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

10 ARMANDO ARMENDAREZ, an individual;))CASE NO. BC 252 430
RICARDO CAZARES, an individual; MAKIO) [Lead Case Related to BC 247 014; BC 253
11 HAYWOOD, an individual, MANUEL) 314; BC 252 882 and BC 256 863]
GALLEGOS, an individual, EUGENE CHOW,)
an individual, ALVARO LOPEZ, an individual,) **CLASS ACTION**
12 RAYLONZO DICKERSON, an individual,)
AISHA SIMMONS, a minor, by and through) **FIRST AMENDED MASTER**
13 her Guardian Ad Litem RASHEEDAH) **COMPLAINT FOR DAMAGES AND**
SIMMONS, WALTER FRENCH, a minor, by) **INJUNCTIVE RELIEF FOR:**
14 and through his Guardian Ad Litem PAULA)
FRENCH, ISREAL COLE, an individual,) 1. **Discrimination Based Upon Race,**
15 LEON GRIFFIN, III, an individual, GLENN) **Color, Ethnicity, and/or**
FUTCH, an individual, JOHNNY JONES II, an) **Physical Appearance [Civil Code**
16 individual, BEVERLY HACKETT, an) **§§51, 52;]**
individual, KAREN THOMAS, an individual,) 2. **Unruh Civil Rights §51.7**
17 JAMORI BURKETT, an individual, JEFFREY) 3. **Unfair Trade Practices [Cal Bus. &**
ROBERTS, an individual, CRYSTAL) **Prof. Code §17200, et seq.];**
18 FLOWERS, an individual, PATRICK BLAKE,) 4. **Breach of Contract;**
an individual, ERIC PATTERSON, an) 5 **Negligent Selection, Hiring**
19 individual, ROADELL PEOPLES, an) **and Retention of**
individual, AJA RENE BEARD, an individual,) **Defendants' Employees and**
20 MICHAEL BROWN, SR., an individual, LISA) **Agents**
RADCLIFF, an individual, NOAH) 6. **Intentional Infliction of Emotional**
21 ALEXANDER JACKSON, by and through his) **Distress;**
Guardian Ad Litem EDWARD JACKSON, III,) 7. **Negligent Infliction of Emotional**
22 EDWARD JACKSON, III, an individual,) **Distress;**
DEVON LEMAY BROWN, a minor by and) 8. **Assault and Battery;**
23 through his Guardian Ad Litem, INGRAM) 9. **Equitable, Injunctive and**
FIELDS, CHUKWUKA BANDELE, an) **Declaratory Relief;**
24 individual, DARA "KELLEY" BRINSON, an) 10. **Invasion of Privacy;**
individual, A.J. WATSON, an individual,) 11. **False Imprisonment; and,**
25 MARTIN WATSON, an individual, and,) 12. **Malicious Prosecution**
LEJEUN WATSON, an individual, ERICK)
26 ANTON, an individual, ROBERT) **DEMAND FOR JURY TRIAL**
GONZALEZ, an individual, on their own behalf)
27 and on behalf of all others similarly situated,)
and as private attorney generals on behalf of the)
28 general public,)

Plaintiffs,

1 vs.)
2 SIX FLAGS THEME PARK, INC., dba)
3 MAGIC MOUNTAIN; and DOES 1 through)
4 500, inclusive,)
5 Defendants.)

4 **NATURE OF ACTION**

5 1. This action arises out of the discriminatory practices by Defendants in violation of
6 California statutes and common law. These practices include, *inter alia*, employing improper racial
7 profiling to detain, harass and search persons on the basis of race, color, ethnicity, national origin
8 and/or physical appearance. As a result of these practices, Class Plaintiffs were not able to enjoy
9 Defendants' amusement park and/or were, detained, battered and falsely imprisoned pursuant to
10 Defendants' uniform policies and practices. In addition, these policies and practices invaded the
11 privacy rights of Class Plaintiffs and caused emotional distress and humiliation to family members
12 who witnessed the detention and/or search.

13 **JURISDICTION AND VENUE**

14 2. This Court has jurisdiction over this action pursuant to California Code of Civil
15 Procedure §410.10. The action is brought pursuant to California Code of Civil Procedure §382,
16 California Civil Code §1781 *et seq.* and the procedural provisions of Rule 23 of the Federal Rules
17 of Civil Procedure. Plaintiffs bring this action on their own behalf, on behalf of all persons within
18 the Class and SubClasses defined herein, and as private attorney generals on behalf of the general
19 public.

