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2	IN THE UNITED STATE	ES DISTRICT COURT
13	FOR THE NORTHERN DIS	TRICT OF CALIFORNIA
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15	THE DEPARTMENT OF FAIR EMPLOYMENT) AND HOUSING, an agency of the State of	Case No. CV 12-1830-EMC
16	California,	CECOND AMERINED CINOLID AND
17	Plaintiff,)	SECOND AMENDED GROUP AND CLASS ACTION COMPLAINT FOR
8	vs.)	DAMAGES AND INJUNCTIVE RELIEF
19	LAW SCHOOL ADMISSION COUNCIL, INC.,)	[FEHA, Gov. Code, § 12900 et seq. and
20	a Delaware tax exempt corporation,	Unruh Civil Rights Act, Civ. Code, § 51 et seq.]
21	Defendant.)	seq.,
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1	JOHN DOE, JANE DOE, PETER ROE,	Jury Trial Demanded
2	RAYMOND BANKS, KEVIN COLLINS, RODNEY DECOMO-SCHMITT, ELIZABETH HENNESSEY-SEVERSON, OTILIA IOAN, ALEX JOHNSON, NICHOLAS JONES, CAROLINE LEE, ANDREW QUAN, STEPHEN SEMOS, GAZELLE TALESHPOUR, KEVIN VIELBAUM, AUSTIN WHITNEY, and all other similarly situated individuals,	
3	HENNESSEY-SEVERSON, OTILIA IOAN,	
4	CAROLINE LEE, ANDREW QUAN, STEPHEN	
5	VIELBAUM, AUSTIN WHITNEY, and all other	
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7	Real Parties in Interest.	
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Plaintiff DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING (Department or DFEH) alleges the following against defendant LAW SCHOOL ADMISSION COUNCIL, INC. (LSAC), a Delaware tax exempt Corporation:

PARTIES

- 1. DFEH is the state agency charged with enforcing the right of all Californians under the Unruh Civil Rights Act (Unruh Act) (Civ. Code, § 51 et seq.) "to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever." (Civ. Code, § 51, subd. (a).) Government Code section 12948 makes a violation of the Unruh Act a violation of the Fair Housing and Employment Act (FEHA) (Gov. Code, § 12900 et seq.). The FEHA empowers the DFEH to investigate and prosecute Unruh Act claims within the state, including those that adversely affect, in a similar manner, a group or class. (Gov. Code, §§ 12961, 12965.)
- 2. Each real party in interest, John Doe, Jane Doe, Peter Roe, Raymond Banks, Kevin Collins, Rodney Decomo-Schmitt, Elizabeth Hennessey-Severson, Otilia Ioan, Alex Johnson, Nicholas Jones, Caroline Lee, Andrew Quan, Stephen Semos, Gazelle Taleshpour, Kevin Vielbaum, and Austin Whitney, applied to LSAC for reasonable accommodations on the Law School Admissions Test (LSAT) between January 19, 2009 and the present. Each real party was denied a reasonable accommodation, either in whole or in part, within this same time frame. At the time of applying for reasonable accommodations, each real party resided in California.
- 3. Real parties in interest John Doe, Jane Doe, and Peter Roe wish to participate in this litigation anonymously. Each real party seeks to retain their privacy interest in the details of their disability and need for accommodation. Each of these real parties has expressed a legitimate fear of negative professional ramifications should their true names be associated with this litigation. A motion requesting the court's permission to proceed under fictitious names for these two real parties is filed concurrently with this complaint.

4. At all times relevant to this complaint, LSAC was a business establishment as defined by Civil Code section 51, subdivision (b). LSAC offers and administers its LSAT at multiple locations in the State of California several times a year.

GROUP ACTION ALLEGATIONS

5. The DFEH brings this case on behalf of a group of 16 named individuals.

CLASS ACTION ALLEGATIONS

- 6. Class Definition: The DFEH also brings this case as a class action, on behalf of: all disabled individuals in the State of California who requested a reasonable accommodation for the Law School Admission Test (LSAT) from January 19, 2009 to the present. The DFEH alleges that everyone within this class was subjected to LSAC's unlawful policies of discouraging requests for accommodation, requiring excessive documentation, and requesting unlawful information about mitigation measures. Within this class is a subclass of people who took the LSAT with the condition of extended time and were thereafter subjected to discriminatory treatment and retaliation because of this accommodation. These two classes are defined as follows:
- a. <u>Unlawful Discouragement and Consideration of Mitigation Measures</u>: All disabled individuals in the State of California who requested a reasonable accommodation for the LSAT from January 19, 2009 to the present.
- b. <u>Differential Treatment and Retaliation Against Examinees Granted Extended</u>

 <u>Time</u>: All disabled individuals in the State of California who took the LSAT with the accommodation of extra time from January 19, 2009 to the present.
- 7. Class Representative: The Director of the DFEH, with the assistance of the 16 named real parties in interest, will fairly and adequately represent the class. Government Code section 12961 authorizes the Director to pursue this litigation as a class representative. Section 12961 authorizes the DFEH to seek class relief without being certified as the class representative. Nonetheless, this lawsuit meets the criteria for class certification.
- 8. **Manageability**: Class treatment of this dispute would save time and money by bringing all like claims before this court. For LSAC policies that affect a large group of applicants in





a similar fashion, such as subjecting applicants to unlawful inquiries and flagging certain scores, treatment as a class is a superior method of adjudication, as compared to multiple individual suits where each plaintiff would allege an identical harm. Class treatment would neatly aggregate these claims, preventing duplicative litigation and potential inconsistencies in the ultimate findings.

- 9. **Numerosity**: The class is estimated to include hundreds of LSAT applicants. It would be impracticable to join each of these applicants who requested reasonable accommodation during the three-year time frame and to bring them individually before the court for adjudication. The members of this class are fully ascertainable and there exists a probability that the individual members will ultimately be available to come forward to prove their separate damage-related claims to a portion of the total class recovery, if any.
- 10. **Commonality**: There exists for the class a well-defined community of interest such that common questions of both law and fact predominate over individual interests or claims.
- 11. **Typicality**: The class claims raised by the real parties in interest are typical of those held by other members of the class. Each applicant for reasonable accommodation was subject to an unlawful inquiry about mitigation measures, and each test-taker, who was granted extra time, had his or her test score segregated and flagged.
- 12. **Adequacy of Representation**: With the assistance of the real parties in interest, the DEFH will fairly and adequately represent the interests of all members of the class in the adjudication of their similar legal claims.

JURISDICTION AND VENUE

- 13. The DFEH realleges and incorporates by reference each and every allegation contained in paragraphs 1 through 12, inclusive, as if fully set forth herein.
- 14. This action arises under the FEHA, specifically Government Code section 12948, which incorporates the Unruh Act into the enforcement structure of the FEHA, giving the DFEH jurisdiction over Unruh Act violations occurring within the state. By virtue of its incorporation into the Unruh Act, a violation of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. § 12101 et seq.) also constitutes a violation of the Unruh Act. (Civ. Code, § 51, subd. (f).)

- 15. At all times relevant to this complaint, LSAC was a business establishment as defined by Civil Code section 51, subdivision (b). LSAC offers and administers its LSAT at multiple locations in the State of California several times a year.
- 16. At all times relevant to this complaint, real parties in interest John Doe, Jane Doe, Peter Roe, Raymond Banks, Kevin Collins, Rodney Decomo-Schmitt, Elizabeth Hennessey-Severson, Otilia Ioan, Alex Johnson, Nicholas Jones, Caroline Lee, Andrew Quan, Stephen Semos, Gazelle Taleshpour, Kevin Vielbaum, Austin Whitney, and all other similarly situated individuals, were "persons" within the meaning of Government Code section 12925, subdivision (d), and Civil Code section 51, subdivision (b).
- 17. On May 9, 2010, Jane Doe filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied her full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A redacted copy of this complaint is attached hereto as Exhibit 1.
- 18. On January 12, 2010, Nicholas Jones filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 2.
- 19. After receiving the complaints of Jane Doe and Mr. Jones, and beginning an investigation into their allegations, the Department came to believe that LSAC's policies and practices toward disabled applicants requesting reasonable accommodation were affecting a larger group or class of applicants in a similar manner.
- 20. On July 22, 2010, the Department issued a document entitled "Notice of Class Action Complaint and Director's Complaint" describing the affected group or class as "all disabled individuals in the State of California who have or will request a reasonable accommodation for the Law School Admission Test (LSAT), administered by the LSAC, and who have or will be unlawfully



complaint." A redacted copy of this complaint is attached hereto as Exhibit 3.

21. During its investigation of the class action and Director's complaint, the DFEH propounded administrative discovery to determine whether other people had been harmed by LSAC's

denied such request from January 19, 2009 to the conclusion of the Department's investigation of this

- propounded administrative discovery to determine whether other people had been harmed by LSAC' discriminatory practices within the state. The DFEH's efforts to obtain this information from defendant included the filing of a superior court petition to compel LSAC to respond to its discovery requests. Although Government Code section 12960, subdivision (d), provides that the DFEH has one year from the date of the filing of its complaint until the filing of its accusation, this time is extended by the pendency of a court action to enforce administrative discovery. (Gov. Code, § 12963.5, subd. (f).) Therefore, this action is timely filed.
- 22. With the court's assistance, the DFEH was able to discover and notify other persons who were harmed by defendant's discriminatory practices. Some of these people elected to file individual complaints as follows.
- 23. On August 29, 2011, Alex Johnson filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 4.
- 24. On August 31, 2011, John Doe filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A redacted copy of this complaint is attached hereto as Exhibit 5.
- 25. On September 26, 2011, Elizabeth Hennessey-Severson filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied her full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 6.

