in violation of §340(b) of the JDL.

153 19.The removal violates the rule of law in that there was no notice, no Access  
154 Order, no warrant pursuant to §340(b) of the JDL, no authorized entry, no  
155 Order of Temporary Removal, no imminent danger, -- forceable entry and  
156 DeUdy was threatened with arrest if she resisted removal all flagrant  
157 violations of the Due Process Clause of the Fourteenth Amendment to the U.S.  
158 Constitution and in doing such the State Actors had forfeited their qualified  
159 immunity (See *Harlow v. Fitzgerald*, 457 U.S. 800, 807, 810-11 (1982).

160 20.DeUdy was attending TP, HP, and KP. DeUdy was very familiar with TP, HP,  
161 and KP and lived with Plaintiff for a time after the birth of TP.

162 21. Nevertheless, TP, HP, and KP were removed by the Orinda Police Department  
163 at the request of Child Protective Services without notice, without an Access  
164 Order, no warrant pursuant to §340(b) of the JDL, no authorized entry,  
165 without an Order of Temporary Removal, and notwithstanding the lack of  
166 imminent danger – forceable entry.

167 22. On August 17, 2017, Plaintiff, TP, HP, and KP entered the “system” and  
168 once you are in the “system” it takes years to get out.

169 23. The Orinda Police Department threatened to have DeUdy arrested if she  
170 interfered with the removal without an Access Order, without a warrant  
171 pursuant to §340(b) of the JDL, no authorization to enter, without an Order of  
172 Temporary Removal, and notwithstanding the lack of imminent danger -  
173 foreable.

174 24. There is a long-standing political feud stemming from the 1980s between the  
175 family of the biological father, Jeremy Packwood and Federal defendant Lois  
176 Haight and her husband; Haight presided over Plaintiff’s jurisdictional case.  
177 Haight did not disclose this relationship, nor did Haight timely recuse herself.  
178 State recusal laws (see California Code of Civil Procedure 170.6) compelled  
179 Haight to timely recuse herself and she did not.

180 25. Upon information and belief, Haight hand picks preferred lawyers for indigent  
181 Respondents, but not Respondents with the ability to private pay; however, in



182 Plaintiff's case, a private paying Respondent, Haight did hand pick for  
183 Plaintiff in violation of §317 of the JDL which states "Parties are entitled to  
184 the counsel of their choice." Court recommended lawyers who are dependent  
185 on court referral business for their livelihood, often do not act in the best  
186 interest of the Respondents but rather seek to conspire and collude with the  
187 Contra Costa County court, in order to obtain false indications against  
188 innocent Respondents (see Richard Abrams, Attack on Corruption: 'Contra  
189 Costa County Three Judge Recall' Launched by Parents, City Watch L.A.,  
190 August 16, 2018 attached herein as Exhibit "A") and the text message  
191 exchange of preferred attorney Jen Ani and respondent Lisa Schindler June 7,  
192 2018 to June 10, 2018 pointing to the Superior Court's refusal to admit  
193 evidence supporting the respondent, Schindler, attached herein as Exhibit  
194 "B."

195 26.Haight's shocking, arbitrary, and egregious conduct led to the suicidal  
196 tendencies of 12 year old HP in October 2017.

197 27.In the case of Plaintiff, this preferred lawyer was Federal defendant Mary P.  
198 Carey, hand selected by Federal defendant Haight in violation of §317 of the  
199 JDL. Carey, immediately proceeded contrary to the wishes of Plaintiff.

200 28.Respondent would often be ordered into the hallway and Federal defendant  
201 Carey would deal on (and quite likely off) the record of court transcripts with

Haight which were strongly against Plaintiff's interests. Plaintiff was not privy to see these transcripts until Spring of 2018, only after Jurisdictional trial had concluded; therefore, the transcripts were not available for use in the defense of Plaintiff notwithstanding a Motion to secure transcripts on or about beginning on or about 2017 and subsequent thereto.

29. During the Jurisdictional trial, Federal defendant Carey gave video testimony in the chambers of Federal defendant Haight on or about March 2018 without authorization of Plaintiff, when the Plaintiff was not present, and such video was not included in Discovery (Plaintiff found out of its existence by reviewing transcripts).

30. Subsequent to the Jurisdictional trial Federal defendant Carey blocked visitations with TP, HP, and KP, and obstructed justice by blocking Plaintiff's evidence, made no objection to the admission of hearsay, all contributing to the finding of false allegations against Plaintiff where obstructing justice is a violation of the Civil RICO statute codified as 18 U.S.C. 1961, *et seq.* a claim which Plaintiff reluctantly brings in this Amended Complaint and the Plaintiff demands treble damages.

31. Unknowingly, and not in the presence of Plaintiff, Federal defendant Carey would obstruct justice by blocking the admission of evidence that would have

221 contributed positively to the defense of Plaintiff in violation of §319 of the  
222 JDL.

223 32. Federal defendant Carey also allowed hearsay and perjured statements to be  
224 admitted without objection.

225 33. Federal defendant Carey drafted three motions, but court transcripts evidence  
226 that Ms. Carey conspired along with the court to ensure that they were not  
227 heard either in a "timely" fashion in violation of §319 of the JDL, or at all.

228 34. On March 2, 2018, Plaintiff requested the court to hear the previously filed  
229 motions, motions filed by Carey from October 2017 through February 2018,  
230 and it was Federal defendant Carey that failed to press that these motions be  
231 heard.

232 35. Three motions had been written and submitted, none were heard (on or about  
233 October 2017, January 2018, and February 2018). Instead Federal defendant  
234 Carey proceeded to her closing statement.

