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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHRISTOPHER KEY, an individual, Plaintiff, vs. CITY OF LOS ANGELES, DEPARTMENT OF BUILDING AND SAFETY; DOES 1-10, INCLUSIVE, Defendants.	**Case No.:** **VERIFIED COMPLAINT FOR VIOLATION OF RIGHTS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 [42 U.S.C. 2000e et seq.]** **(DEMAND FOR JURY TRIAL)**

COMES NOW, Plaintiff, CHRISTOPHER KEY (hereinafter "PLAINTIFF"), and for his Complaint alleges as follows:

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INTRODUCTION

Plaintiff worked for Defendant as a building mechanical inspector at Defendant's downtown Los Angeles, CA location. Defendant required its employees to be vaccinated for SARS-CoV-2 (COVID-19). Because of the Plaintiff's faith, he sought an accommodation for his sincerely held religious to be exempt from taking this vaccine. Plaintiff was placed on unpaid leave prior to a review of his religious accommodation request.

Notwithstanding having legitimately sought an accommodation for sincerely held religious beliefs, which kept Plaintiff from taking the vaccine, he was placed on unpaid leave by Defendant on December 4, 2021. The gravamen of this complaint is that Defendant refused to accommodate, otherwise discriminated against, and subsequently placed Plaintiff on unpaid leave from his job because he asked for accommodation due to his religious beliefs. Defendant knew or should have reasonably known that Plaintiff held religious beliefs because he asserted them. Defendant nevertheless failed to engage in an interactive process or review of Plaintiff's accommodation request, placed him on leave without pay, and retaliated against him for filing a complaint with the Equal Employment Opportunity Commission (EEOC).

JURISDICTION AND VENUE

1. This Court has authority over this action pursuant to 28 U.S.C. §1331, in federal questions raised under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. This court has supplemental jurisdiction over Plaintiff's

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related claims arising under corollary state anti-discrimination law pursuant to 28 U.S.C. § 1367(a).

2. Venue is proper in the Central District of California under 42 U.S.C. § 2000e-5(f)(3), in that Defendant maintains significant operations within the Central District of California, and the locations of the Defendant where the alleged unlawful employment practices took place are within the Central District of California. This case is appropriate for assignment to the San Fernando Valley Division.

PARTIES

PLAINTIFF

3. At all times relevant herein, Mr. Key was an employee of the Los Angeles Department of Building and Safety as a building mechanical inspector at Defendant's downtown Los Angeles location. Mr. Key resided in the county of Orange at the time of the events that gave rise to this Complaint.

DEFENDANT

4. At all times relevant herein, Los Angeles Department of Building and Safety was a compliance department presiding over the permit, inspection, and code enforcement processes for construction in the city of Los Angeles, California, and was the employer of PLAINTIFF.

5. The true names and capacities, whether individual, corporate, associate, or otherwise, of DOES 1-100, inclusive are unknown to PLAINTIFF at this time, who therefore sues said DEFENDANTS by such fictious names. PLAINTIFF is informed and believes and thereon alleges that each of the factiously named DEFENDANTS is in some way responsible for, or participated in, or contributed

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to, the matters and things complained of herein, and is legally responsible in some manner. PLAINTIFF will seek leave to amend this Complaint when the true names, capacities, and responsibilities have been ascertained.

STATEMENT OF FACTS

6. At all times relevant hereto, the PLAINTIFF was performing competently in the position he held with DEFENDANT.

7. On or about August 18, 2021, the City of Los Angeles passed a COVID-19 Ordinance No. 187134 (Ordinance). The City of Los Angeles allowed its employees to submit requests for a religious exemption, as required by law, no later than September 7, 2021. Employees were asked to submit their vaccine status information to the third-party vendor, Bluestone.

8. On October 8, 2021, PLAINTIFF submitted a request for religious accommodation to the DEFENDANT's COVID-19 vaccine requirement because of his faith. Plaintiff's accommodation request explained that his beliefs conflict with the COVID-19 vaccine due to the use of aborted fetal cell lines in the testing and manufacturing of the vaccine. Plaintiff also stated, "it is my sincerely held religious belief that abortion is murder and a violation of one of the Ten Commandments ("You shall not murder." Exodus 20:13). Thus, it would violate my sincerely held religious beliefs to cooperate with or be complicit in abortion in any way." He further stated, "it is my sincerely held religious belief that, in being vaccinated with any of the currently available COVID-19 vaccines, I would be cooperating with and complicit in abortion - the terminating of an innocent human life - and that such would constitute a sin against God and a violation of His Commandments, for which I would be held morally accountable by God."

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9. Mr. Key is a follower of the Christian faith.

10. Mr. Key believes that his body belongs to God and is a temple of the Holy Spirit.

11. Mr. Key believes that it is against his religion to ingest or inject his body with possible harmful substances, including a vaccine where aborted fetal cell lines were used in its testing and manufacturing.

12. Mr. Key's understanding is that the manufacturers of the COVID-19 vaccine use aborted fetal tissue, the lining of aborted fetal tissue, or both forms of fetal tissue. Mr. Key's faith strongly opposes injecting his body with the COVID-19 vaccine.

13. On or about November 3, 2021, PLAINTIFF learned that he had been registered with the third-party vendor, Bluestone, by DEFENDANT without his consent. PLAINTIFF had not yet registered with Bluestone as he did not feel comfortable with or confident in providing his private and personal information to a third-party vendor.

14. On or about December 4, 2021, PLAINTIFF was invited to Defendant's Employee, Eric Jakeman's office. Mr. Jakeman issued to PLAINTIFF General Form 77, which placed him on "off-duty without pay" because he would not take the COVID-19 vaccine or consent to the Bluestone company's testing process. PLAINTIFF requested a union representative to be present at this meeting, however he was instead escorted out of the building by two security guards.

15. When PLAINTIFF was placed on leave, he still had not received communication from DEFENDANT regarding his religious accommodation request, including communication about COVID-19 testing with facilities other

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