- 26. On October 3, 2011, Caroline Lee filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied her full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 7.
- 27. On October 6, 2011, Raymond Banks filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 8.
- 28. On October 7, 2011, Gazelle Taleshpour filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied her full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 9.
- 29. On October 11, 2011, Peter Roe filed a verified complaint of discrimination in writing with the Department pursuant to section Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A redacted copy of this complaint is attached hereto as Exhibit 10.
- 30. On October 11, 2011, Stephen Semos filed a verified complaint of discrimination in writing with the Department pursuant to section Government Code section12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 11.
- 31. On October 14, 2011, Rodney DeComo-Schmitt filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year,



in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 12.

- 32. On October 17, 2011, Andrew redacted filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 13. Andrew redacted directly entered into a settlement agreement with LSAC. The DFEH is not a party to the settlement agreement between Andrew redacted and LSAC.
- 33. On October 19, 2011, Kevin Collins filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 14.
- 34. On October 24, 2011, Otilia Ioan filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 15.
- 35. On October 28, 2011, Andrew Quan filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 16.
- 36. On October 28, 2011, Austin Whitney filed a verified complaint of discrimination in writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation

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of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 17.

- On November 7, 2011, Kevin Vielbaum filed a verified complaint of discrimination in 37. writing with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit 18.
- 38. On February 6, 2012, the DFEH issued a Group and Class Accusation before the California Fair Employment and Housing Commission (Commission), charging LSAC with violations of the Unruh Act. The Group and Class Accusation was properly served on LSAC by certified mail.
- 39. On February 17, 2012, the DFEH issued a First Amended Group and Class Accusation before the Commission. This accusation was properly served on the LSAC by certified mail.
- 40. Pursuant to Government Code section 12965, subdivision (c)(1), LSAC elected to have this dispute heard in civil court in lieu of a hearing before the Commission, and so notified the Department in writing, on or about February 22, 2012. A true and correct copy of "Respondent's Notice of Transfer of Proceedings to Court" is attached hereto as Exhibit 19.
- 41. The Department has withdrawn its accusation and has timely filed this complaint pursuant to Government Code section 12965, subdivision (c)(2).
- 42. The harm that is the subject of this complaint occurred throughout the State of California. Three of the real parties in interest lived in the County of Alameda at the time that they were denied full and equal accommodations in the testing process.
- 43. The amount of damages sought by this complaint exceeds the minimum jurisdictional limits of this court.

FACTUAL ALLEGATIONS

The Law School Admissions Test (LSAT)

- 44. The LSAT is a half-day, standardized test administered four times each year at designated testing centers throughout the State of California. It purports to provide a standard measure of acquired reading and verbal reasoning skills that law schools use to assess applicants.
- 45. The test consists of five 35-minute sections of multiple-choice questions. A 35-minute writing sample is administered at the end of the test. Defendant does not score the writing sample, but sends it on to the law schools with the scores.
- 46. The LSAT is designed to measure reading and comprehension skills, the ability to organize and manage information, and analytical skills such as evaluation and criticism.
- 47. The three multiple-choice question types in the LSAT are labeled reading comprehension, analytical reasoning, and logical reasoning. All candidates take one additional multiple-choice section, which is experimental.

LSAC Business within the State

- 48. LSAC offers and administers its LSAT at multiple locations in the State of California four times a year, typically at law schools and universities. Applicants pay a test registration fee of \$139 after creating an online account and filling out the online application form. Additional fees charged by LSAC include \$68 for late registration, \$35 to change the test date, and so on.
- 49. LSAC pays local proctors to administer the exam on site. LSAC also pays for accommodations at the site, such as readers or scribes.
- 50. LSAC offers a Credential Assembly Service to law schools and law school applicants, which streamlines the law school admission process by allowing transcripts, recommendations and evaluations to be sent one time to LSAC. LSAC, in turn, summarizes and combines a law school applicant's LSAT score, writing samples, transcripts, recommendations, and evaluations into a report to an applicant's prospective law schools. The Credential Assembly Service also includes access through an applicant's LSAC account to electronic applications for all ABA-approved law schools. Applicants are charged \$124 to register for the Credential Assembly Service and \$16 for law school reports.

51. LSAC provides a series of LSAT preparatory guides, manuals and compilations of sample LSATs for purchase via its Web site, which materials range in price from \$8 to \$39.96. LSAC also sells a guide to ABA-approved law schools for \$26 and a skill readiness inventory for \$29.95.

The LSAC Accommodation Request Process

- 52. LSAC requires candidates requesting a reasonable accommodation to utilize its standard forms and procedures. Applicants making an accommodation request for a so-called cognitive or psychological impairment are required to provide psychoeducational/neuropsychological testing and a full diagnostic report, including comprehensive aptitude and achievement testing.
- 53. LSAC requires each applicant to disclose whether he or she took prescribed medication during the evaluation process and to provide an explanation for any failure or refusal to take the medication.
- 54. LSAC has a policy whereby examinees who complete the LSAT under a disability-related accommodation involving additional test time receive a notation on their score report indicating that their exam scores were earned under non-standard time conditions. When reporting these LSAT scores to the law schools, defendant advises the schools that these examinees' scores "should be interpreted with great sensitivity and flexibility."
- 55. In addition, scores from tests taken under extended time conditions are not averaged with other scores to produce a percentile ranking as are other test scores. Instead, extended time scores are reported individually.

John Doe

- 56. John Doe, a resident of Rancho Santa Fe (San Diego County), requested that defendant make accommodations for the December 2010 LSAT at Saddleback College.
- 57. Mr. Doe was diagnosed with attention deficit disorder (ADD) at age 13. In addition, in 2010 he became extremely ill with a bacterial infection and was hospitalized for approximately two months, spending several weeks in the Intensive Care Unit in a medically-induced coma. During this illness he suffered a severe brain edema, which left him with residual neurological impairments.



- 58. Mr. Doe requested time and a half (150 percent) on the multiple choice and writing sections for the December 2010 LSAT.
- 59. In support of his request, Mr. Doe submitted medical documentation verifying his hospitalization, and a complete psychoeducational assessment, which reported multiple diagnoses: ADD, a learning disability (spelling), and a "[r]ecent bacterial infection with sustained induced coma and residual impairments."
- 60. LSAC refused to grant Mr. Doe's requested accommodation and instead asked for "a detailed explanation regarding the nature, severity, treatment, and extent of [his] disorder at the present time and it [sic] impact on your ability to take the LSAT."
- 61. Mr. Doe then submitted additional medical documentation indicating that he had "suffered a serious illness and developed marked weaknesses and encephalopathy. He continues to have fatigability and impaired concentration." His doctor recommended that Mr. Doe be granted increased time to complete the LSAT.
- 62. LSAC then demanded that Mr. Doe's psychologist provide "a current update of [his] cognitive status" before making a decision on his accommodation request.
- 63. Mr. Doe and his doctor disputed the need for an updated psychoeducational assessment just three months after the first report was completed. His doctor responded, "I would reiterate that Mr. Doe's intelligence is much as it was when he was originally seen (10/26/10) and with IQ scores as noted in that report, all within the average range with the exception of Processing Speed (4th percentile)."
- 64. LSAC granted Mr. Doe nine additional minutes for the multiple choice and writing sample sections (125 percent), with an additional 15 minutes of break time between sections three and four, for the February and June 2011 LSAT.

Jane Doe

65. Jane Doe, a resident of Oakland (Alameda County), requested that defendant provide her with reasonable accommodations on each of two administrations of the LSAT examination, one in February 2010 and a second in June 2010.





- 66. Ms. Doe has attention deficit disorder (ADD). Her condition makes it difficult to retain attention and focus, and significantly impairs her ability to conceptually organize and sequence abstract ideas.
- 67. Ms. Doe requested that LSAC accommodate her with time and a half (150 percent) on the multiple choice and writing sample sections of the LSAT.
- 68. In support of her request, Ms. Doe submitted medical documentation, verification that she had received the accommodation of time and a half (150 percent) as an undergraduate university student, and proof that she had received extended time (150 percent) on the Graduate Record Exam (GRE).
- 69. On January 15, 2010, LSAC denied Ms. Doe's accommodation requests, explaining that her documentation did not demonstrate that she had a disability, which affected her ability to take the LSAT.
- 70. Ms. Doe reapplied for accommodations on the June 2010 LSAT, requesting the same accommodation of time and a half (150 percent) on the multiple choice and writing sample sections.
- 71. LSAC also denied this request. When Ms. Doe asked for an explanation for the denial, defendant replied in writing that it was "not obligated to provide accommodations that are not warranted or supported by the documentation."

Peter Roe

- 72. Peter Roe, a resident of San Jose (Santa Clara County), requested that defendant make accommodations for the September 2009 LSAT at California State University, East Bay.
- 73. Mr. Roe has reading and math disorders, characterized by impaired auditory attention span and low visuomotor processing speed. These learning disorders substantially impact his ability to process written material, particularly under timed conditions.
- 74. Mr. Roe requested 20 extra minutes for the multiple choice sections and 30 extra minutes for the writing sample section of the LSAT. He also requested a reader and permission to use a computer dictation program.

- 75. In support of his request, Mr. Roe submitted a neuropsychological evaluation documenting his learning disabilities.
- 76. LSAC denied Mr. Roe any accommodation, noting that he had neglected to submit a "timed reading comprehension measure" in conformance with LSAC's guidelines, he had no history of educational accommodation, and his test results demonstrated an "average range of functioning."
- 77. Mr. Roe requested reconsideration of LSAC's denial, submitting the results of an additional reading comprehension test that documented Mr. Roe's reading problems and recommended that he receive an accommodation of time and a half (150 percent).
 - 78. After reconsideration, LSAC stood by its previous decision to deny accommodation.