235 36. Social Worker and Federal defendant Edyth Williams proceeded to tell  
236 untruths about Plaintiff's visits with KP, blocked mental health sessions for  
237 HP and, therefore, family reunification efforts in violation of 361.5(a) of the  
238 JDL.

239 37. Federal defendant Williams stated under oath under the penalty of felony  
240 "that HP was open to visits with his mother" or words to that effect; Williams

241 did not schedule those either. This was the latest violation of the JDL in the  
242 matters of TP, HP, and KP, 361.5(a) – family unification requirements.

243 38. In or about February 2019, KP drew and gave Plaintiff a birthday card that  
244 depicted a crying child making statements such as “I love you,” “I miss you,”  
245 and “I can’t live with you” attached herein as Exhibit “C.”

246 39. Plaintiff was told she could write letters and did write letters to HP in  
247 December 2017 and August 2018. Williams testified the letters were  
248 appropriate, but the letters Williams never delivered to HP that hampers  
249 reunification.

250 40. Settlement of Katie A. law - requires that HP receive mental health medical  
251 care after being 5150'd for suicidal tendencies, but HP was blocked from visits  
252 with Plaintiff in violation of §362.1 of the JDL - shortly afterwards HP started  
253 contemplating suicide.

254 41. Without Plaintiff's authorization, Federal defendant Carey stated on the  
255 record "Your honor, I had made a request that there be no contact between my  
256 client (Plaintiff) and HP" and "if this keeps going on and on and on it is going  
257 to have some negative effects on the youngest child for sure." Upon  
258 information and belief Carey made the premeditated, malicious intent to harm  
259 HP and KP, to physically separate the family, and remove HP and KP from  
260 Plaintiff; Superior Court in California receives federal funds when they are

261 able to separate families. In fact, West Virginia's Secretary of Health and  
262 Human Resources states "The Federal government has always paid us only if  
263 we pull children from their homes." HP was removed on August 17, 2017  
264 without notice, without an Access Order, without a warrant in violation of  
265 §340(b) of the JDL, without authorization, without an Order of Temporary  
266 Removal, notwithstanding the lack of imminent danger – forceable entry;  
267 Plaintiff has not seen HP since the date of removal; HP now has suicidal  
268 tendencies.

269 42.Federal defendant Carey derives financial benefit by being on the court's  
270 "preferred" lawyer referral list; Carey charged Plaintiff \$75,000 from  
271 September 2017 to February 2018. Federal defendant Carey had been retained  
272 to reunify the family, secure contact amongst the family, but ultimately did  
273 everything but.

274 43.On January 9, 2018 Federal defendant Kellie Case testified "not that I recall"  
275 when asked "Did HP ever tell you that his mother (Plaintiff) hit him on more  
276 than one occasion," prompting a disapproving look from Federal defendant  
277 Haight, leading Ms. Case who had already testified, to stumble and say "Can  
278 I correct that?" Haight exploded back "What? Yes." Federal defendant Case,  
279 followed the Judge's lead, changed her testimony to "Yes, he did"  
280 notwithstanding that a moment earlier she attested to no such recollection.

281 44. Another example of where Federal defendant Haight interferes with  
282 testimony, HP was asked “you have been hit before by your nanny, right.”  
283 HP responds, “Yes.” Haight stated “Wait a minute. Wait a minute.” Clearly,  
284 Federal defendant Haight coaches witness to change their testimony,  
285 obstruction of justice in violation of the Civil RICO statute codified as 18  
286 U.S.C. 1961, *et seq.* which now pled, Plaintiff demands treble damages.

287 45. Federal defendant Case made lengthy inquiries to interrogate an emotionally  
288 and mentally unstable child, HP, about Case’s fantasies regarding Plaintiff’s  
289 purported sex life; untruths about Plaintiff’s sex life only served to further  
290 alienate an unstable HP from Plaintiff.

291 46. Counsel to HP, Federal defendant Judith Lawrence wrote an email saying  
292 “DeUdy’s interview with Case was ‘very’ damaging to CPS’s case,” or words  
293 to that effect, so, as a result, Lawrence obstructed DeUdy’s testimony which  
294 would have been beneficial to Plaintiff’s defense. Plaintiff did not see  
295 Lawrence’s email nor was Plaintiff allowed to see DeUdy’s interview so that  
296 it could be admitted as evidence until after the false Jurisdictional trial had  
297 concluded. Federal defendant Carey refused to submit any of this evidence  
298 distressing Plaintiff and when she spoke, Haight threatened to have the  
299 Plaintiff removed.

300 47. Now, at all times relevant hereto, Federal defendant Patricia Lowe, Deputy  
301 County Attorney represented the Petitioners. Patricia Lowe contacted  
302 Plaintiff's therapists without the written consent of Plaintiff.

303 48. Upon information and belief, Lowe was dismayed by the glowing assessments  
304 from the therapists who stood firmly in support of the Plaintiff and  
305 reunification.

306 49. On July 31, 2018, Federal defendant Lowe sent an email in which she stated  
307 that I called the [Plaintiff's] doctors to impose upon the doctors her and the  
308 courts "opinions" about the Plaintiff as she, the county prosecutor, did not care  
309 for the physician recommended conclusion to return the children to the  
310 Plaintiff," or words to that effect which is not surprising attached herein as  
311 Exhibit "D."

312 50. Plaintiff received a notice in court service reports, that the court wishes to  
313 adopt out HP and KP and that Plaintiff would foot the bill. Federal defendant  
314 Case indicated to Plaintiff that the Court was intending to bill Plaintiff  
315 \$700,000 for court costs. Federal defendant Haight went on the record to state  
316 that "her court was 'broke'."