20 3. Venue is proper in this Court pursuant to California Code of Civil Procedure §395
21 and §395.5 because the injuries to the persons complained of herein occurred in the County of Los
22 Angeles and because the Defendants owned and operated an amusement park known as "MAGIC
23 MOUNTAIN" in the County of Los Angeles.

24 **THE PARTIES**

25 **CLASS DEFINITION**

26 4. The Plaintiff Subclasses consist of, and are defined as:
27 (a) **SubClass No. 1.** Individuals who paid for parking to gain access to MAGIC
28 MOUNTAIN in an attempt to enjoy its facilities, but who were denied entry

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because of their race, color, ethnicity, national origin and/or physical appearance.

(b) **SubClass No. 2:** Individuals who paid for parking and admission to MAGIC MOUNTAIN in an attempt to enjoy its facilities, but who were denied entry because of their race, color, ethnicity, national origin and/or physical appearance.

(c) **SubClass No. 3:** Individuals who paid for parking and admission gained access to the MAGIC MOUNTAIN facility, and who were removed from the park because of their race, color, ethnicity, national origin and/or physical appearance.

(d) **SubClass No. 4:** Individuals of African/American descent who paid for parking and/or admission, gained access to the MAGIC MOUNTAIN facility, and who were targeted for removal and/or prosecution from the park because of their race, color, ethnicity, national origin and/or physical appearance.

(e) **SubClass No. 5:** Any patron that was subjected to any disparate conduct or action by Defendant's employees, agents or staffing on the basis of race, color, ethnicity, national origin and/or physical appearance.

(f) **SubClass No. 6:** Individuals who paid for parking and admission and entered and stayed in the park but who had a close family member who meets of the criteria of either SubClass 1, 2 or 3 and who observed the detention, harassment and/or search of those individuals.

(g) **SubClass No. 7:** Individuals who were lawfully on the premises of MAGIC MOUNTAIN and who were detained, subsequently placed under arrest and who had the charges subsequently dismissed by Defendants.

(h) **SubClass No. 8:** All individuals who were in the company of a SubClass member identified in SubClass 1 through 7, and who did not access the park, or left the park because a SubClass 1 through 7 member was either not allowed access to the park or was ejected from the park.

1 **CLASS ALLEGATIONS**

2 5. At all relevant times herein, the named Plaintiff representatives were, and are, within
3 the SubClasses described in paragraph 4 of this Complaint. More specifically, Plaintiffs’s
4 ARMANDO ARMANDAREZ, RICARDO CAZARES AND MAKIO HAYWOOD, EUGENE
5 CHOW and CHUKWUKA BANDELE, DARA “KELLEY” BRINSON, A.J. WATSON, ALVARO
6 LOPEZ, ERICK ANTON, ROBERT GONZALEZ and MARTIN WATSON, are members of
7 **SubClass No. 1**; Plaintiffs RAYLONZO DICKERSON, and MANUEL GALLEGOS are members
8 of **SubClass No. 2**; Plaintiffs NOAH ALEXANDER JACKSON, a minor by and through his
9 Guardian ad Litem Edward Jackson III, EDWARD JACKSON III, an individual, LISA RATCLIFF,
10 an individual, and DEVON LEMAY BROWN, a minor by and through his Guardian Ad Litem,
11 Ingram Fields are members of **SubClass No. 3**; ISREAL COLE, LEON GRIFFIN, III, MICHAEL
12 BROWN, SR., GLENN FUTCH, JOHNNY JONES II, BEVERLY HACKETT, KAREN THOMAS,
13 JAMORI BURKETT, JEFFREY ROBERTS, CRYSTAL FLOWERS, PATRICK BLAKE, ERIC
14 PATTERSON, ROADDELL PEOPLES, AJA RENE BEARD, NOAH ALEXANDER JACKSON,
15 a Minor by and through his Guardian Ad Litem Edward Jackson III, EDWARD JACKSON III, LISA
16 RATCLIFF, and DEVON LEMAY BROWN, a minor by and through his Guardian Ad Litem,
17 Ingram Fields, ERIC ANTON, and ROBERT GONZALEZ are members of **Subclass No. 4**;
18 ISREAL COLE, LEON GRIFFIN, III, MICHAEL BROWN, SR., GLENN FUTCH, JOHNNY
19 JONES II, BEVERLY HACKETT, KAREN THOMAS, JAMORI BURKETT, JEFFREY
20 ROBERTS, CRYSTAL FLOWERS, PATRICK BLAKE, ERIC PATTERSON, ROADDELL
21 PEOPLES, AJA RENE BEARD, NOAH ALEXANDER JACKSON, by and through his Guardian
22 Ad Litem, Edward Jackson III, EDWARD JACKSON III, DEVON LEMAY BROWN, a Minor by
23 and through his Guardian Ad Litem, INGRAM FIELDS, LISA RATCLIFF, AISHA SIMMONS by
24 and through her Guardian Ad Litem Rasheedah Simmons and, WALTER FRENCH, by and through
25 his Guardian Ad Litem Paula French, ERICK ANTON and ROBERT GONZALEZ are members of
26 **SubClass No. 5**; NOAH ALEXANDER JACKSON, a Minor by and through his Guardian Ad Litem
27 Edward Jackson III, EDWARD JACKSON III, LISA RATCLIFF, and DEVON LEMAY BROWN,
28 a minor by and through his Guardian Ad Litem, Ingram Fields are a members of **SubClass No. 6**;