Raymond Banks

- 79. Raymond Banks, a resident of San Francisco (County of San Francisco), requested that defendant make accommodations for the February 2011 LSAT at San Francisco State University.
- 80. Mr. Banks had a longstanding and severe injury to his shoulder muscle. As a result of this injury, Banks suffered from nerve damage, carpal tunnel syndrome, and chronic pain, all of which limited his ability to write.
- 81. Mr. Banks requested five additional minutes to complete each multiple-choice test section of the LSAT, 10 additional minutes on the writing sample section, five-minute breaks between each test section, a large table to write on, and permission to wear a splint on his wrist.
- 82. Real party Banks submitted medical documentation in support of his request, as well as proof that he had received accommodation as a student at the University of California, Berkeley for time and a half (150 percent) on all exams and quizzes.
- 83. LSAC denied all of Mr. Banks' requests, other than permitting him to wear a hand splint "as a courtesy." When Mr. Banks asked LSAC for an explanation of the denial, LSAC responded in writing that "[t]he documentation provided did not support your request for the additional accommodations you requested."

Kevin Collins



- 84. Kevin Collins, a resident of Woodland Hills (Los Angeles County), requested that defendant make accommodations for the February 2011 LSAT at California State University, Northridge.
- 85. Mr. Collins suffers from two learning disorders: disorder of written expression and a reading disorder. He has perceptual-organizational impairments, making it significantly more difficult for him to process simple or routine visual material without making errors, as compared to his peers.
- 86. Collins requested the accommodations of double time on multiple choice and writing sample sections of the LSAT, permission to use a computer and printer for the writing sample, and an alternative, non-Scantron answer sheet.
- 87. In support of his request, Collins submitted proof that he had received time and a half (150 percent) on the GRE and for exams at Claremont Graduate University. He also submitted a full psychoeducational assessment report as requested by LSAC's guidelines.
- 88. Defendant's first response was to ask for additional information and inform Collins that the deadline had passed for the February 2011 LSAT. Later, after Collins had submitted the requested information and requested consideration for the June exam, defendant granted him the accommodations of time and a half (150 percent) for the multiple choice and writing sample sections, rather than the double time that he had requested. The rest of his requested accommodations was granted.
- 89. Collins asked LSAC to reconsider its decision to deny him double time. LSAC stood by its previous decision that time and a half was appropriate.

Rodney DeComo-Schmitt

- 90. Rodney DeComo-Schmitt, a resident of Marin County, requested that defendant make accommodations for the October 2010 LSAT offered at Sonoma State University.
- 91. Mr. DeComo-Schmitt suffers from a reading disorder, causing a significant discrepancy between his verbal abilities and his visual-spatial abilities, especially under timed conditions.





	92.	Mr. DeComo-Schmitt requested time and a half (150 percent) on the multiple-choice
section	ns of the	exam, extra rest and break time, and permission to use a computer for the writing
sample	e.	

- 93. In support of his request, Mr. DeComo-Schmitt submitted a thorough psychoeducational assessment and proof that he had received time and a half (150 percent) on his SAT exam.
- 94. LSAC at first refused to consider Mr. DeComo-Schmitt's request for reconsideration, asserting that it had been submitted past the deadline for the October 2010 exam. Later, LSAC denied any accommodation to Mr. DeComo-Schmitt for the December 2010 exam, asserting that the documentation he had submitted did not demonstrate a limitation of a major life activity which affected his ability to take the LSAT.
- 95. Mr. DeComo-Schmitt requested reconsideration of LSAC's decision, submitting a letter from his psychologist contending that LSAC had misinterpreted the psychological testing.
- 96. LSAC stood by its denial of accommodation, informing Mr. DeComo-Schmitt that he was registered for the December 2010 LSAT as a standard test taker.

Elizabeth Hennessey-Severson

- 97. Elizabeth Hennessey-Severson, a resident of San Francisco (San Francisco County), requested that defendant make accommodations for the June 2011 LSAT at University of California, Hastings College of the Law.
- 98. Ms. Hennessey-Severson has reading, written expression and mathematics disorders, and ADHD. These conditions impair her working memory and her ability to plan, organize, and devote sustained attention to language-based tasks, particularly reading.
- 99. Ms. Hennessey-Severson requested that LSAC accommodate her on the LSAT with a minimum of time and a half (150 percent) extra testing time, and by allowing her short breaks of 10 to 15 minutes between sections of the exam.

- 100. In support of her request, Ms. Hennessey-Severson submitted psychoeducational assessment reports from 2002 and 2009. She also submitted proof that she had been accommodated with time and a half (150 percent) on the SAT, and while she was a student at Dartmouth College.
- 101. Defendant denied all of Ms. Hennessey-Severson's requests for accommodation, contending that she scored in the "very superior" and "high average" range in her psychoeducational testing, and that her 2002 evaluation noted that she demonstrated a remarkable ability to compensate for her learning disabilities, such that she was able to take honors courses and play high school sports.
- 102. Ms. Hennessey-Severson and her psychologist requested that LSAC reconsider its decision to deny accommodation. Her psychologist wrote: "It is my professional opinion based on all available evidence including comprehensive history, diagnostic interview, well established history of early diagnosis, remediation, and later accommodations throughout high school and college, that Ms. Hennessey has a standard learning disability that has a substantial impact on a major life function, namely, her ability to read, write, and calculate efficiently, and that extended time for formal testing is a reasonable accommodation for her disability."
- 103. After reconsideration, LSAC stood by its prior decision to deny Ms. Hennessey-Severson any accommodation.

Otilia Ioan

- 104. Otilia Ioan, a resident of San Jose (Santa Clara County), requested accommodation for the December 2010 LSAT offered at Santa Clara University.
- 105. Ms. Ioan is quadriplegic. She is paralyzed in all four limbs and is unable to physically write without using a brace.
- 106. Ms. Ioan requested that LSAC provide her with double time on all sections of the test, an alternate answer sheet, the use of a scribe, and an additional break of 30 minutes between sections 3 and 4 of the test.
- 107. In support of her request, Ms. Ioan submitted verification that she had received the accommodation of double time on tests while a student at De Anza College, and double time when taking the GRE.



- 108. LSAC asked Ms. Ioan to submit additional information from her doctor before it could consider her request for accommodation. LSAC wrote: "Your evaluator needs to provide detailed information regarding the nature, extent, severity, and treatment of your disorder and its functional limitation on your ability to take the LSAT," defendant wrote.
 - 109. Ms. Ioan's doctor supplied the additional information that LSAC requested.
- 110. Ms. Ioan wrote to LSAC requesting reconsideration of its decision to deny her double testing time. LSAC stood by its previous decision.

Alex Johnson

- 111. Alex Johnson, a resident of Lake San Marcos (San Diego County), requested accommodations for the October 2010 LSAT offered at the University of Southern California.
- 112. Mr. Johnson is quadriplegic. He is unable to write or turn pages because his fingers are paralyzed. He is unable to draw diagrams, underline text, or use a standard Scantron answer sheet.
- 113. Mr. Johnson requested 15 minutes of extra break time between each section of the LSAT, and 120 additional minutes (more than triple time) on the multiple choice and writing sample sections.
- 114. In support of his request, Mr. Johnson submitted medical documentation of his condition and need for accommodation, as well as verification from the University of Southern California that he had received double time on his exams while a student there.
- 115. At first, LSAC refused to consider Mr. Johnson's accommodation request, because he was not registered to take the LSAT. Later, it granted Mr. Johnson time and a half (150 percent) on the multiple choice and writing sample sections, and 10 minutes of break time between each section. It agreed to provide Mr. Johnson with a scribe, and permitted him to use a computer for the writing sample.
- 116. Mr. Johnson requested that LSAC reconsider his request for double time. His doctor wrote, "Double time is the least amount of time I should be allocated. It is also very hard to use a scribe because of time limitations."



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LSAC responded that it did not offer an untimed test, and that the documentation submitted did not support Johnson's request.

Nicholas Jones

- 118. Nicholas Jones, a resident of Palm Desert (Riverside County), requested that defendant provide him with an accommodation for the December 2009 LSAT offered at the University of Laverne (Ontario).
- Mr. Jones suffers from two distinct eye conditions. First, he has amblyopia or "lazy eye" in his left eye, which impairs his visual processing. Second, he has posterior vitreous detachments in his right eye, meaning that he has persistent floaters or spots, which obstruct his field of vision. These conditions together impair Mr. Jones' reading speed and ability.
- 120. Mr. Jones requested time and a half (150 percent) on the multiple choice and writing sample sections of the exam and five-minute breaks between each section.
- In support of his request, Mr. Jones submitted medical forms filled out by his doctor, an eye specialist.
- 122. LSAC refused to provide any accommodation to Mr. Jones, informing him that "[t]he documentation provided did not reflect an impairment related to taking the Law School Admission Test."
- 123. Mr. Jones requested that LSAC reconsider its decision denying him accommodations, and asked it to provide further explanation. Mr. Jones' doctor wrote a letter supporting his request for reconsideration, asserting that Jones' eye condition "substantially limits him in at least one major life activity, reading."
 - 124. After reconsideration, defendant stood by its prior decision to deny accommodation,

Caroline Lee

- 125. Caroline Lee, a resident of Oakland (Alameda County), requested that defendant make accommodations for the December 2010 LSAT offered in the City of Oakland.
- 126. Ms. Lee suffers from ADHD and a reading disorder, causing her reading to be labored and excessively slow, and impairing her short-term memory.
- 127. Ms. Lee requested time and a half (150 percent) on the LSAT multiple choice and writing sample, as well as extended breaks during the exam, a quiet testing environment, and the use of a laptop to compose all written work.
- 128. In support of her request, Ms. Lee submitted proof that she had received extended testing time of 150 percent while a student at City College of San Francisco (CCSF) and that she had taken the SAT and ACT with accommodations. She also submitted a psychoeducational assessment that had been performed while she was a student at CCSF.
- 129. LSAC replied in writing to Ms. Lee that she needed to submit additional documentation in order for her request to be considered, asking for: "[t]esting results and a full diagnostic report from a comprehensive up-to-date psychoeducational/neuropsychological assessment that comply with the Law School Admissions Council, Inc. Guidelines for Documentation of Cognitive Impairments."
- 130. Ms. Lee then obtained and submitted a full psychoeducational evaluation in February 2011, which documented her ADHD and reading disorder. Her psychologist recommended that she receive 150 percent extended time, as well as the other previously requested accommodations.
- 131. LSAC then requested that Ms. Lee submit several additional documents and reports. Ms. Lee did so.
- 132. In April 2011, defendant denied all of Ms. Lee's requested accommodations, informing her that: her performance on academic measures was commensurate with her ability, negating a finding of impairment; her documentation failed to support the diagnosis of an attention disorder; and her request for additional time on the writing sample was not considered because her psychologist had not administered the right tests.