317 51. Federal defendant Haight also ordered paternity testing of all three children  
318 and while they were present in court, and unfoundedly stated it needed to be  
319 determined who fathered the children as Haight implied there had been many

men. There was only one father of all three children and that was Jeremy Packwood, the deceased spouse of Plaintiff (2007).

52. Federal defendant Haight prohibited Plaintiff from dismissing Federal defendant Mary Carey in late February 2018, in advance of closing arguments scheduled for March 2018, and Plaintiff had moved the court to represent herself; Haight denied the application.

53. The oldest child, TP who resisted the coaching, counseling, and coercion more than that of the younger children, being told to lie about Plaintiff, was subjected to higher levels of escalated care (punishment and less quality foster care in favor of less desirable group homes residency). TP testified in court transcripts that he was told to tell untruths against Plaintiff attached herein as Exhibit "E."

54. Former nanny, Guggenbichler, and Federal defendant Erica Bains a neighbor, began a malicious campaign to extort and defame Plaintiff. Both Guggenbichler, to avenge the termination of her services, and Bains, in a jealous rage of Plaintiff's life successes, plotted against Plaintiff with the former submitting an extortion demand for \$100,000 to Plaintiff and Bains secured an approximate \$35,000 charity donation from Plaintiff while Bains was serving as Treasurer for a wildlife charity.



339 55. Upon information and belief, Guggenbichler and Bains viewed the Plaintiff  
340 as their own personal ATM machine. When the spigot was turned off,  
341 Guggenbichler and Bains concocted a false report of neglect and contacted  
342 Child Protective Services and the Orinda Police Department in a shocking,  
343 arbitrary, and egregious injustice which led to the unwarranted removal of TP,  
344 HP and KP

345 56. Plaintiff called a witness, Liza Leano R.N., who knows TP, HP, and KP to  
346 testify at the hearing. Federal defendant Haight denied Plaintiff's Sixth  
347 Amendment right to call a witness.

348 57. On or about November 18, 2018, "preferred" lawyer Jennifer Ani sent text  
349 messages to her respondent, Schindler, advising her "to not push back, agree  
350 to a Guardianship, because the case was personal for the Family Court Judge  
351 and that such Family Court Judge is vengeful," attached herein as Exhibit "F,"  
352 a *sine qua non* for the existence of an Enterprise as pled below.

353 58. On May 13, 2019, Plaintiff made an application to reconsider an April 19,  
354 2019 denial of an application to self-represent (Hon. Thomas Maddock,  
355 presiding) which Maddock again denied, another Sixth Amendment violation.

356 59. In addition to denying Plaintiff her Sixth Amendment right to exercise her  
357 choice of counsel and face her accusers, Federal defendant Maddock stated  
358 "you make one mention of these matters to the mass media and I am going to

have you arrested,” or words to that effect. Federal defendant Maddock chilled Plaintiff rights to free speech.

### FIRST AMENDMENT – LEGAL STANDARD

60.The First Amendment to the Constitution of the United States provides:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances (emphasis supplied).

61.To assert a First Amendment claim against a public official, a private citizen must show that: (1) [he] has an interest protected by the First Amendment; (2) defendants’ actions were motivated or substantially caused by Plaintiff’s exercise of that right; and (3) defendants’ actions effectively chilled the exercise of Plaintiff’s First Amendment right or caused Plaintiff to suffer some other concrete harm.

62.Federal defendant Maddock’s actions were motivated or substantially caused by Plaintiff’s exercise of that right in her role as an activist opposed to sex trafficking of children.

63.Federal defendant Maddock caused Plaintiff to suffer concrete harm and cause suffer fear, emotional angst, and a violation of her person.

64.It is well settled that parents have a substantive right to the custody of their children (See, e.g., *Southerland v. City of New York*, 680 F.3d 127, 142 (2d Cir. 2012)) and such holding was recently upheld in the Ninth Circuit Court

of Appeals in *Demaree v. Pederson* (14-16207, filed January 23, 2018) the actions that Federal defendants Haight, Case, Williams, Carey, Lawrence, Bains, and Lowe denied that right.

65. Haight, Case, Williams, Carey, Lawrence, Bains, Lowe, and County portray themselves as unrepentant, recidivist, defamers, famacides, libelers, slanderers, and civil racketeers.

#### 42 U.S.C. 1983 -- LEGAL STANDARD

66. 42 U.S.C. §1983 provides in pertinent part:

Every person who, under color of any statute, ordinance, regulation, customer usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

The elements of a §1983 claim are:

- a. a “person”;
- b. acted under “color of law”; and
- c. deprived another person of a constitutional right.

67. A State is not a person under 42 U.S.C. §1983, but a City is a person under the law (*Will v. Michigan Department of State Police* 49 US 58 109 S. Ct. 2304 105 394 L. Ed 2d 45 [1989]).

402 68.State or City officials acting in their official capacities are not persons under  
403 42 U.S.C. §1983, but State or City officials acting in their individual  
404 capacities are persons under the law.

405 69.Federal defendants Haight, Case, Williams, Carey, Lawrence, Lowe, and  
406 Maddock and County are persons.

407 70.Federal defendant Case and Williams are persons who acted “under color of  
408 state law” when they filed a frivolous Petition that caused the removal of TP,  
409 HP, and KP from their home.

