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**FILED**  
LOS ANGELES SUPERIOR COURT  
**SEP 08 2010**  
John A. Clarke, Clerk  
By *Kim Garrison*  
Kim Garrison, Deputy

7 Attorneys for Plaintiff FERNANDO FLORES

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

11 FERNANDO FLORES, an individual  
12 Plaintiffs,

CASE NO.: LC091061

13 vs.

COMPLAINT FOR SEXUAL  
HARRASSMENT AND INTENTIONAL  
INFLECTION OF EMOTIONAL  
DISTRESS

14 BRITNEY SPEARS, an individual,  
15 ADVANCED SECURITY CONCEPTS  
16 CORPORATION, a California corporation  
Does 1-100, inclusive,  
17 Defendants.

21 FOR CAUSES OF ACTION, PLAINTIFF ALLEGES:

22 INTRODUCTORY ALLEGATIONS

- 23 1. Plaintiff is and at all times herein relevant was an individual residing in the
- 24 County of Orange, State of California.
- 25 2. Defendant Britney Spears is and at all times relevant herein was an individual
- 26 residing in the County of Los Angeles, State of California. Plaintiff is informed and believes and
- 27 alleges thereon that Britney Spears is and at all times herein relevant was subject to a
- 28 Conservatorship of the person and estate.

**COMPLAINT FOR SEXUAL HARRASSMENT AND INTENTIONAL INFLECTION OF  
EMOTIONAL DISTRESS**

1 3. Defendant Advanced Security Concepts Corporation is and at all times herein  
2 relevant was a corporation organized and existing under the Laws of the State of California, with  
3 its principal place of business in the County of Los Angeles, State of California.

4 4. The true names and capacities of the parties designated Does 1-100, inclusive are  
5 unknown to Plaintiff and hence Plaintiff sues thereby such fictitious names. Plaintiff is informed  
6 and believes and alleges thereon that each such Defendant is responsible in some manner for the  
7 harms herein alleged. Plaintiff will amend his complaint to allege the true names and capacities  
8 of each such Defendant as soon as it is ascertained.

9 5. In doing or permitting the acts herein alleged, Defendants and each of them were  
10 acting as the agents and employees of the other Defendants and acting within the course and  
11 scope of said agency and employment.

12 **FIRST CAUSE OF ACTION**

13 (For Sexual Harassment)

14 6. Plaintiff restates and reincorporates Paragraphs 1 through 5 hereof as though fully  
15 set forth herein.

16 7. In or about February 2010, Plaintiff was hired by Defendants and each of them as  
17 a security guard for Defendant Britney Spears at her residence in Calabasas in Los Angeles  
18 County.

19 8. While Defendant Advanced Security Concepts Corporation was the nominal  
20 "employer of Plaintiffs," Defendant Britney Spears and Does 1-100, inclusive, acted also as  
21 Plaintiff's employer and supervisor, in that they acted directly and indirectly as agent for  
22 Plaintiff's nominal employer, Defendant Advanced Security Concepts Corporation and  
23 specifically had authority in the interest of the other Defendants to discharge or discipline  
24 Plaintiff, inter alia, in the exercise of their own independent judgment.

25 9. Commencing at or about the time of Plaintiff's employment, Defendant Britney  
26 Spears made repeated unwanted sexual advances to Plaintiff, summoning Plaintiff to her room at  
27 her residence for no other purpose or reason than to expose her naked or near naked body to  
28 Plaintiff.

1           10.     In or about Plaintiff's second week of employment by Defendants, wherein  
2 Plaintiff worked a night shift at Defendant Britney Spears' Calabasas residence, at approximately  
3 11:30 pm, Defendant Spears summoned Plaintiff into the residence and asked that he assist her in  
4 working her camera. While doing so, Defendant Spears allowed her breast to be exposed and  
5 made no effort to cover it. Plaintiff was disturbed by Defendant Spears' behavior and  
6 immediately excused himself.

7           11.     During another night shift, Defendant Spears called Plaintiff into the residence  
8 purportedly to turn on the fire place in her bedroom. When Plaintiff entered her room,  
9 Defendant Spears was wearing only a white lace, see-through dress. Defendant Spears walked  
10 over close by Plaintiff, intentionally dropped her cigarette lighter on the floor, bent over to  
11 retrieve it and thereby exposed her uncovered genitals to Plaintiff. The incident caused Plaintiff  
12 shock, and disgust.