- 133. Ms. Lee requested that LSAC reconsider its denial of accommodation. This request was accompanied by a letter from her psychologist, who contended that LSAC had misinterpreted the psychoeducational assessment.
 - 134. After reconsideration, LSAC stood by its initial decision to deny accommodations.

Andrew Quan

- 135. Andrew Quan, a resident of Hayward (Alameda County), requested accommodation for the October 2011 LSAT offered at the University of California, Santa Cruz.
- 136. Mr. Quan has ADHD, a visual-motor integration deficit with slow processing speed, hypotonia, and dysgraphia.
- 137. Mr. Quan requested that LSAC provide him with the accommodations of double time on the multiple choice and writing sample portions of the exam, 10-minute breaks between each section of the test, and the use of a computer for the writing sample.
- 138. In support of his request, Mr. Quan submitted to LSAC proof that he had been accommodated with the use of a computer on his ACT exams. He also submitted a 2008 psychoeducational assessment from high school, showing that Mr. Quan suffered from "significant deficits in visual-motor integration and fine motor skills." Included within that assessment was a 2008 IEP documenting dysgraphia, attention deficit, visual processing, and sensory motor skills disorders which qualified him for special educational services, the use of a laptop computer, a scribe, and extra examination time.
- 139. LSAC requested that Mr. Quan provide further documentation to support his request, including "testing results and a full diagnostic report from a comprehensive up-to-date psychoeducational/neuropsychological assessment that comply with [LSAC Guidelines]."
- 140. Mr. Quan contested LSAC's need for additional documentation, asserting that it was unnecessary, unaffordable, and burdensome.
- 141. LSAC responded that if Mr. Quan wanted any accommodation in the future, he would need to submit "substantive documentation to support your request for your hypotonia/dysgraphia disorders."



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Stephen Semos

- 142. Stephen Semos, a resident of Rancho Palos Verdes (Los Angeles County), requested that defendant make accommodations for the December 2010 LSAT at Whittier Law School (Costa Mesa).
- 143. Mr. Semos has ADHD and dsygraphia, which significantly impair his reading, writing, organization, and general academic performance.
- 144. Mr. Semos requested time and a half (150 percent) on both the multiple-choice and writing sample portions of the exam, additional break time of five to eight minutes.
- 145. In support of his request, Mr. Semos submitted proof that he had received: accommodations on the SAT; an IEP from the Palos Verdes Peninsula Unified School District identifying Mr. Semos as learning disabled; a letter verifying that he had received accommodations while a student at the University of California, Irvine, of time and a half (150 percent) on tests; and a complete psychoeducational assessment by his doctor, a neuropsychologist.
- 146. LSAC's first response was to ask Mr. Semos to provide additional documentation in order to consider his accommodation request, including a full report of two particular tests for cognitive disabilities, the Nelson-Denny Reading Test (NDRT) and the Conner's Continuous Performance Test-II. LSAC also informed Mr. Semos that the deadline for the December 2010 LSAT had passed, but that he could request accommodation for future exams.
 - 147. Mr. Semos then submitted his documentation for the February 2011 LSAT.
- 148. In response, LSAC denied all of Mr. Semos' requests for accommodation on the basis that his test scores were generally commensurate with his abilities and thus did not demonstrate a learning disability.
- 149. Mr. Semos' neuropsychologist requested that LSAC reconsider its denial. Mr. Semos' doctor wrote: "Your denial letter written to Mr. Semos selectively highlighted the above average scores and thereby masked the patterns of deficits in processing speed and fine motor speed noted in my neuropsychological report."

	150.	LSAC responded that the letter from Mr. Semos' neuropsychologist had arrived too
ate to	be cons	idered for the February 2011 LSAT. LSAC wrote: "You remain registered to test as a
tanda	rd test ta	aker. No accommodations have been granted."

Gazelle Taleshpour

- 151. Gazelle Taleshpour, a resident of San Diego (San Diego County), requested that defendant make accommodations for the October 2010 LSAT offered at the University of San Diego.
- 152. Ms. Taleshpour has ADHD. She also suffers from osteopenia (bone loss) and chronic pain in her neck and back as a result of treatment she had received for leukemia, a bone marrow transplant, radiation, and chemotherapy.
- 153. Ms. Taleshpour requested that LSAC accommodate her with 30 extra minutes on the multiple choice and writing sample portions of the exam, breaks of two to five minutes every half hour so that she could stretch and alleviate pain, a high table, and a comfortable chair.
- In support of her request, Ms. Taleshpour submitted documentation from her treating 154. medical doctor, her chiropractor, and her psychologist. She also provided LSAC with verification that she had received time and a half (150 percent) on all tests and exams while a student at the University of San Diego.
- LSAC requested that Ms. Taleshpour provide additional documentation in support of her accommodation request, including "[t]esting results and a full diagnostic report from a psychoeducational/neuropsychological assessment that comply with Guidelines for Documentation of Cognitive Impairments."
- Ms. Taleshpour obtained and submitted the additional documentation that LSAC requested. Her psychiatrist performed a full psychoeducational assessment, which diagnosed her with ADHD, a reading disorder, and a learning disability (dyslexia). Her psychiatrist supported Ms. Taleshpour's request for double time and other accommodations.
- LSAC only partially granted Ms. Taleshpour's request for accommodation, allowing 157. her to sit or stand at a podium while taking the exam, and to bring a seat cushion or an adjustable chair.



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	158.	Ms. Taleshpour then resubmitted a request for accommodation for the December 2010
LSAT:	double	time on multiple choice and writing sample; an alternate, non-Scantron answer sheet;
use of	a reader	; an additional 15 minutes of rest time; and 15-minute breaks between sections.

- 159. LSAC denied the request for additional accommodations beyond the two it had already granted, explaining to Ms. Taleshpour that her intelligence test scores were average and commensurate with her ability, meaning that no cognitive disability was apparent.
- 160. Ms. Taleshpour requested that LSAC reconsider its denial of accommodation for extra time. Her psychologist supported the reconsideration request, contending that LSAC failed to recognize significant discrepancies in her reading speed and comprehension. "These significant difficulties provide psychometric evidence of the presence of a Learning Disability as described by the ADA," he wrote.
- 161. LSAC stood by its prior decision to limit the accommodations made for Ms.

 Taleshpour: permission to sit or stand with a podium and to bring a seat cushion or an adjustable chair.

Kevin Vielbaum

- 162. Kevin Vielbaum, a resident of San Mateo (San Mateo County), requested that defendant make accommodations for him in taking the June 2011 LSAT at the University of California, Hastings College of the Law.
- 163. Mr. Vielbaum has a reading disorder (dyslexia), characterized by a significant difficulties with perceptual reasoning, working memory, and cognitive processing speed.
- 164. Mr. Vielbaum requested that defendant accommodate him with time and a half (150 percent) on the multiple choice section of the LSAT, double time on the writing sample, and permission to use a computer for the writing sample.
- 165. In support of his request, Mr. Vielbaum submitted extensive records from his primary education at a special school for students with dyslexia, where he was granted accommodations of extended time and the use of a laptop and calculator.

and spell check for the writing sample. LSAC denied the accommodation of extra time, noting that Mr. Vielbaum had not requested accommodation on the SAT, and that he had scored well on the tests involved in his psychoeducational assessment. Defendant went on to explain that: "[y]our evaluator notes you have difficulties with logical reasoning. Inasmuch as the Law School Admission Test is designed to measure these skills, the accommodations requested (extended time on all examinations that involve the solving of logic problems), would not be appropriate."

Austin Whitney

- 167. Austin Whitney, a resident of Contra Costa County, first requested accommodations for the September 2009 LSAT offered at San Diego State University.
 - 168. Mr. Whitney is paraplegic due to a spinal cord injury in 2007.
- 169. Mr. Whitney requested that defendant accommodate his disability with time and a half (150 percent) on the multiple choice and writing sample sections of the LSAT, and a wheelchair accessible testing location.
- 170. In support of his request, Mr. Whitney submitted medical records pertaining to his 2007 injury, verification from the University of California at Berkeley that he had received time and a half (150 percent) for all exams and quizzes during his undergraduate studies, and a form filled out by his doctor indicating that, because of his injury and surgeries, he suffered from "severe chronic pain and radiating radicular nerve pain" for which Whitney took prescription medication that caused drowsiness.
- 171. LSAC responded that Mr. Whitney's request for accommodation had been submitted too late for the September 2009 test, and therefore he was registered as a standard test taker.
- 172. Mr. Whitney next requested accommodations for the June 2010 LSAT offered in Berkeley at the California Ballroom. This time he requested that LSAC accommodate him with five-minute breaks between sections, in addition to providing time and a half (150 percent) on the multiple choice and writing sample sections and a wheelchair accessible testing site.