410 71.Thus, Plaintiff maintains that liability under §1983 has been established as:

411  
412 a. Federal defendants Haight, Case, Williams, Carey, Lawrence, Lowe,  
413 and County were on duty;

414 b. Federal defendants Haight, Case, Williams, Carey, Lawrence, Lowe,  
415 and County hold themselves out as public officials;

416 c. Federal defendants Case and Williams invoked the authority of her  
417 office and in her individual capacities when they caused the removal  
418 of TP, HP, and KP from their home;

419 **FOURTEENTH AMENDMENT – LEGAL STANDARD**

420 72. Section One of the Fourteenth Amendment to the United States  
421 Constitution provides:

422 [N]or shall any State deprive any person of life, liberty, or property,  
423 without due process of law.

73. In the past thirty-five years, the case law reads and is authority that:

- a. It is well settled that parents have a substantive due process right to the custody of their children and, except in emergency circumstances, a procedural due process right to a pre-deprivation child custody hearing.
- b. The Fourteenth Amendment imposes a requirement that except in emergency circumstances, judicial process must be accorded both parent and child before removal of the child from his or her parent's custody may be effected.
- c. "[A] parent may . . . bring suit under a theory of violation of his or her right to substantive due process . . . . Parents have a 'substantive right under the Due Process Clause to remain together [with their children] without the coercive interference of the awesome power of the state.'" (quoting *Tenenbaum v. Williams*, 193 F.3d 581, 600 (2d Cir. 1999) (second alteration in original)); *Cox v. Warwick Valley Cent. Sch. Dist.*, 654 F.3d 267, 275 (2d Cir. 2011); and
- d. "The interest of natural parents 'in the care, custody, and management of their child' is a 'fundamental liberty interest protected by the Fourteenth Amendment.'" (quoting *Santosky v. Kramer*, 455 U.S. 745, 483 753 (1982)).

74. In stating a claim of a violation of procedural due process, Plaintiff alleges:

- (1) the existence of a property or liberty interest that was deprived (the biological Mother of the wrongly removed TP, HP, and KP) and (2) deprivation of that interest without due process as a result of witness tampering, obstruction of justice, extortion, and a civil conspiracy to cover it up (the lack of any non-tarnished fact finding hearing since the inception of this matter).

75. In stating a claim of a violation of substantive due process, Plaintiff alleges that: (1) she had a valid property or liberty interest (the biological mother of the wrongly removed TP, HP, and KP), and (2) that interest was infringed upon in an arbitrary or irrational manner (the arbitrary allegation of “neglect”) contrary to the legal standard of neglect defined as:

Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation"; or

An act or failure to act which presents an imminent risk of serious harm."

(see 42 U.S.C.A. § 5106g, emphasis supplied).

76. Further, Plaintiff maintains that, quoting *Tenenbaum*, that removal of TP, HP, and KP “was ‘so shocking, arbitrary, and egregious that the Due Process Clause would not countenance it even where it accompanied by full procedural protection.’” *Cox v. Warwick Valley Cent. Sch. Distr.*, 654 F.3d 267, 275 (2d Cir. 2011) (quoting *Tenenbaum*, 193 F.3d at 600):

- a. So shocking in that TP, HP, and KP had the benefit of a nanny and a handyman who provided fabulous meals from a fully stocked pantry and were whisked away without notice, Access Order, warrant, or Order of Temporary Removal;

479           b. So arbitrary according to the definition of “unsanitary conditions” in  
480           *Matter of Jennifer B.*, 163 AD2d 910, 558 NYS2d 429 (4th Dept. 1990),  
481           *Matter of Pedro F.*, 622 NYS 2d 518 (1st Dept. 1995), *Matter of Billy*  
482           *Jean II* 640 NYS2d 326 (3rd Dept. 1996) that state, in part, maggot  
483           infested couch, spoiled food on the floor, urine soaked sheets, children  
484           had head lice for over 2 months, home was littered inches deep with  
485           garbage and rotten moldy food; and the legal standard of neglect in 42  
486           U.S.C. § 5106g.

487           c. So egregious in the glaring, flagrant actions of Federal defendants,  
488           Child Protective Services brought a neglect petition in less than 12  
489           hours later that it was palmed off on Federal defendant Haight who,  
490           upon information and belief, rubber stamped the Petition as is  
491           customary among the “good ‘ole girls club among Child Protective  
492           Services, Orinda County Family Court, and the Deputy County  
493           Attorney” that caused the removal of TP, HP, and KP.

494       77. As a result, by a. to c. above, Plaintiff has suffered the shock of her conscience  
495       that persists to this day.

496       78. Plaintiff had single handedly raised the minor children TP, HP, and KP since  
497       the age of 3, 1 ½, and an embryo born in 2010 after the death of Jeremy  
498       Packwood, her husband and TP’s, HP’s, and KP’s, father.

499 79. Emergency circumstances did not exist then and do not exist now to warrant  
500 the shocking, arbitrary, and egregious removal of the minor children, TP, HP,  
501 and KP, from Plaintiff's custody contrary to the legal standard of neglect – it  
502 is not even close.

503 80. In the Matters of TP, HP, and KP, the burden of proof is on the County, and  
504 they have not met such burden – it is not even close.

505 81. TP, HP, and little KP (who as of April-May 2019, Plaintiff was notified that  
506 KP suffers from high cholesterol since removal from Plaintiff) were wrongly  
507 removed, and, upon information and belief, the once happy-go-lucky  
508 threesome - TP, HP, and KP suffer from anger management issues, suicidal  
509 tendencies, and a fascination with the make believe.

