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Attorneys for Plaintiff, C. HUGH MARSH

BY: *[Signature]*  
CLERK U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

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FILED

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

C. HUGH MARSH,

Plaintiff,

v.

SAN YSIDRO BB PROPERTY, LLC,  
a Delaware Limited Liability  
Company, dba SAN YSIDRO  
RANCH; and DOES ONE TO TEN,  
inclusive,

Defendants.

Case No. 02-07120 DT  
(MAN\*)  
Civil Rights

COMPLAINT FOR INJUNCTIVE  
RELIEF AND DAMAGES: DENIAL OF  
CIVIL RIGHTS OF A DISABLED  
PERSON IN VIOLATION OF THE  
AMERICANS WITH DISABILITIES  
ACT OF 1990; VIOLATION OF  
CALIFORNIA'S CIVIL RIGHTS  
STATUTES

JURY TRIAL REQUESTED

Plaintiff C. HUGH MARSH complains of defendants SAN YSIDRO BB  
PROPERTY, LLC, a Delaware Limited Liability Company, dba SAN YSIDRO  
RANCH; and DOES ONE TO TEN, inclusive, and alleges as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction of this action pursuant to ~~28 USC § 1331~~ for  
violations of the *Americans with Disabilities Act of 1990*, (42 USC § 12101, et

SEP 16 2002  
*[Signature]*

1 seq.) Pursuant to pendant jurisdiction, attendant and related causes of action,  
2 arising from the same facts, are also brought under California law, including but  
3 not limited to violations of **California Health & Safety Code** § 19955, *et seq.*,  
4 including **California Code of Regulations**, Title 24, § 19959, **California Civil**  
5 **Code** §§ 51, 51.5, 52(a), 52.1, 54, 54.1, 54.3 and 55.

7 2. Venue is proper in this court pursuant to 28 **USC** § 1391(b) and is  
8 founded on the fact that the real property which is the subject of this action is  
9 located in this district, at Santa Barbara, California, and that Plaintiff's causes of  
10 action arose in this district.

### 12 INTRODUCTION

13 3. The **SAN YSIDRO RANCH** is located at 900 San Ysidro Lane, Santa  
14 Barbara, California. Said ranch/resort is owned and operated by defendants **SAN**  
15 **YSIDRO BB PROPERTY, LLC**, a Delaware Limited Liability Company, and  
16 **DOES ONE TO TEN, inclusive**.

18 Defendants **SAN YSIDRO BB PROPERTY, LLC**, a Delaware Limited  
19 **Liability Company**, and **DOES ONE TO TEN, inclusive**, operate an  
20 establishment for services to the public and at which Defendants failed to provide  
21 barrier free access to said establishment in conformity with both Federal and  
22 California legal requirements. Further, Defendants failed to provide compliance as  
23 follows:  
24  
25

///

1 the financial worth of Defendants, or the amount of punitive damages sufficient to  
2 accomplish the public purposes of **California Civil Code** § 3294 and seeks leave  
3 to amend this Complaint when such facts are known.  
4

5 48. As a result of the actions and failure of Defendants, and each of them,  
6 and as a result of the failure to provide proper accessible public facilities, Plaintiff  
7 **C. HUGH MARSH** was denied his civil rights, including his right to full and equal  
8 access to public facilities, was embarrassed and humiliated, suffered physical,  
9 psychological and mental injuries and emotional distress, mental distress, mental  
10 suffering, mental anguish, which includes shame, humiliation, embarrassment,  
11 anger, chagrin, disappointment and worry, expectedly and naturally associated  
12 with a person with a physical disability being denied access to a public  
13 accommodation.  
14  
15

16 WHEREFORE, Plaintiff prays for damages as hereinafter stated.

17 **III. THIRD CAUSE OF ACTION**  
18 **VIOLATION OF CALIFORNIA'S CIVIL RIGHTS ACTS**  
19 **(California Civil Code §§ 54, 54.1 and 54.3)**

20 49. Plaintiff repleads and incorporates by reference as if fully set forth  
21 again herein, the allegations contained in paragraphs 1 through 48 of this  
22 Complaint and incorporates them herein as if separately repled.

23 50. The public facilities above-described constitute public facilities and  
24 public accommodations within the meaning of **California Health & Safety Code** §  
25 19955 *et seq.* and were facilities to which members of the public are invited. The  
26



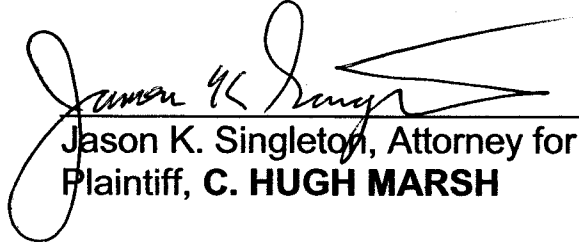
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**REQUEST FOR JURY TRIAL**

Plaintiff hereby requests a jury for all claims for which a jury is permitted.

Dated: September 3, 2002

**SINGLETON LAW GROUP**



Jason K. Singleton, Attorney for  
Plaintiff, **C. HUGH MARSH**