1 LEON GRIFFIN, III is a member of **SubClass No. 7**; and LEJEUN WATSON is a member of
2 **SubClass No. 8**.

3 6. The claims of each of the Plaintiffs are typical of the claims of the SubClasses which
4 they seek to represent. Plaintiffs will fairly and adequately protect the interests of each of the
5 SubClasses which they seek to represent. Plaintiffs do not have any interest which is antagonistic
6 to each of the SubClasses which they seek to represent. Counsel for Plaintiffs are experienced,
7 qualified and generally able to conduct complex class action litigation.

8 7. This Court should permit this action to be maintained as a class action pursuant to
9 California Code of Civil Procedure §382 because:

- 10 (a) The questions of law and fact common to each SubClass predominate over
11 any question affecting only individual members;
- 12 (b) A class action is superior to any other available method for the fair and
13 efficient adjudication of the claims of each of the members of the SubClass;
- 14 (c) The members of each SubClass are so numerous that it is impractical to bring
15 all members of each SubClass before the Court and the identities of each
16 SubClass member may be ascertained from the books and/or records of
17 Defendants;
- 18 (d) Plaintiffs, and the other members of each of the SubClasses, will not be able
19 to obtain effective and economic legal redress unless the action is maintained
20 as a class action;
- 21 (e) There is a community of interest in obtaining appropriate legal and equitable
22 relief for the common law and statutory violations and other improprieties,
23 and in obtaining adequate compensation for the damages and injuries which
24 Defendants' actions have inflicted upon the SubClasses;
- 25 (f) There is a community of interest in ensuring that the combined assets and
26 available insurance of the Defendants are sufficiently adequate to compensate
27 the members of the SubClasses for the injuries sustained;
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1 (g) Without class certification, the prosecution of separate actions by individual
2 members of SubClasses would create a risk of:

3 (i) Inconsistent or varying adjudications with respect to individual
4 members of each of the SubClasses which would establish
5 incompatible standards of conduct for Defendants; and/or.

6 (ii) Adjudications with respect to the individual members which would,
7 as a practical matter, be dispositive of the interests of other members
8 not parties to the adjudications, or would substantially impair or
9 impede their ability to protect their interests, including, but not
10 limited to, the potential for exhausting the funds available from those
11 parties who are, or may be, responsible Defendants; and,

12 (h) Defendants have acted or refused to act on grounds generally applicable to
13 each of the SubClasses, thereby making appropriate final injunctive relief
14 with respect to each of the SubClasses as a whole.

15 **DEFENDANTS**

16 8. Defendant, SIX FLAGS THEME PARKS, INC. dba MAGIC MOUNTAIN
17 (hereinafter "MAGIC MOUNTAIN") is now, and at all times mentioned herein was:

18 (a) A corporation existing under the laws of Delaware, with its principal place
19 of business in Valencia, California; and,

20 (b) Engaged in the business of operating a for-profit entertainment/amusement
21 park open to the general public located in Valencia, California.

22 9. The true names and capacities, whether individual, corporate, partnership, associate
23 or otherwise of Defendant Does 1 through 500, inclusive, are unknown to the Class Plaintiffs who
24 therefore sue these Defendants by such fictitious names pursuant to California Code of Civil
25 Procedure §474. The Plaintiff Class will seek leave to amend this Complaint to allege the true
26 names and capacities of Does 1 through 500, inclusive, when they are ascertained.