13           12.     During another night shift on a Saturday, Defendant Spears called Plaintiff on the  
14 security phone from her landline telephone, ordering Plaintiff to knock on Defendant Spears'  
15 side door in 15 minutes and to not be tardy. At the conclusion of the 15 minutes, Plaintiff  
16 knocked on the door and was invited in by Defendant Spears, who was standing next to a couch,  
17 stark naked.

18           13.     During a Saturday shift during the day, Defendant Spears called Plaintiff on the  
19 security phone, ordering Plaintiff to knock on her bedroom door in 15 minutes and to not be late.  
20 Plaintiff entered and found Defendant Spears standing in her bedroom completely nude. After  
21 an awkward silence, during which Defendant just stood naked before Plaintiff, Plaintiff asked  
22 Defendant Spears if she needed anything. After some hesitation, Defendant Spears asked  
23 Plaintiff to get her two bottles of 7 Up.

24           14.     During another night shift, Defendant Spears entered the pool house wearing her  
25 see-through white lace dress and nothing else. She demanded that Plaintiff fetch her a pack of  
26 cigarettes. As Plaintiff attempted to hand her the cigarettes, Defendant Spears turned round,  
27 dropped her cigarette lighter and bent over to retrieve it, again exposing her bare genitals to  
28 Plaintiff's view. She righted herself, turned around and stared at Plaintiff with a leer on her face.

1 Plaintiff was shocked and disgusted by the incident. Plaintiff immediately thereafter reported the  
2 incident to Josh McMahan, his supervisor and the supervisor at Defendant ASC for the Spears  
3 account, but was rebuffed with the remark, "You know you liked it."

4 15. At no time did Plaintiff react to such unwanted sexual advances of Defendant  
5 Spears other than to immediately retreat from Defendant Spear's presence.

6 16. In addition to exposing herself to Plaintiff, Defendant Spears engaged in  
7 numerous sex acts in front of Plaintiff, including but not limited to, having sexual intercourse.

8 17. On a number of occasions, Plaintiff complained to the other Defendants of  
9 Defendant Spears' harassment, but his complaints were ignored or mocked, and no action was  
10 taken to rectify the situation.

11 18. On or about July 1, 2010, Plaintiff exhausted his administrative remedies against  
12 Britney Spears and Advanced Security Concepts Corporation by filing a complaint with the  
13 California Department of Fair Employment and Housing and obtaining a right to sue letter.

14 19. As a result of the above actions and omissions, Plaintiff has suffered damages,  
15 including without limitation psychological damage, in an amount to be proven within the  
16 jurisdictional limits of this court.

17 **SECOND CAUSE OF ACTION**

18 (Intentional Infliction of Emotional Distress Against Defendant Britney Spears)

19 20. Plaintiff restates and reincorporates Paragraphs 1-19 inclusive hereof as though  
20 fully set forth herein.

21 21. In discharging his duties as security guard at the residence of Defendant Britney  
22 Spears, Plaintiff also provided for the needs of the two minor children of Defendant Spears, Sean  
23 Preston and Jayden James, including without limitation, supervising their play and playing with  
24 them. Plaintiff's relationship with the two minor children became so close that Plaintiff was told  
25 by the children that they loved him.

26 22. In the course of Plaintiff's employment at Defendant Spears' residence,  
27 Defendant Spears on a number of occasions perpetrated extreme and outrageous conduct  
28 including but not limited to conduct against her two minor children, in the presence of Plaintiff,

1 directed at Plaintiff and with reckless disregard of the probability of causing emotional distress to  
2 Plaintiff, including but not limited to the following:

3           A.     During a Saturday morning shift, Plaintiff was in Defendant Spears' pool  
4 house when Defendant Spears came in and inquired if Plaintiff was wearing a belt. When  
5 Plaintiff said he was, Defendant Spears demanded that he remove it and give it to her. Not  
6 knowing why she wanted the belt, Plaintiff removed his belt and gave it to her. What happened  
7 next horrified and deeply disturbed Plaintiff: Defendant Spears immediately ran back towards  
8 her house screaming "Preston!" [i.e. Sean Preston, her elder son]. She entered the residence  
9 through two French doors on the north side. Plaintiff exited the pool house, hearing Sean  
10 Preston screaming in terror and pain, and saw Defendant Spears at least twice savagely hitting  
11 the small child with Plaintiff's belt. Defendant Spears never returned Plaintiff's belt. Plaintiff  
12 was shocked, horrified and deeply disturbed by the incident;

13           B.     During a stay at the Mondrian Hotel in Hollywood, despite the fact that  
14 Defendant Spears, Plaintiff, and the children's nanny all knew that her two small sons had  
15 serious and even life threatening food allergies to seafood, Defendant Spears deliberately and  
16 recklessly fed her two sons crabmeat. When both boys started vomiting, Defendant Spears  
17 explicitly prevented Plaintiff and the children's nanny from seeking medical care for the  
18 children. On another occasion, when Plaintiff admonished Defendant Spears not to feed her  
19 children items to which they had food allergies, she forcefully replied "Mind your own fucking  
20 business!" Plaintiff was horrified by the incidents.

21           C.     On one night shift at approximately 2 am, Defendant Spears entered the  
22 pool house where Plaintiff was stationed. Seeming agitated, Defendant Spears walked in circles  
23 in front of Plaintiff, muttering darkly and pausing to point at Plaintiff and scream "Fuck you!" to  
24 him. Plaintiff was deeply troubled by the incident.

25           D.     On more than one occasion Defendant Spears in the presence of Plaintiff  
26 proclaimed to her young sons, "Mommy is WHITE TRASH!" Her boys would then ask Plaintiff  
27 what that meant, and Plaintiff was too ashamed to tell them.

28 ////

1 E. While at the Grand Californian Hotel in Anaheim, Plaintiff perceived,  
2 during security checks of the perimeter, Defendant loudly having sexual relations while her two  
3 children were in the suite with her;

4 F. On at least two occasions, Plaintiff were entered Defendant Spears'  
5 residence and was greeted upon his return by the sight of Defendant Spears having vigorous  
6 sexual relations;

7 G. On several occasions, with her children present, Plaintiff witnessed  
8 Defendant Spears having violent quarrels with her boyfriend, during which Defendant Spears  
9 would yell "Fuck You!" "Get the Fuck outta my house!" etc., at Plaintiff.

10 H. During a movie excursion to watch a film "Alice in Wonderland" at the  
11 Arclight, Defendant Spears demanded a frozen "slurpee." When Plaintiff he went to the  
12 concession stand was told by the management that the drink would not be ready for 15 minutes.  
13 When Plaintiff so advised Defendant Spears, she sputtered, "I want my FUCKING DRINK!  
14 GOD! I'm gonna FIRE YOUR ASS!" Plaintiff walked away, humiliated and traumatized.

15 23. As a direct and proximate result of said extreme and outrageous conduct, Plaintiff  
16 has suffered damages in an amount to be proven within the jurisdictional limits of this court.

17 24. The act of Defendant Britney Spears as alleged herein were wanton, willful,  
18 malicious and despicable, warranting an award of damages pursuant to Civil Code § 3294.

19 Wherefore Plaintiff prays:

- 20 1. For Damages according to proof;  
21 2. For exemplary damages under Civil Code §3294;  
22 3. For attorney fees;  
23 4. For other and further relief as the court deems just and proper.  
24

25 Dated: September 7, 2010

DIAL & ASSOCIATES

26  
27 By: 

Stephen Dial

Attorney for Fernando Flores  
28

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

**FILED**  
LOS ANGELES SUPERIOR COURT  
**SEP 08 2010**  
John A. Clarke, Clerk  
By *Kim Garrison*  
By Kim Garrison, Deputy  
CASE NUMBER:  
**LC091061**

COURTHOUSE ADDRESS: NORTHWEST DISTRICT SUPERIOR COURT  
6230 SYLMAR AVENUE, ROOM 107, VAN NUYS, CA 91401  
PLAINTIFF:  
DEFENDANT:

**NOTICE OF CASE MANAGEMENT CONFERENCE**

TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:

You are ordered to serve this notice of hearing to all parties/attorneys of record forthwith, and meet and confer with all attorneys/attorneys of record about the matters to be discussed no later than 30 days before the Case Management Conference.