510 **18 U.S.C. 1961, *et seq.* – LEGAL STANDARD**

511  
512 82. Plaintiff alleges that according to 18 U.S.C. 1961, *et seq.* (the “RICO  
513 Statute”), and shows by a preponderance of the evidence, that there exists a  
514 racketeering Enterprise in the County of Contra Costa, California that consists  
515 of: County of Contra Costa, Child Protective Services, Superior Court of  
516 California County of Contra Costa – Family Court Part, Family Court Judges,  
517 Preferred Attorneys in Family Court, the County Attorney's Office, and  
518 Attorneys for Children. Plaintiff alleges and shows with a preponderance of



the evidence that caseworkers, judges, and lawyers conspire and collaborate to concoct fictitious instances of child neglect contrary to the legal standard for profit.

83.Traditional RICO Statute predicate acts are contained herein and include: (i) witness tampering; (ii) obstruction of justice; (iii) extortion; and (iv), a civil conspiracy to cover up witness tampering and obstruction of justice. These predicate acts are pled with specificity in the instant action.

84.The RICO Statute contains a provision that allows for the commencement of a civil action by a private party to recover damages sustained as a result of the commission of a RICO predicate offense(s). The RICO Statute also permits a private individual "damaged in his business or property" by a "racketeer" to file a civil suit. The plaintiff must prove the existence of an "enterprise", and Plaintiff proves with a preponderance of the evidence of the existence of such an enterprise among the County of Contra Costa, Child Protective Services, Superior Court of California County of Contra Costa – Family Court, Family Court Judges, Preferred Attorneys in Family Court, the County Attorney's Office, and Attorneys for Children.

85.Plaintiff shows with specificity at least one of four specified relationships between the defendant(s) and the Enterprise: either the defendant(s) invested the proceeds of the pattern of racketeering activity into the Enterprise (18

U.S.C. § 1962(a)); or the defendant(s) acquired or maintained an interest in, or control of, the Enterprise through the pattern of racketeering activity (subsection (b)); or the defendant(s) conducted or participated in the affairs of the Enterprise "through" the pattern of racketeering activity (subsection (c)); or the defendant(s) conspired to do one of the above (subsection (d)). In essence, the Enterprise is either the 'prize,' 'instrument,' 'victim,' or 'perpetrator' of the racketeers. A Civil RICO action can be filed in Federal court.

86. The civil component allows the recovery of treble damages (damages in triple the amount of actual/compensatory damages) and by Count Four and Judgment Requested, Plaintiff demands treble damages in the amount of Seven Hundred and Fifty Million Dollars (\$750,000,000).

**Predicate Act: Witness Tampering**

18 U.S. Code § 1512 (b) provides:

87. Witness tampering is the act of attempting to alter or prevent the testimony of witnesses within criminal or civil proceedings. Laws regarding witness tampering also apply to proceedings before Congress, executive departments, and administrative agencies. To be charged with witness tampering in the United States, the attempt to alter or prevent testimony is sufficient. There is no requirement that the intended obstruction of justice be completed.

88. When Federal defendant Bains coached TP to tell untruths about Plaintiff and that she hit HP, Bains tampers with a witness attached herein as Exhibit “H”.

89. HP reported that the Enterprise coached him to say bad things about Plaintiff – under threats of escalated care – commonly known as Juvenile Hall.

90. Federal defendant Case recanted when testifying that HP was hit from “not that I recall” to “Yes, he did” under the watchful eye of Federal defendant Haight.

91. Federal defendant Bains coached TP to report that the Plaintiff hit HP, wrongly blaming Plaintiff for striking the child when in fact it was the nanny, Guggenbichler, who hit HP; Guggenbichler concealed this to Plaintiff.

92. An unidentified member of the Enterprise, coached KP to say she was hit with a whip, only KP said in testimony “what whip,” or words to that effect, attached herein as Exhibit “G.”

93. Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to

(1) influence, delay, or prevent the testimony of any person in an official proceeding...;

18 U.S. Code § 1512 (c) (2) provides:

Whoever corruptly-otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so...

18 U.S. Code § 1512 (e) provides:

In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

18 U.S.C. § 1515 (3) provides:

the term "misleading conduct" means-knowingly making a false statement;

(A) knowingly making a false statement

(B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact, and thereby creating a false impression by such statement

(E) knowingly using a trick, scheme, or device with intent to mislead;

18 U.S.C. § 1515 (b) provides:

(b) As used in §1505, the term "corruptly" means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information

#### **Discussion**

94. The facts of the instant action make it abundantly clear that Federal defendants Haight, Case, and Lawrence knowingly, corruptly persuaded TP, HP and KP and attempted to do so, to engage in false statements that persuaded TP, HP, and KP with the intent to (1) influence, delay, or prevent the testimony of witnesses to aid in the defense of Plaintiff in an official proceeding. Federal defendant's Haight, Case, and Lawrence committed witness tampering under 18 U.S.C. §1512.

95. Federal defendants Haight, Case, and Lawrence simply asked TP, HP, and KP to tell less than the whole truth and TP, HP, and KP knew that they were being asked to tell less than the whole truth, therefore Federal defendants Haight, Case, and Lawrence corruptly persuaded the witness and is a violation of the laws, *res ipsa loquitur*, and has harmed Plaintiff and the injury was caused by the violation of 18 U.S.C. §§ 1961, *et seq.*

**Predicate Act: Obstruction of Justice**

96. In the Jurisdictional trial, all Federal defendants in this action, especially each of Haight, Case, and Carey began the conspiratorial act of obstructing justice by coaching TP, HP, and KP (see Exhibits “E”, “H” and ”G”).