- 173. In support of this request, Mr. Whitney submitted medical forms from four different doctors, each of whom supported his need for extra testing time. Dr. Larry Snyder explained: "Patient has significant fatigue due to medications taken for previous spinal injury this will affect his performance in TIMED conditions." Dr. Carol Jessop wrote that, due to Mr. Whitney's spinal cord injury with chronic, nueropathic pain, he needed extra time to compensate for the effects of the pain medication which cause fatigue. Dr. Jessop explained: "This is a significant problem for Austin Whitney as he is taking medications . . . that cause him to be sleepy and fatigued. This drowsiness makes him slower in his response to test questions. If an exam has a time limit, he will definitely need extra time to complete it."
- 174. LSAC then granted Mr. Whitney the extra break time that he requested, and agreed to provide a wheelchair accessible testing site, but denied his request for extra testing time. "If you choose to have your cognitive disorder (alluded to by Carol Jessop, MD) considered," defendant wrote, "you must provide a current psychoeducational/neuropsychological assessment or neuropsychological evaluation as per our Guidelines for Documentation of Cognitive Impairments."
- 175. Mr. Whitney asked defendant to reconsider its decision to deny additional testing time, and three of his doctors wrote to LSAC in support of his request.
- a. Dr. Snyder wrote, "His pain and spacticity are a constant distraction and put him at a significant disadvantage as a test taker. In addition, the medication he is taking causes significant fatigue and makes it difficult to concentrate. The medication side effects do not impair cognition but can slow processing speed. For these reasons, he should be afforded extra time when taking this standardized test."
- b. Dr. Jessop wrote, "I would like to emphasize that the nature of Mr. Whitney's condition is physiological (pain issues) and NOT cognitive or due to a learning disorder. Our request for extra time on the exam is based solely on physiological effects of chronic, severe neuropathic pain, and the fatiguing side effects of pharmaceutical pain killers. Thus, because he doesn't have a learning disability, I feel strongly that neuropsychological or psychoeducational testing would be irrelevant in his case."

	c.	Dr. Hedelman wrote, "Patient's significant impacts on concentration, reading
writing, abili	ty to atte	end class is secondary to his unpredictable, severe neuropathic pain and the
associated pa	iin mana	gement medications. Patient does not have an underlying cognitive impairmen
equiring neu	ıropsych	[ological] testing."

- 176. LSAC refused to reconsider its decision, responding: "We have no objective evidence to support Dr. Carol Jessop, MD's conclusion that your thought processes are not as fast as they could be without medication."
- 177. In 2011, at LSAC's behest, Mr. Whitney was evaluated by a psychologist, who determined that he required double time on examinations due to the effect that his pain medication was having on his cognitive abilities.
- 178. In response to a second accommodation request by Mr. Whitney with the psychologist's report as supporting documentation, LSAC awarded him 10 additional minutes on each section of the exam. LSAC provided no rationale for denying his request for double time.

FIRST CLASS CAUSE OF ACTION

Unlawful Consideration of Mitigation Measures

 $(42 \text{ U.S.C.} \S 12102(4)(E)(1)(i)(I))$

- 179. The DFEH realleges and incorporates by reference each and every allegation contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.
- 180. The ADA, 42 U.S.C. § 12102(4)(E)(1)(i)(I), requires that "any determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as medication." The ADA is incorporated into the Unruh Act by Civil Code section 51, subdivision (f).
- 181. By requiring applicants to take the medication prescribed for their disabilities while being evaluated for accommodations or explain their failure or refusal to do so, LSAC violates the rights of class members under the FEHA, Unruh Act, and ADA,

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1:	82.	As a direct result of the unlawful practices of defendants as alleged herein, class
members	have	incurred out of pocket losses, including test registration fees and medical bills, in an
amount to	o be p	roven at trial.

- 183. As a further and direct result of the unlawful practices of defendants as alleged herein. class members have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation, and loss of dignity and self-esteem, in an amount to be proven at trial.
- 184. Defendants have engaged in, and by their refusal to comply with the law, have demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination described herein unless and until they are enjoined, pursuant to the police power granted by Government Code sections 12920 and 12920.5, and pursuant to section 12974, from failing or refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until defendants are enjoined from failing or refusing to comply with the mandates of these laws, class members' right to full and equal access to places of public accommodation will continue to be violated. Plaintiff lacks any plain, speedy, adequate remedy at law to prevent such harm, injury and loss, which will continue until the court enjoins the complained of unlawful conduct and grants other affirmative relief as prayed for herein.

SECOND CLASS CAUSE OF ACTION

Failure to Ensure that Exam Measures Ability Rather than Disability (42 U.S.C. § 12189 and 28 C.F.R. § 36.309)

- 185. The DFEH realleges and incorporates by reference each and every allegation contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.
- 186. The ADA requires that any person offering examinations related to post-secondary education or profession "shall offer such examinations or courses in a place and manner accessible to persons with disabilities." (42 U.S.C. § 12189.) Regulations interpreting this section impose an obligation on the entity offering such an examination that "[t]he examination is selected and administered so as to best ensure that, when the examination is administered to an individual with a disability that impairs sensory, manual, or speaking skills, the examination results accurately reflect

COURT PAPER State of California Std. 113 Rev. 3-95 FE&H Automated the individual's aptitude or achievement level or whatever other factor the examination purports to measure, rather than reflecting the individual's impaired sensory, manual, or speaking skills." (28 C.F.R. § 36.309.)

- 187. By adhering to a blanket policy of annotating scores taken under extended time conditions, defendant is communicating to law schools that it does not know whether or not the applicants' exam results accurately reflect aptitude or achievement. Therefore, LSAC is breaching its duty under the FEHA, Unruh Act, and ADA to ensure that the examination results accurately reflect the individual's aptitude or achievement level. (28 C.F.R. § 36.309(b)(1)(i).)
- 188. As a direct result of the unlawful practices of defendants as alleged herein, class members have incurred out of pocket losses, including test registration fees and medical bills, in an amount to be proven at trial.
- 189. As a further and direct result of the unlawful practices of defendants as alleged herein, class members have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation, and loss of dignity and self-esteem, in an amount to be proven at trial.
- demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination described herein unless and until they are enjoined, pursuant to the police power granted by Government Code sections 12920 and 12920.5, and pursuant to section 12974, from failing or refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until defendants are enjoined from failing or refusing to comply with the mandates of these laws, class members' right to full and equal access to places of public accommodation will continue to be violated. Plaintiff lacks any plain, speedy, adequate remedy at law to prevent such harm, injury and loss, which will continue until the court enjoins the complained of unlawful conduct and grants other affirmative relief as prayed for herein.

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THIRD CLASS CAUSE OF ACTION

Coercion, Intimidation, Threats, or Interference with ADA Rights - Flagging (42 U.S.C. § 12203)

- 191. The DFEH realleges and incorporates by reference each and every allegation contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.
- 192. The ADA makes it unlawful to "coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, any right granted or protected by this Act." (42 U.S.C. § 12203.)
- 193. LSAC's policy of annotating tests scores administered under extended time conditions discourages applicants from seeking such an accommodation, and punishes those who receive it, in violation of the FEHA, Unruh Act, and ADA.
- 194. As a direct result of the unlawful practices of defendants as alleged herein, class members have incurred out of pocket losses, including test registration fees and medical bills, in an amount to be proven at trial.
- 195. As a further and direct result of the unlawful practices of defendants as alleged herein, class members have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation, and loss of dignity and self-esteem, in an amount to be proven at trial.
- 196. Defendants have engaged in, and by their refusal to comply with the law, have demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination described herein unless and until they are enjoined, pursuant to the police power granted by Government Code sections 12920 and 12920.5, and pursuant to section 12974, from failing or refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until defendants are enjoined from failing or refusing to comply with the mandates of these laws, class members' right to full and equal access to places of public accommodation will continue to be violated. Plaintiff lacks any plain, speedy, adequate remedy at law to prevent such harm, injury and loss, which will continue until the court enjoins the complained of unlawful conduct and grants other affirmative relief as prayed for herein.

FOURTH CAUSE OF ACTION - REAL PARTIES IN INTEREST ONLY

Denial of Reasonable Accommodation

(42 U.S.C. § 12189 and 28 C.F.R. § 36.309(b)(1)(iv))

- 197. The DFEH realleges and incorporates by reference each and every allegation contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.
- 198. The ADA requires that any person offering examinations related to post-secondary education or profession "shall offer such examinations or courses in a place and manner accessible to persons with disabilities." (42 U.S.C. § 12189.) As part of this duty to make an examination accessible, the regulations require that any documentation requested be "reasonable and limited to the need for the modification, accommodation, or auxiliary aid or service requested." (28 C.F.R. § 36.309(b)(1)(iv).)
- 199. LSAC breached its duty to make the LSAT accessible to people with disabilities by requiring excessive amounts of documentation and denying a reasonable accommodation to each real party in interest, in violation of the FEHA, Unruh Act, and ADA.
- 200. As a direct result of the unlawful practices of defendants as alleged herein, real parties have incurred out of pocket losses, including test registration fees and medical bills, in an amount to be proven at trial.
- 201. As a further and direct result of the unlawful practices of defendants as alleged herein, real parties have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation, and loss of dignity and self-esteem, in an amount to be proven at trial.
- 202. Defendants have engaged in, and by their refusal to comply with the law, have demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination described herein unless and until they are enjoined, pursuant to the police power granted by sections 12920 and 12920.5, and pursuant to section 12974, from failing or refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until defendants are enjoined from failing or refusing to comply with the mandates of these laws, class members' right to full and equal access to places of public accommodation will continue to be violated. Plaintiff lacks any plain,

speedy, adequate remedy at law to prevent such harm, injury and loss, which will continue until the court enjoins the complained of unlawful conduct and grants other affirmative relief as prayed for herein.