27 10. The Plaintiff Class is informed and believes, and based upon that information and
28 belief alleges, that each of the Defendants named in this Complaint, including Does 1 through 500,

1 inclusive, is responsible in some manner for one or more of the events and happenings that
2 proximately caused the injuries and damages hereinafter alleged.

3 11. The Plaintiff Class is informed and believes, and based upon that information and
4 belief alleges, that each of the Defendants named in this Complaint, including Does 1 through 500,
5 inclusive, is, and at all times mentioned herein was, the agent, servant and/or employee of each of
6 the other Defendants and that each Defendant was acting within the course and scope of his, her or
7 its authority as the agent, servant and/or employee of each of the other Defendants. Consequently,
8 each of the Defendants are jointly and severally liable to Class Plaintiffs for the damages sustained
9 as a proximate result of their conduct.

10 12. The Plaintiff Class is informed and believes, and based upon that information and
11 belief allege, that Defendant Does 1 through 500 are persons, corporations or other entities that
12 reside, or are authorized to do, and doing business in the State of California. Each of Defendant
13 Does 1 through 500 was the managerial agent, employee, predecessor, successor, joint-venturer, co-
14 conspirator, alter ego and/or representative of Defendant MAGIC MOUNTAIN and acted with the
15 permission, authorization and/or ratification and consent of Defendant MAGIC MOUNTAIN. Class
16 Plaintiffs are informed and believe, and based upon that information and belief allege that, each
17 fictitiously named Defendant was in some way responsible for, participated in, or contributed to the
18 matters that Class Plaintiffs complain of, and has legal responsibility for those matters.

19 BACKGROUND ALLEGATIONS

20 13. At all relevant times herein, Class Plaintiffs either: (a) lawfully entered the parking
21 lot of Defendant MAGIC MOUNTAIN after paying a mandatory parking fee; (b) purchased an entry
22 pass to MAGIC MOUNTAIN and were either denied access and/or removed from the premises
23 immediately after entry through a metal detector, (c) lawfully gained access to the park and who were
24 subsequently removed and/or ejected from MAGIC MOUNTAIN; (d) witnessed the detention,
25 harassment and search of other class members; and/or (e) actually arrested because of charges
26 alleged by Defendants, which charges were subsequently dropped by Defendants. All of the Class
27 Plaintiffs, except those who comprise **SubClass No. 6 and 8** were approached by individuals who
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1 were security personnel for Defendant MAGIC MOUNTAIN and detained, harassed, and/or searched
2 by Defendants' security personnel and then denied access, or removed and/or ejected from the park.

3 14. Defendants' unlawful, unfair and discriminatory conduct consists of, but is not limited
4 to, the following Uniform Policies and Practices:

5 (a) After paying for the price of parking, some patrons are detained, virtually in
6 the parking lot, harassed and told they will be denied entry into the park;

7 (b) After all incoming patrons have paid the admission price and passed through
8 a metal detector, some are not allowed to pass into the park and instead are
9 interrogated and/or searched by security personnel solely on the basis of their
10 race, color, ethnicity, national origin and physical appearance. The great
11 majority of these patrons are then videotaped, with or without their consent.
12 Some are allowed entry into the park. Most are told to leave. Those that are
13 told to leave are videotaped from the point of interrogation all the way
14 through the exit of the park and on many occasions right to their car. Most,
15 if not all of said patrons that have been excluded are not given a refund of the
16 monies that they have paid;

17 (c) Some patrons waiting in line to purchase tickets or use their season pass, are
18 removed from line by security personnel and subjected to interrogation and/or
19 individualized search solely on the basis of their race, color, ethnicity,
20 national origin and/or physical appearance; and,

21 (d) Many patrons that are allowed entrance into the park without incident, are
22 subjected to disparate conduct on the basis of their race, color, ethnicity and
23 national origin. Some examples include, but are not limited to, Caucasians
24 being allowed to ride individually on a variety of rides whereas blacks, or
25 individuals of other races, ethnicities and/or national origins are subjected to
26 sharing the same raft or car for the ride.

27 15. The security guards would uniformly ask many of the Class Plaintiffs to identify the
28 area of their residence and then accuse Class Plaintiffs of, among other things, being in gangs.