97. Federal defendant Haight obstructed justice, and in violation of Sixth Amendment when she denied Plaintiff the right to seek the counsel of her choice that allowed the Federal defendant(s) to invested the proceeds of the pattern of racketeering activity into and fund the Enterprise (see 18 U.S.C. § 1962(a)). In fact, by implication in this Amended Complaint, the Federal defendants meet all four of the specified relationships of par. 85: they funded the Enterprise; the Federal defendants acquired and maintained an interest in the Enterprise through the pattern of racketeering activity; the Federal defendants conducted or participated in the affairs of the Enterprise through

the pattern of racketeering activity; and conspired to do one of the  
aforementioned, *res ipsa loquitur*.

98. Plaintiff requests and payment for court transcripts were blocked; Plaintiff  
was removed from the courtroom during the direct examination of HP and  
KP.

99. Federal defendant Haight refused to allow the cross examination of KP and  
threatened Plaintiff; Federal defendant Carey corroborated the position of  
Haight.

100. 18 U.S. Code § 1503 provides:

Whoever corruptly...endeavors to influence, obstructs, or impedes, or  
endeavors to influence, obstruct, or impede, the due administration of  
justice.

101. Federal defendant Williams, on numerous occasions, committed  
perjury under oath that cast an unwarranted negative light upon Plaintiff,  
thereby usurping the power of the courts, and resulted in obstruction of justice.

102. On May 23, 2019, Federal defendant Maddock denied Plaintiff's  
request for transcripts that would have implicated him in a violation of the  
First Amendment attached herein as Exhibit "J"

#### **Discussion**

103. 18 U.S.C. §1515 states:

645 ...the term "corruptly" means acting with an improper purpose, personally or  
646 by influencing another, including making a false or misleading statement, or  
647 withholding, concealing, altering, or destroying a document or other  
648 information.

649  
650 104. Plaintiff states, by the facts of the instant action make it  
651 abundantly clear that Federal defendants Haight, Carey, and Lawrence  
652 coached HP, at all times relevant thereto, a 12 year old, to untruthfully testify  
653 about Plaintiff's sex life that did corruptly endeavor to influence, obstructs, or  
654 impedes, or endeavors to influence, obstruct, or impede, the due  
655 administration of justice. In doing so, Federal defendants Haight, Case, Carey,  
656 and Lawrence committed obstruction of justice under Section 1503.

657 105. Federal defendants Haight, Carey, and Lawrence simply asked HP to  
658 tell less than the whole truth and HP knew that they were being asked to tell  
659 less than the whole truth, therefore Federal defendants Haight, Case, Carey,  
660 and Lawrence corruptly influenced, obstructed, impeded, and endeavored to  
661 influence, obstruct, or impede, the due administration of justice and is a  
662 violation of the statute, *res ipsa loquitur*, and has harmed Plaintiff and the  
663 injury was caused by the violation of 18 U.S.C.A. §§ 1961 .

664 **Predicate Act: Extortion**

665 106. On or about March 2018, Federal defendant Case lays claims to  
666 \$700,000 in courts costs payable by Plaintiff who believe such costs have

667       risen to between \$1 million to \$2 million. Federal defendant Case made it  
668       perfectly clear that either Plaintiff would pay the court costs or risk never  
669       seeing Plaintiff's kids again that allowed the Federal defendants to invested  
670       the proceeds of the pattern of racketeering activity into and fund the Enterprise  
671       (see 18 U.S.C. § 1962(a)).

672       107.       Extortion is defined as the obtaining of property from another with his  
673       or her consent, by the wrongful use of either force or fear, or under color of  
674       official right. The property or right to property must be obtained. This can be  
675       either the property itself or the right to it.

676       108.       Property rights that can be transferred to constitute extortion.

677       109.       The right to prosecute a lawsuit or an appeal.

678       110.       Obtaining an official act of a public officer can be the basis of extortion.

679       111.       If a person makes an extortionate demand in writing he may guilty even  
680       if the victim parts with no property.

681       112.       Any person who, by use of improper threat, another person's signature  
682       on any document gets giving a property right may be charged with extortion  
683       even if the property right is never actually obtained.

684       **Discussion**



113. Plaintiff alleges that the Enterprise is in possession of property of the Plaintiff, her children HP and KP, without her consent.

114. Federal defendant Case induced Plaintiff to provide that property under color of official right.

115. Where Plaintiff sees that there has been no progress toward reunification, the implication is that Federal defendants will seek further legal intervention against Plaintiff (termination of parental rights) and directing HP and KP to out of state adoption should Plaintiff not acceded to her demands.

**Predicate Act: Conspiracy to Cover-up Witness Tampering and Obstruction of Justice**

116. 42 U.S.C. § 1985 provides:

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness ... from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to ... to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

**Discussion**

712 117. It has been established by Exhibits “E,” “H,” and “G” that the Federal  
713 defendants, *inter alia*, Haight, Carey, Lawrence, and Williams persuaded TP,  
714 HP, and KP to make statements of false fact in certified transcripts that do not  
715 lie.

716 118. In doing so, Haight inspired the Federal defendants to create a  
717 conspiracy to cover up witness tampering and obstruction of justice in her trial  
718 proceedings; Haight violated Plaintiff's Sixth Amendment right to face his  
719 accusers.

#### 720 **LOSS OF CONSORTIUM - LEGAL STANDARD**

721 119. Loss of consortium is a term used in the law of torts that refers to the  
722 deprivation of the benefits of a family relationship due to injuries caused by a  
723 tortfeasor.

724 120. The relationship between family members has, historically, been  
725 considered worthy of legal protection. The interest being protected under  
726 consortium is that which the head of the household (mother) had in the  
727 physical integrity of her children.