FIFTH CAUSE OF ACTION - REAL PARTIES IN INTEREST ONLY

Coercion, Intimidation, Threats, or Interference with ADA Rights (42 U.S.C. § 12203)

- 203. The DFEH realleges and incorporates by reference each and every allegation contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.
- 204. The ADA makes it unlawful to "coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, any right granted or protected by this Act." (42 U.S.C. § 12203.)
- 205. LSAC's policies and patterns of requiring unreasonable types and excessive amounts of documentation to support each accommodation request violate the FEHA, Unruh Act, and the ADA, by unlawfully coercing, intimidating, threatening, or interfering with real parties' exercise or enjoyment of their right to reasonable accommodation on the LSAT.
- 206. As a direct result of the unlawful practices of defendants as alleged herein, real parties have incurred out of pocket losses, including test registration fees and medical bills, in an amount to be proven at trial.
- 207. As a further and direct result of the unlawful practices of defendants as alleged herein, real parties have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation, and loss of dignity and self-esteem, in an amount to be proven at trial.
- 208. Defendants have engaged in, and by their refusal to comply with the law, have demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination described herein unless and until they are enjoined, pursuant to the police power granted by Government Code sections 12920 and 12920.5, and pursuant to section 12974, from failing or refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until defendants are enjoined from failing or refusing to comply with the mandates of these laws, class



members' right to full and equal access to places of public accommodation will continue to be violated. Plaintiff lacks any plain, speedy, adequate remedy at law to prevent such harm, injury and loss, which will continue until the court enjoins the complained of unlawful conduct and grants other affirmative relief as prayed for herein.

PRAYER FOR RELIEF

WHEREFORE, the DFEH prays that the court issue a judgment in favor of the DFEH, real parties in interest, and members of the class, and order defendants to provide the following relief:

AS TO REAL PARTIES IN INTEREST

- 209. Provide free and accommodated testing at the next available testing date in each real party's area, with accommodations as initially requested by that real party;
- 210. Provide a letter to each real party explaining that their LSAT scores used for their law school applications during the relevant period may not have provided accurate measures of their acquired reading and verbal reasoning skills, because LSAC did not reasonably accommodate their disabilities.

AS TO ALL MEMBERS OF THE CLASS, INCLUDING THE REAL PARTIES IN INTEREST

- 211. Cease and desist from consideration of mitigation measures such as medication when making a determination as to whether an applicant needs an accommodation.
- 212. Cease and desist from specially annotating LSAT scores tests scores administered under extended time conditions.
- 213. Include all test scores in the percentile ranking process and provide a ranked percentile to each test taker.
- 214. Immediately undertake a validation study to determine if LSAC scores under accommodation of extra time for cognitive disabilities are an equal measure of aptitude or achievement as compared to non-accommodated scores.
- 215. Reduce to a discrete and reasonable amount the documentation required to verify an applicant's need for an accommodation, especially for so-called cognitive disabilities, consistent with



the ADA's requirement that such documentation be "reasonable" and Congress' mandate that "the
question of whether an individual's impairment is a disability under the ADA should not demand
extensive analysis." (28 C.F.R. § 36.309(b)(1)(iv); 42 U.S.C. § 1201 [Pub. L. No. 110-325, § 2(b)(5)
(Sept. 25, 2008) 122 Stat. 3553].)

- 216. Create a more streamlined and user-friendly process for considering reasonable accommodation requests, that includes notice to applicants, within a reasonable period of time, whether or not requested accommodations have been granted, and provides a fair process for timely reconsideration of any denial of requested accommodations.
- 217. Pay actual damages according to proof for each Unruh Act violation up to a maximum of three times the actual damages but in no case less than \$4,000 per violation.
- 218. Pay the DFEH's attorneys' fees and costs, pursuant to California Government Code § 12965(b) and California Civil Code § 52(a), in an amount according to proof, plus annual interest, as required by law.
- 219. Provide written proof to the Department of the nature and extent of LSAC's compliance with all requirements of the court's order within 100 days of its effective date; and,
 - 220. Provide such other relief as the Court deems to be just and proper.

Dated: March 12, 2013

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

Jon M. Ichinaga Chief Counsel

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Mari Mayeda Senior Staff Counsel

By:/s/ R. Sybil Villanueva
R. Sybil Villanueva
Attorneys for the Department



EXFIBIT 1

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* * * PUBLIC ACCOMMO \TTON/RALPH/CIVIL CODE S FIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER THE	DFEH	# <u>U200910-Q-00</u>	003_00
PROVISIONS OF THE CALIFORNIA FAIR EMPLOYM		,	
AND HOUSING ACT WHICH INCORPORATES THE URIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AND	CIVIL CODE SECTION	IS 51.5 AND 54	
COMPLAINANT'S NAME(S) (indicate Mr. or Ms., If Individual)	***************************************	arana manga akan di ing manga kan di ing manga kan da ka I	ولون دین ایرون دوبارد در احده او مداور ایرون های معاصده دوبارون بریزی بازی ایرون ایرون ایرون ایرون ایرون ایرون
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NAME(S))	andre and the control of the control	·
LAW SCHOOL ADMISSIONS COUNCIL		TELEPHONE NUMBER (INCLUDE AREA CODEL
P.O. Box 8512		/915	X 000 1001
CITY/STATE/ZIP	COUNTY	VI LOW WOOD	A SECOUNTY CODE
Newtown, PA 18940 CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX)	CC1)	M. C. State . L.	000
☐ RACE ☐SEX ☑ DISABILITY ☐ RELIGION ☐ COLOR ☐ AGE ☐ MARITAL STATUS ☐ OTHER	N 🗀 NATIONAL ORI		SEXUAL ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINATION		TYF	PE OF COMPLAINT
TOOK PLACE (month, day, and year) April 21, 2010			В
 On or about April 21, 2010, I was denied my retime when taking my LSAT exam for the Law 8 8512, Newtown, PA 18940. I believe I was denied my reasonable accomm my LSAT exam which is necessary due to my Government Code, Section 12948. The Government based on the following: 	School Admissions (nodation request for disability (Attention	Council which is lo 50% extra testing Deficit Disorder) w	cated at P.O. Box time when taking hich is a violation
A. Corporate Council, Joan Van Tol, was a accommodation request for 50% addition requested an accommodation for 50% request was denied.	onal testing time for	a prior test date. I	However, after l
Typed and mailed for signature on May 4, 2010.	•		
I declare under penalty of periury under the laws of the State of	of California that the foreg	joing is true and correc	t of my own
knowledge except as to matters stated on my information and	belief, and as to those m	atters I believe it to be	true.
Dated & May S12010		MAY 09 2010	
At City	COMPLAINANT'S SIGNA	PLANGUMP SANANA	LITEM
DFEH-300-02 (12/99) Q:DS:bps	DATE FILED:	SING-OAKLAND HOUSING UNI	1

STATE OF CALIFC

DEPARTMENT OF FAIR EMPLOYMENT A'ND HOUSING

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DFEH # E-200910-G-0012-00-p

* * * PUBLIC ACCOMM: ATION/RALPH/CIVIL CODE CTIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER THE

'ROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT IND HOUSING ACT WHICH INCORPORATES THE UNRUH CIVIL RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AND CIVIL CODE SECTIONS 51.5 AND 54				
COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if Individ		MD 04		
Jones, Nicholas E. (Mr)				
NDDRESS	TELEPHO	NE NUMBER (INCLUDE AREA CODE)		
73213 Catalina Way		(760) 409-9103		
CITY/STATE/ZIP	COUNTY	COUNTY CODE		
Palm Desert, ca 92260	Riverside	065		
NAMED IS THE PERSON, BUSINESS ESTABL	ISHMENT, PUBLIC ACCOMMODATION O	R OTHER ENTITY THAT		
DISCRIMINATED AGAINST ME:				
IAME(S)				
_aw School Admissions Council, Inc. (LSAC)			
ADDRESS	TELEPHO	NE NUMBER (INCLUDE AREA CODE)		
Post Office Box 8512		215-968-1001		
CITY/STATE/ZIP	COUNTY	COUNTY CODE		
Newton, PA 18940-8512	Out-of-State	000		
CAUSE OF DISCRIMINATION BASED ON ICHECK APPRO				
∃ RACE □SEX Ø DISABILITY ∃ COLOR □ AGE □ MARITAL STATUS	☐ RELIGION ☐ NATIONAL ORIGIN/ANCES ☐ OTHER (SPECIFY)	TRY D SEXUAL ORIENTATION		
ATE MOST RECENT OR CONTINUING DISCRIMINATION		TYPE OF COMPLAINT		
OOK PLACE (month, day, and year) December 5, 2009				

- I. On or about December 5, 2009 I was denied reasonable accommodation to take the LSAT test for the Law School Admissions Council.
- II. On or about October 27, 2009 and November 9, 2009 I received notification my request for reasonable accommodation had been denied.
- III. I believe I was denied reasonable accommodation because of my disabilities (Amblyopia/Posterior Vitreous Detachment) and because of my membership in a class of people who are disabled. This is a violation of Section 12948 of the Government Code. The Government Code incorporates Section 51 of the Civil Code. My belief is based on the following:
 - A. On or about October 20, 2009 I requested a reasonable accommodation to take the LSAT test scheduled for December 5, 2009.
 - B. On or about October 27, 2009 I received notification the documentation I provided did not reflect an impairment related to taking the LSAT and I remained registered to test as a standard test taker.
 - C. On or about November 3, 2009 I requested reconsideration regarding my accommodation request by providing additional information requested by LSAC to justify my need for reasonable accommodation.