1 Defendant MAGIC MOUNTAIN has uniform policies and practices which identify persons who
2 fit certain descriptions. These persons were then subject to detention, harassment and searches by
3 the security guards. Class Plaintiffs were further informed that if Class Plaintiffs refuse to consent
4 to the detention and search, they would either be denied access to or otherwise removed from the
5 park.

6 16. Many of the Class Plaintiffs were taken to a room beside the entrance, where the
7 security personnel would conduct a further search of Class Plaintiffs. During the search, the security
8 guards would continue to accuse Class Plaintiffs of being in gangs, and continue to ask Class
9 Plaintiffs questions related to criminal conduct. Again, the security guards were instructed by
10 Defendant MAGIC MOUNTAIN to ask each Class Plaintiff the same set of questions and were
11 similarly trained to conduct each detention and search in the same manner. Each Class Plaintiffs was
12 detained, harassed and searched, denied admission and/or expelled from the park because of these
13 long-established and uniform policies and practices of Defendants. Further, the security personnel
14 touched the persons of Class Plaintiffs to conduct the search, committing a battery upon each
15 Plaintiffs' person and violating Class Plaintiffs' rights to privacy.

16 17. No weapons, drugs, or anything that would remotely be considered illegal, were found
17 on any of the Class Plaintiffs' persons. In fact, searches conclusively proved that Class Plaintiffs
18 were not in possession of any illegal items or substances. Some of the Class Plaintiffs were allowed
19 to go into the amusement park, but were again stopped and harassed as they exited the amusement
20 park for lunch. Most of the Class Plaintiffs were not admitted into the amusement park, and many
21 of them had already purchased the admission tickets. Other Class Plaintiffs were approached after
22 they had gained access, then detained, harassed and searched and removed from the park.

23 18. All members of Subclass No 4. were unjustifiably ejected from MAGIC MOUNTAIN
24 after entering the park, based on their race or ethnic background by individuals who were security
25 personnel for Defendant MAGIC MOUNTAIN.

26 19. There are questions of fact and law common to Subclass No. 4. Plaintiffs are informed
27 and believe, and based upon that information and belief allege, that employees of MAGIC
28 MOUNTAIN, in furtherance of its discriminatory policies and practices, eject African-American

1 patrons from MAGIC MOUNTAIN based solely on their racial or ethnic backgrounds. Plaintiffs are
2 informed and believe, and based upon that information and belief allege, that African-American
3 patrons at MAGIC MOUNTAIN are removed and arrested in numbers grossly disproportionate to
4 the African-American population and the numbers of African-Americans who patronize MAGIC
5 MOUNTAIN. Approximately twenty-five percent (25%) of all patrons removed from MAGIC
6 MOUNTAIN by its security personnel are African-American. Approximately fifty percent (50%)
7 of all patrons arrested by MAGIC MOUNTAIN security personnel are African-American.
8 Approximately sixty percent (60%) of the patrons removed by MAGIC MOUNTAIN security
9 personnel for alleged line cutting are African-American.

10 20. The claims of the representative plaintiffs of Subclass No. 4 are typical of each
11 member of the SubClass. Each of the plaintiffs is African-American, and was ejected from MAGIC
12 MOUNTAIN, after entering the park, on the basis of his or her racial or ethnic background. The
13 claim of each representative plaintiff derives from defendant Six Flags' long-established policies and
14 practices of discriminating against African-Americans. The claims of the representative Plaintiffs
15 are based upon the same legal theories as the claims of the class members. Each of the Plaintiffs
16 suffered actual damages of lost parking fees and admission as a result of their ejection from MAGIC
17 MOUNTAIN. The actual damages of each representative Plaintiff are similar in type and amount
18 to the actual damages suffered by each class member.

19 21. The Subclass No. 4 Plaintiffs are informed and believe, and based upon that
20 information and belief allege, that Defendants engaged in the activities referenced in the paragraphs
21 above as part of a systematic, methodical and general practice of harassing and discriminating
22 against Class Plaintiffs. Defendants' conduct caused Plaintiffs and other members of the general
23 public to suffer severe emotional distress, shock, and pain, which have manifested themselves in
24 physical symptoms which include, but are not limited to, anxiety, tension, nausea, sleeplessness, fear,
25 depression, humiliation and other physical ailments.