728 121. When Federal defendant Bains acted in deliberate ignorance of the truth  
729 and falsity of information, made no inquiry of Plaintiff but operated false  
730 beliefs born of rage and jealousies placed her call to the County and in  
731 the case of Federal Defendant Case and Williams took the position that TP,

HP, and KP should not return home caused the loss of consortium between Plaintiff and TP, HP, and KP; Plaintiff has not seen HP since the August 17, 2017, the date of wrongful entry with no notice, without an Access Order, no warrant to enter, no authorization to enter. and wrongful removal without an Order of Temporary Removal – forceable entry.

122. As a result of such egregious conduct by the Federal defendants, Plaintiff suffers a social stigma, TP is no longer invited to overnights with his friends, and Plaintiff is ostracized in the community.

123. Under the premises Plaintiff and TP, HP, and KP have been caused to suffer, fear, intimidation, public humiliation, public embarrassment, chilling of their free speech rights, a denial of Due Process, emotional upset, anxiety, and they have otherwise been rendered sick and sore.

**FEDERAL DEFENDANTS LOIS HAIGHT, KELLIE CASE, EDYTH WILLIAMS, AND THOMAS MADDOCK ARE NOT ENTITLED TO QUALIFIED IMMUNITY**

124. The United States Supreme Court has stated that qualified immunity is the norm, absolute immunity is the exception (*Harlow v. Fitzgerald*, 457 U.S. 800, 807, 810-11 (1982)).

125. In Balcerzak, Stephanie E. “Qualified Immunity for Government Officials: The Problem of Unconstitutional Purpose in Civil Rights Litigation.

Vol. 95, No. 1 (Nov. 1985) pp. 126-147. The Yale Law Journal, the author stated:

In Harlow, the Supreme Court fundamentally altered the qualified immunity defense available to an official charged with a constitutional violation in a civil rights action for damages. Under Harlow, an official is entitled to immunity unless his conduct violates a “clearly established” constitutional right (emphasis supplied).

126. All constitutional rights are expressly stipulated and written in the U.S. Constitution, which is the supreme law of the land, meaning that any other laws which are in contradiction with it are considered unconstitutional and thus regarded as invalid.

127. The Fourteenth Amendment to the U.S. Constitution provides:

[N]or shall any State deprive any person of life, liberty, or property, without due process of law.

128. Then, while not a constitutional right, but important nonetheless, there is:

42 U.S.C. §1983 which provides in pertinent part:

Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress (emphasis supplied).

777 129. In *Mirales v. Wako* 502 U.S. 9 (1991), the U.S. Supreme Court stated  
778 “...our cases make clear that the immunity is overcome in only two sets of  
779 circumstances. First, a judge is not immune from liability for nonjudicial  
780 actions, i.e., actions not taken in the judge's judicial capacity. *Forrester v.*  
781 *White*, 484 U.S., at 227 -229; *Stump v. Sparkman*, 435 U.S., at 360 [502 U.S.  
782 9, 12] Second, a judge is not immune for actions, though judicial in nature,  
783 taken in the complete absence of all jurisdiction. *Id.*, at 356-357; *Bradley v.*  
784 *Fisher*, 13 Wall., at 351.”

785 130. Respectfully, no matter what qualified immunity defense that Federal  
786 defendants Haight, Case, Williams, and Maddock try to employ there is no  
787 getting around the Fourteenth Amendment, *Harlow*, §1983, and *Mirales*.

788 131. No matter what road block the State of California tries to erect in Social  
789 Services Laws to protect its social workers, the Fourteenth Amendment,  
790 *Harlow*, and §1983 remains to subject every person to its provisions, and the  
791 Supremacy Clause, Article Six, Clause 2 of the U.S. Constitution that  
792 establishes the U.S. Constitution, trumps the State laws.

793 **FEDERAL DEFENDANT PATRICIA LOWE IS NOT ENTITLED TO**  
794 **QUALIFIED IMMUNITY OR ABSOLUTE PROSECUTORIAL**  
795 **IMMUNITY.**

797 132. The U.S. Supreme Court has carved out one limited exception to  
798 absolute immunity:

799 When prosecutors act as investigators they lose their absolute  
800 immunity, at which point they are only protected by the doctrine of  
801 qualified immunity.

802 133. In *Buckley v. Fitzsimmons* (91-7849), 509 U.S. 259 (1993), the  
803 prosecutor accused of manufacturing evidence while aiding with the police  
804 investigation was not the same prosecutor who tried the case. The 7th Circuit  
805 ruled that the actual injury incurred by the defendant as a result of the  
806 misconduct occurred at trial, not during the investigation.

807 134. The U.S. Supreme Court took the case on appeal. The court ruled that  
808 prosecutor was only entitled to qualified immunity and that his actions were  
809 egregious enough that qualified immunity could not protect him.

810 135. In *Pottawattamie Cnty. v. McGhee*, 558 U.S. 1103, 130 S. Ct. 1047,  
811 175 L. 653 Ed. 2d 641 (2010) [2010 BL 5858] prosecutors were accused of  
812 manufacturing evidence – Federal defendant Lowe attempted to manufacture  
813 evidence in her July 31, 2018 email to the “preferred” lawyers to join her in  
814 her quest to change diagnosis attached herein as Exhibit “I,” in the spirit of  
815 witness tampering and obstruction of justice, the attempt even if unsuccessful  
816 triggers the violation; Lowe went so far as to call then subpoena Plaintiff’s  
817 therapists. The attorneys for the prosecutors argued that the actual harm done

818 to a defendant by misconduct committed during an investigation only attaches  
819 when that evidence is introduced against him at trial.