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* * * PUBLIC ACCOMN. DATION/RALPH/CIVIL CODE CTION 54 * * *

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT WHICH INCORPORATES THE UNRUH CIV RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AND CIVIL COD	
COMPLAINANT'	** The state of th
Jones, Nicholas E. (Mr.)	
RESPONDENT	
Law School Admissions Council, Inc. (LSAC)	
THE PARTICULARS ARE:	

- D. On or about November 9, 2009 I received notification the additional documentation was reviewed and there was no change in their decision and my request for reasonable accommodation was denied.
- IV. I am making this complaint on behalf of myself and all other disabled individuals, who have been, are now, or will in the future be similarly aggrieved.

Pg. 2 of 2

FEEEEVED

Typed and mailed for	r signature on January 11, 2010 <i>JAN 2 1 201</i> 0
I declare under penalty of perjury under the laws of the Stat except as to matters stated on my information and belief, at	e of California that the foregoing is true and correct of my own knowledge and as to those matters I believe it to be true considerations.
Dated 1/14/20b	NI CHOCKS E JONES COMPLAINANT'S SIGNATURE
At PACM DESERT, CA	COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM
DFEH-300-02 (12/99) SJ:AL:eo DEPARTMENT OF EAR EMPLOYMENT AND HOUSING	DATE FILED: JAN 2 1 2010 STATE OF CALIFORNIA

SUSAN SAYLOR (#154592) 1 Acting Chief Counsel ALEXANDRA SELDIN (#239708) 2 Staff Counsel DEPARTMENT OF FAIR EMPLOYMENT 3 AND HOUSING 2218 Kausen Drive, Suite 100 4 Elk Grove, CA 95758 Telephone No.: (619) 645-2575 5 Facsimile: (619) 645-3170 6 Attorneys for the Department 7 8 BEFORE THE FAIR EMPLOYMENT AND HOUSING COMMISSION 9 OF THE STATE OF CALIFORNIA 10 11 In the Matter of the Complaint of Case Nos. U-200910-G-0012-00-p THE DEPARTMENT OF FAIR U-200910-G-0011-00-p 12 EMPLOYMENT AND HOUSING, U-200910-Q0003-00 13 VS. NOTICE OF CLASS ACTION 14 LAW SCHOOL ADMISSION COUNCIL. COMPLAINT AND DIRECTOR'S INC., COMPLAINT 15 Respondent, (Gov. Code §§ 12960, 12961 and 12965, 16 subd. (a).) 17 HAMID MICHAEL HEJAZI; NICHOLAS E. JONES; and 18 Complainants. 19 20 21 TO LAW SCHOOL ADMISSION COUNCIL, INC., 662 Penn Street, Box 40, Newton. 22 Pennsylvania, 18940: 23 PLEASE TAKE NOTICE that pursuant to Government Code sections 12960 and 12961, the 24 Director of the DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING (hereinafter "the 25 Department") has determined that the cases listed below will be treated and proceed as a group or 26 class complaint for all purposes, and the Director has issued the following Complaint of 27 Discrimination on behalf of the group or class described below:



COURT PAPER State of Cellionia Std. 113 Rev. 3-96 FEEH Automated Case number U-200910-G-0011-00-p, filed by Complainant HAMID MICHAEL HEJAZI against Respondent LAW SCHOOL ADMISSION COUNCIL, INC. on January 19, 2010.

Case number U-200910-G-0012-00-p, filed by Complainant NICHOLAS E. JONES against Respondent LAW SCHOOL ADMISSION COUNCIL, INC. on January 21, 2010.

Case number U-200910-Q0003-00, filed by Complainant against Respondent LAW SCHOOL ADMISSION COUNCIL, INC. on May 9, 2010.

The Director's determination and issuance is based on the following:

- 1. Complainants HAMID MICHAEL HEJAZI, NICHOLAS E. JONES and (hereinafter "Complainants") filed individual verified complaints in writing with the Department on the dates herein indicated alleging that Respondent LAW SCHOOL ADMISSION COUNCIL, INC. (hereinafter "LSAC") engaged in unlawful practices against them which were discriminatory on the basis of disability, in violation of the Fair Employment and Housing Act ("FEHA"), Government Code section 12900, et. seq. and the Unruh Civil Rights Act, Civil Code section 51.
- 2. The Department's investigation revealed that LSAC is a proper respondent for all purposes in this matter.
- 3. The group or class of which the Complainants are members is comprised of all disabled individuals in the State of California who have or will request a reasonable accommodation for the Law School Admission Test ("LSAT"), administered by the LSAC, and who have or will be unlawfully denied such request from January 19, 2009 to the conclusion of the Department's investigation of this complaint.
- 4. There are common questions of law and fact involved which affect the parties to be represented and those persons similarly situated in that during the course of the Department's investigation the Complainants provided and the Department obtained information, which, if proven, indicates that LSAC unlawfully denied or denies disabled individuals reasonable accommodations for the LSAT. Respondent disputes some of these allegations. The Department will continue the investigation to determine the merits of these allegations.

- 5. The nature of the group or class is such that proof of a single set of facts will establish the right of each member of the group to recover.
 - 6. The Director will fairly and accurately represent the interests of the group or class.
- 7. You may, but need not, respond to this notification in writing by submitting your response to:

Alexandra Seldin Special Investigations Unit Administrator Department of Fair Employment and Housing 2218 Kausen Drive, Suite 100 Elk Grove, CA 95758

DATED: July 22, 2010

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

PHYLLIS W. CHENG Director

By: 1'M
Phyllis W. Cheng



EXELEBET 4

* * * PUBLIC ACCOMMODATION/RALPH/CIVIL CODE SECTIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER PROVISIONS OF THE CALIFORNIA FAIR EI		U 201112 H-0007-00-p
AND HOUSING ACT WHICH INCORPORATI	ES THE UNRUH CIVIL	**
RIGHTS ACT, THE RALPH CIVIL RIGHTS A	·	51.5 AND 54
COMPLAINANT'S NAME(S) (indicate Mr. or Ms.; if individu JOHNSON, ALEX (MR.)	ıat)	
ADDRESS		ELEPHONE NUMBER (INCLUDE AREA CODE)
1447 La Linda Drive	·	760-736-0119
CITY/STATE/ZIP	COUNTY	COUNTY CODE
San Marcos, CA 92078	San Diego	073
NAMED IS THE PERSON, BUSINESS ESTABL DISCRIMINATED AGAINST ME:	ISHMENT, PUBLIC ACCOMMODAT	TION OR OTHER ENTITY THAT
NAME(S)	ACC)	
Law School Admissions Council, Inc. (I		ELEPHONE NUMBER (INCLUDE AREA CODE)
662 Penn Street		215-968-1001
Newtown, PA 18940	COUNTY Out of State	COUNTY CODE OOO
CAUSE OF DISCRIMINATION BASED ON (CHECK APPROP		
O RACE OSEX Ø DISABILITY O COLOR DI AGE O MARITAL STATUS	☐ RELIGION ☐ NATIONAL ORIGIN ☐ OTHER: (SPECIFY)	/ANCESTRY U SEXUAL ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINATION	E O (1 IC). (O) COST 1 / SERVICE CONTROL OF COST 1	•TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) September 1	7,.2010	Unruh
THE PARTICULARS ARE: 1. On or about 9/17/10 I was denied the	reasonable accommodation need	led to take the LSAT (Law School
Admissions Test).		·
II. No reason was given for partial denial of	of my reasonable accommodation	n and the granting of
inadequate/ineffective accommodations		
III. I believe I was denied reasonable according which is a violation of Government Cool of the Civil Code. My belief is based of	le, Section 12948. The Govern	
A. On or about 8/5/10 I advised the A accommodation in the form of usin each section of the test, alternate additional rest period and breaks, accommodations were medically not be accommodation.	ig a computer for all sections of a to scantron answer sheet, use I also provided supporting med	the test, 120 extra minutes on of amanuensis (to turn pages),
B. On or about 9/17/10 I was notified accommodations that were granted		
IV. I am making this complaint on behalf of or will in the future be similarly aggrievely Typed and mailed for signature on August 23, 2011. I declare under penalty of perjury under the laws of knowledge except as to matters stated on my information.	ed. the State of California that the foregoing	ng is true and correct of my own
Dated 8.36-11	COMPLANANT	S SIGNATURE
no baka San Managa	The state of the s	andri suudan muusen olekupun enistäänen tijkk keykeitö piskät kähydelen käyn osanirustiin kapilaineksenin kyl 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 – 1980 –
City	COMPLAINANT'S SIGNATI	
DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUS	ING DATE FILED:	AUG 29 2018 TALE OF CALIFORNIA
		OF FAIR EMPLOYMENT & HOUSING