Your Case Management Conference has been scheduled at the courthouse address shown above on:

Date: <u>1-25-11</u>	Time: 8:30 A.M.	Dept: NW "M"	Room: 600
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Your completed Case Management Statement must be filed at least 15 calendar days prior to the Case Management Conference. The Case Management Statement may be filed jointly by all parties/attorneys of record or individually by each party/attorney of record pursuant to CRC 212.

You must be familiar with the case and be fully prepared to participate effectively in the Case Management Conference.

At the Case Management Conference the Court may make pretrial orders including the following: an order establishing a discovery schedule; an order referring the case to Alternative Dispute Resolution (ADR); an order reclassifying the case; an order dismissing fictitious/unnamed defendants; an order setting subsequent conference and the trial date; or other orders to achieve the goals of the Trial Court Delay Reduction Act (CC 68600 et. seq.)

Notice is hereby given that if you do not file the Case Management Statement or appear and effectively participate at the Case Management Conference, the Court may impose sanctions (including dismissal of the case, striking of the answer and payment of money), pursuant to ASC Local Rules Chapter 7, CCP Sections 177.5, 583.150, 586.360 and 583.420 and GC Section 68608 (b).

Date: **JOHN A. CLARKE SEP 08 2010**

John A. Clarke, Executive Officer/Clerk  
by *Kim Garrison*, Deputy Clerk  
**Kim Garrison**

**CERTIFICATE OF SERVICE**

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Management Conference upon each party or counsel named below:

by depositing in the United States mail at the courthouse in Van Nuys, California, one copy of the original filed herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid.

by personally giving the party notice upon filing of the complaint.

**LC091061**

**JOHN A. CLARKE SEP 08 2010**

**M**  
**1/25/11**

John A. Clarke, Executive Officer/Clerk  
by *Kim Garrison*, Deputy Clerk.  
**Kim Garrison**

Date: \_\_\_\_\_

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

PLAINTIFF(S)/PETITIONER(S)	CASE NUMBER  <b>LC091061</b>	FILE STAMP  <b>FILED</b> LOS ANGELES SUPERIOR COURT  <b>SEP 08 2010</b> John A. Clarke, Clerk <i>Kim Garrison</i> By Kim Garrison, Deputy
	DEFENDANT(S)/RESPONDENT(S)	

TO THE PLAINTIFF(S) AND THE ATTORNEY OF RECORD:

YOU ARE HEREBY NOTIFIED THAT THE ABOVE MATTER HAS BEEN ASSIGNED FOR ALL PURPOSES, INCLUDING TRIAL, TO **JUDGE MICHAEL HARWIN**, PRESIDING IN **DEPARTMENT NW-M**, IN THE SUPERIOR COURT, LOCATED AT **6230 SYLMAR AVENUE, VAN NUYS, CA 91401**

*Richard Kirschner*

Hon. Richard Kirschner, Supervising Judge

**CERTIFICATE OF SERVICE**

- I am not a party to the within action, and I certify that I personally served a true copy of the above notice to the plaintiff or his attorney of record by delivering the copy to the designated representative/attorney service at the time of filing of the original complaint.
- I am not a party to the within action, and I certify that I personally served a true copy of the above notice to the plaintiff or his attorney of record by delivering the copy in person this date to counsel for plaintiff or plaintiff in pro per.
- I am not a party to the within action, and I certify that I served a true copy of the above notice to the plaintiff or his attorney of record by depositing in the United States mail at the courthouse in Van Nuys, California, one copy of the original filed herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid.

[ ] [ ] [ ] [ ] [ ] [ ]

**JOHN A. CLARKE SEP 08 2010**

A CORPORATION MUST BE REPRESENTED BY A LICENSED CALIFORNIA ATTORNEY

Date: \_\_\_\_\_

JOHN A. CLARKE, Executive Officer/Clerk of the Superior Court, County of Los Angeles

By: *Kim Garrison* Deputy  
**Kim Garrison**