820 136. In *Fields v. Wharrie*, the recent decision from the 7th Circuit, Fields  
821 discovered that prosecutors had knowingly coerced witnesses into giving false  
822 testimony. Writing for the majority, Judge Richard Posner makes it clear that  
823 *Buckley* was a special circumstance in which one prosecutor replaced another  
824 before trial, and that it should not be used to close the investigation exception  
825 to absolute immunity.

826 137. When Federal defendant Lowe intercepted Plaintiff's psychological  
827 tests without her authorization, communicated with Plaintiff's evaluators in  
828 an effort to persuade them to change their opinions, she acted as an  
829 investigator but when Federal Defendant Lowe went to trial, it attaches.

830 138. Federal defendant Lowe violated clearly established law of which a  
831 reasonable prosecutor should have known in *Buckley*.

832 139. Respectfully, no matter what absolute or qualified immunity defense  
833 Federal defendant Lowe tries to employ there is no getting around the *Buckley*,  
834 *Pottawattamie Cnty*, and *Fields*.

835 **COUNT ONE**

836 **VIOLATION OF FIRST AMENDMENT**  
837 **(Federal Defendant Thomas Maddock)**

838 140. Plaintiff repeats and realleges each and every allegation contained in  
839 paragraph "18" through "139," as though fully set forth herein.

840 141. As a result of the Defendants' acts, Plaintiff now suffers and will  
841 continue to suffer irreparable injury and monetary damages, and that Plaintiff  
842 is entitled to damages sustained to date and continuing in excess of the amount  
843 of **FIFTY MILLION DOLLARS (\$50,000,000)** as well as punitive  
844 damages, costs, and attorney's fees.

845 **COUNT TWO**

846 **VIOLATION OF 42 U.S.C 1983**

847 **(Federal Defendants County of Contra Costa, Lois Haight, Kellie Case, Edith**  
848 **Williams, Patricia Lowe, and Thomas Maddock)**

849  
850 142. Plaintiff repeats and realleges each and every allegation contained in  
851 paragraph "18" through "139" as though fully set forth herein.

852 143. As a result of the Defendants' acts, Plaintiff now suffers and will  
853 continue to suffer injury and monetary damages, and that Plaintiff is entitled  
854 to damages sustained to date and continuing in excess of the amount of **ONE**  
855 **HUNDRED AND FIFTY MILLION DOLLARS (\$150,000,000)** as well as  
856 punitive damages, costs, and attorney's fees.

857 **COUNT THREE**

858 **VIOLATION OF FOURTEENTH AMENDMENT**



(Federal Defendants County of Contra Costa, Lois Haight, Kellie Case, Edith Williams, Erica Bains, Patricia Lowe, and Thomas Maddock)

144. Plaintiff repeats and realleges each and every allegation contained in paragraph “18” through “139” as though fully set forth herein.

145. As a result of the Defendants’ acts, Plaintiff now suffers and will continue to suffer injury and monetary damages, and that Plaintiff is entitled to damages sustained to date and continuing in excess of the amount of **ONE HUNDRED AND FIFTY MILLION (\$150,000,000)** as well as punitive damages, costs, and attorney fees.

#### **COUNT FOUR**

##### **VIOLATION OF 18 U.S.C 1961, *et seq*,**

(Federal Defendants County of Contra Costa, Lois Haight, Mary P. Carey, Judith Lawrence, Kellie Case, Edyth Williams, Erica Bains, Patricia Lowe, and Thomas Maddock)

104. Plaintiff repeats and realleges each and every allegation contained in paragraph “18” through “139” as though fully set forth herein.

105. As a result of the Defendants’ acts, Plaintiff now suffers and will continue to suffer injury and monetary damages, and that Plaintiff is entitled to damages sustained to date and continuing in excess of the amount of **TWO HUNDRED AND FIFTY MILLION (\$250,000,000)** as well as treble damages, punitive damages, costs, and attorney fees.

#### **COUNT FIVE**

**VIOLATION OF COMMON LAW LOSS OF CONSORTIUM**  
**(Federal Defendant Erica Bains)**

146. Plaintiff repeats and realleges each and every allegation contained in paragraph "18" through "139", as though fully set forth herein.

147. As a result of the Defendants' acts, Plaintiff now suffers and will continue to suffer irreparable injury and monetary damages, and that Plaintiff is entitled to damages sustained to date and continuing in excess of the amount of **FIFTY MILLION DOLLARS (\$50,000,000)** as well as punitive damages, costs, and attorney's fees.

**WHEREFORE**, a judgment is respectfully demanded:

- a. Awarding against the individually named Federal defendant such punitive damages as the jury may impose, but not less than **SIX HUNDRED AND FIFTY MILLION DOLLARS (\$650,000,000)**;
- b. Awarding against the individually named Federal defendant such compensatory damages as the jury may determine, but not less than such punitive damages as the jury may impose, but not less than **SIX HUNDRED AND FIFTY MILLION DOLLARS (\$650,000,000)**;
- c. Permanently enjoining the Federal defendants County of Contra Costa, Lois Haight, Kellie Case, Edyth Williams, Eric Bains, Patricia Lowe, and Thomas Maddock from further violation of the First Amendment, violation of 42 U.S.C. §1983, violation of the Fourteenth Amendment, violation of 18 U.S. C. 1961, *et seq.*, and violation of Common Law Loss of Consortium.
- d. Awarding reasonable attorney's fees and costs; and,

e. Granting such other and further relief as this Court deems just  
and proper.

**JURY TRIAL IS DEMANDED**

Plaintiff demands a trial by jury on all claims so triable.

**Dated: May 20, 2019**

**Orinda, Cal.**

**For Plaintiff:**

A handwritten signature in blue ink, appearing to read "Andrea Wood", is written over the printed name.

**Andrea Wood**