26 22. Each of the Class Plaintiffs were not given any refund for expenses incurred,
27 including the price paid for parking and admission to MAGIC MOUNTAIN.
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FIRST CAUSE OF ACTION
FOR VIOLATION OF THE UNRUH ACT
[CAL. CIV. CODE §§51 AND 52]

(By Each SubClass and Against All Defendants)

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5 23. Class Plaintiffs replead and reallege paragraphs 1 through 22, inclusive, of this
6 Complaint, and they are incorporated herein by this reference.

7 24. Defendants' treatment of Class Plaintiffs has denied Class Plaintiffs' full and equal
8 accommodations, advantages, facilities, privileges and services with respect to Defendants' business
9 establishment on the basis of race, color ethnicity, national origin and/or physical appearance, in
10 violation of Class Plaintiffs' rights under *California Civil Code* § 51.

11 25. In committing the acts as alleged in this Complaint, Defendants knew or should have
12 known that their actions were likely to injure Class Plaintiffs. Class Plaintiffs are informed and
13 believe, and based upon that information and belief allege, that Defendants intended to cause injury
14 to Class Plaintiffs and acted with a willful and conscious disregard of Class Plaintiffs' rights as
15 secured by *California Civil Code* § 51, thereby entitling Class Plaintiffs to recover treble damages,
16 or a minimum of \$1,000.00, pursuant to *California Civil Code* §52(a).

17 26. Defendants' violation of Class Plaintiffs' rights, as protected by *California Civil Code*
18 § 51, entitle Class Plaintiffs to receive compensatory damages, attorneys' fees, and injunctive relief,
19 all of which are provided for in *California Civil Code* § 52 and are prayed for below.

20 27. Unless Defendants are restrained by preliminary and permanent injunction, Class
21 Plaintiffs and members of the general public who are identified as racial or ethnic minorities will
22 continue to suffer irreparable harm by Defendants' discriminatory practices of (1) excluding and/or
23 expelling Class Plaintiffs and individuals identified by Defendants uniform policies and practices
24 based upon race, color, ethnicity, national origin and/or physical appearance, from the amusement
25 park; (2) Defendants' unlawful detention harassment and search of Class Plaintiffs identified by
26 Defendants' uniform policies and practices regarding profiling of racial or ethnic minorities; and
27 (3) placing individuals under arrest then summarily dropping the charges. Class Plaintiffs have no
28 adequate remedy at law because monetary damages, which may compensate for past unlawful

1 conduct, will not afford adequate relief for the harm caused by the continuation of Defendants'
2 wrongful conduct and the denial of rights protected by California Civil Code §51.1.

3 **SECOND CAUSE OF ACTION**

4 **UNRUH CIVIL RIGHTS §51.7**

5 **(By Each SubClass and Against All Defendants)**

6 28. Class Plaintiffs replead and reallege paragraphs 1 through 27, inclusive, of this
7 Complaint, and they are incorporated herein by this reference.

8 29. Class Plaintiffs, have the right to be free from any violence, or intimidation by threat
9 of violence at Defendants' facility. Defendants and each of them detained, harassed and searched
10 Class Plaintiff's body and/or threatened mace or other bodily harm while Plaintiffs were on the
11 park's premises of MAGIC MOUNTAIN. This conduct was motivated by Defendants' uniform
12 policies and practices regarding racial profiling and was based solely on the Plaintiffs' race, color,
13 ethnicity, national origin and/or physical appearance.

14 30. The conduct by the Defendant was intended to cause injury or threaten intimidation
15 by violence and constituted despicable conduct and was done with the willful and conscious
16 disregard of Class Plaintiffs' rights. Said conduct was also cruel unjust, and oppressive, and
17 constituted a conscious disregard to Class Plaintiffs' rights.

18 31. Defendants' violation of Class Plaintiffs' rights, as protected by California Civil Code
19 § 51, entitle Class Plaintiffs to receive compensatory damages, attorneys' fees, and injunctive relief,
20 all of which are provided for in California Civil Code § 52 and are prayed for below. Class Plaintiffs
21 are also entitled to an award of punitive damages against the Defendants and each of them in an
22 amount appropriate to punish and make an example of Defendants.

23 **THIRD CAUSE OF ACTION**

24 **FOR UNLAWFUL AND UNFAIR BUSINESS PRACTICES**

25 **IN VIOLATION OF CAL. BUS. & PROF. CODE §17200 ET SEQ.**

26 **(By Each SubClass and Against All Defendants)**

27 32. Class Plaintiffs replead and reallege paragraphs 1 through 31, inclusive, of this
28 Complaint, and they are incorporated herein by this reference.