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7  
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. )

6 **NATURE OF ACTION**

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

15 **JURISDICTION AND VENUE**

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

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

26 **THE PARTIES**

27 **CLASS DEFINITION**

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

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

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

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

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

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

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

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

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