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* * * PUBLIC ACCOMMOT TION/RALPH/CIVIL CODE STITIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER PROVISIONS OF THE CALIFORNIA FAIR ELAND HOUSING ACT WHICH INCORPORAT	MPLOYMENT ES THE UNRUH CIVIL	Н-0008-00-р
COMPLAINANT'S NAME(S) (indicate Mr. or Ms., if Individe	CT AND CIVIL CODE SECTIONS 51.5 AND 5	f.
ADDRESS	TELEPHONE NU	MBER (INCLUDE AREA CODE)
CHWSTATE/ZIP	COUNTY	COUNTY CODE
	San Diego	073
NAMED IS THE PERSON, BUSINESS ESTABL DISCRIMINATED AGAINST ME:	ISHMENT, PUBLIC ACCOMMODATION OR OTH	HER ENTITY THAT
NAME(S)		- 1998 Malama distance and a series and a series and a series and a series a person of person of
Law School Admissions Council, Inc. (MBER (INCLUDE AREA CODE)
662 Penn Street		215-968-1001
CITY/STATE/ZIP	COUNTY	COUNTY CODE
Newtown, PA 18940	Out of State	000
CAUSE OF DISCRIMINATION BASED ON ICHECK APPRO ☐ RACE ☐ SEX ☑ DISABILITY ☐ COLOR ☐ AGE ☐ MARITAL STATUS	☐ RELIGION ☐ NATIONAL ORIGIN/ANCESTRY ☐ OTHER (SPECIFY)	☐ SEXUAL ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINATION		TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) October 31 THE PARTICULARS ARE:	, 2010	Unruh Angle
II. No reason was given for partial der III. I believe I was denied reasonable a periods, which is necessary due to Syndrome with Brain edema resulti Government Code, Section 12948 My belief is based on the following	accommodation in the form of additional test my disabilities (ADD [Attention Deficit Disor- ing in brain processing speed impairment), w . The Government Code incorporates Sections:	taking time and break rder], Lemierre's hich is a violation of n 51 of the Civil Code.
	lvised the Accommodated Testing section of break periods. I also provided supporting me	
	otified that my requested accommodation wa time to take test sections. I was not grante	=
now, or will in the future be simila Typed and mailed for signature on August 22, 2011.		
knowledge except as to matters stated on my info	of the State of California the foregoing is true and permation and belief.	
Dated 8/26/2011	COMPLAINANT SIGNATOR	TETT
At Rancho Satate CA	COMPLAINANT'S STERNATURE (CUARDIA	NA A D HITTSAA

DATE FILED:

DEPT OF FAIR EMPLOYMENT & HOWAITE OF CALIFORNIA-BAKERSFIELD DISTRICT OFFICE

B:PND

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DFEH-300-02 (12/99)

* * * PUBLIC ACCOMMOD/ ION/RALPH/CIVIL CODE SE()ONS 51.5 & 54 * * *

•		
COMPLAINT OF DISCRIMINATION UNDER THE	DFEH # ^{U 201112}	H-0013-00-p
PROVISIONS OF THE CALIFORNIA FAIR EMPLOYM	ENT	
AND HOUSING ACT WHICH INCORPORATES THE U		
RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AND O	CIVIL CODE SECTIONS 51.5 AND	54
COMPLAINANT'S NAME(S) (indicate Mr. or Ms., if individual)	1-6-	117 -115-9
HENNESSEY-SEVERSON, ELIZABETH (MS.)	namen aman har har about a second and a second and the second and a second a second and a second	-667-5459
ADDRESS 1067 Oak Street	TELEPHONE NU	IMBER (INCLUDE AREA CODE)
CITY/STATE/ZIP	COUNTY	XXX-XXX-XXXX COUNTY CODE
San Francisco, CA 92101	San Francisco	075
NAMED IS THE PERSON, BUSINESS ESTABLISHMENT		
DISCRIMINATED AGAINST ME:	, I ODEIO AUGUMMUDA ITOM UIT UI	ISCREDIUS I IIM
NAME(S)		erigan, drag block Political and American Americ
Law School Admissions Council, Inc. (LSAC)		
ADDRESS	TELEPHONE NU	IMBER (INCLUDE AREA CODE)
662 Penn Street		215-968-1001
CITY/STATE/ZIP	COUNTY	COUNTY CODE
Newtown, PA 18940	Out of State	000
CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX)		SEXUAL ORIENTATION
☐ COLOR ☐ AGE ☐ MARITAL STATUS ☐ OTHER		C SEVONE OUTBILLY HOLE
DATE MOST RECENT OR CONTINUING DISCRIMINATION		TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) May 10, 2011		Unruh
THE PARTICULARS ARE:		and the same
I. From on or about 4/29/11 I was denied the r		quate additional time to
take the LSAT (Law School Admissions Test	ν_{-}	
II. No reason was given for denial of my reason	pable accommodation	
It. 140 leasoff was divertion definat of the reason	able accommodation,	
III. I believe I was denied reasonable accommod	ation in the form of additional test	taking time, which is
necessary due to my disabilities (Anxiety, Pr		
Hyperactivity Disorder [ADHD]), which is a v	· · · · · · · · · · · · · · · · · · ·	
Government Code incorporates Section 51 o		
	:	ů
A. On or about 4/27/11 I advised the Accor	nmodated Testing section of my n	nedical need for
additional test taking time as well addition	nal breaks in between test section	ns. I also provided
supporting medical documentation.	•	
B. On or about 4/29/11 and again 5/10/11	I was notified that my requested a	ccommodation was
being denied.		
IV. I am making this complaint on behalf of mys		Is who have been, are
now, or will in the future be similarly aggriev	red.	
Typed and malied for signature on September 14, 2011. I declare under penalty of perjury under the laws of the State of	of College is that the foregoing is true and	Looped of my our
knowledge except as to matters stated on my information and	belief, and as to those matters I believe	it to be true.
, /		
9/22/2011	PR 2/-	
Dated 1/22/2011	COMPLAINANT'S SIGNATUL	#** →
a francisco de la constantina della constantina	0	to the comment of the
At San trancisco	W TURREL	H E Imal
City	COMPLAINANT'S BIGNATURE/GUARDI	AN ADILITEM
5.0.7	Sometine of	111 //1
DFEH-300-02 (12/99) B:PND	DATE FILED: U SEP 267	[UII] lonearment

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

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* * * PUBLIC ACCOMN DATION/RALPH/CIVIL CODF LUTIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UND	ER THE DFEH #	U 201112 H-0018-00-p
PROVISIONS OF THE CALIFORNIA FAIR	EMPLOYMENT	The state of the s
AND HOUSING ACT WHICH INCORPORA RIGHTS ACT, THE RALPH CIVIL RIGHTS		51.5 AND 54
COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if Indi	vidual)	
LEE, CAROLINE FAVROT (MS.)		
ADDRESS 676 Alcatraz Avenue		ELEPHONE NUMBER (INCLUDE AREA CODE) 510-655-1758
CITY/STATE/ZIP	COUNTY	COUNTY CODE
Oakland, CA 94609 NAMED IS THE PERSON, BUSINESS ESTA DISCRIMINATED AGAINST ME:	Alameda BLISHMENT, PUBLIC ACCOMMODAT	OO1 ION OR OTHER ENTITY THAT
NAME(S) Law School Admissions Council, Inc	. (LSAC)	
ADDRESS	3	ELEPHONE NUMBER (INCLUDE AREA CODE)
662 Penn Street	COUNTY	215-968-1001
CITY/STATE/ZIP Newtown, PA 18940	Out of State	COUNTY CODE 000
CAUSE OF DISCRIMINATION BASED ON (CHECK APPI □ RACE □SEX ☑ DISABILITY □ COLOR □ AGE □ MARITAL STATUS	☐ RELIGION ☐ NATIONAL ORIGIN. ☐ OTHER (SPECIFY)	
DATE MOST RECENT OR CONTINUING DISCRIMINATI		TYPE OF COMPLAINT Unruh
TOOK PLACE (month, day, and year) April 28, 1 THE PARTICULARS ARE:		
I. From on or about 10/2010 I was	denied reasonable accommodation	to take the LSAT (Law School
Admissions Test).		
II. No adequate reason was given fo	or depial of my reasonable accommo	odation
ii. Teo adoquato roasoit was givett re	or domai of my roddoradia dodonana	
The state of the s	accommodation, which is necessalies), which is a violation of Governmention 51 of the Civil Code. My be	ment Code, Section 12948. The
	ed the Accommodated Testing secti I also provided supporting medical o	•
B. Most recently on or about 4/2 denied.	28/11 I was notified that my reques	ted accommodation was being
IV. I am making this complaint on be now, or will in the future be simil	· · · · · · · · · · · · · · · · · · ·	f individuals who have been, are
Typed and mailed for signature on September 28, 201 I declare under penalty of perjury under the laws		a lo true and consect of my over
r deciare under penalty of perjury under the laws knowledge except as to matters stated on my in		
Dated Sept 29 2011	Edward	7
	COMPLAINANT	S SIGNATURE
at Oakland	Cara Co	DEGETA
City	COMPLAINANT'S SIGNAT	REPOLARDIAN AD LITEM
DFEH-300-02 (12/99) B:PND	DATE FILED:	
DEPARTMENT OF FAIR EMPLOYMENT AND HO	USING	DEPT OF FAIR EMPLOYMENT THOUSING A IFORNIA BAKERSPIELD DISTRICT OFFICE

10/05/2011 05:19

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PA(35, N27 N4

* * * PUBLIC ACCOMMODATION/RALPH/CIVIL CODE SECTIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UN PROVISIONS OF THE CALIFORNIA FAI AND HOUSING ACT WHICH INCORPOI RIGHTS ACT, THE RALPH CIVIL RIGHT	R EMPLOYMENT RATES THE UNRUH CIVIL 'S ACT AND CIVIL CODE SECTION	<u>U 201112 H-0021-00-р</u> S 51.5 AND 54
COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if in	dividual)	
BANKS, RAYMOND (MR.) ADDRESS		TELEPHONE NUMBER (INCLUDE AREA CODE)
P. O. Box 156661		XXX-XXX-XXX
CITY/STATE/ZIP	COUNTY	COUNTY CODE
San Francisco, CA 94115	. San Francisco	075
NAMED IS THE PERSON, BUSINESS EST DISCRIMINATED AGAINST ME:	ABLISHMENT, PUBLIC ACCOMMOD	ATION OR OTHER ENTITY THAT
NAME(s). Law School Admissions Council, In-	0 ((\$AC)	
ADDRESS		TELEPHONE NUMBER (INCLUDE AREA CODE).
662 Penn Street		215-968-1001
CITY/STATE/ZIP	COUNTY	COUNTY CODE
Newtown, PA 18940	Out of State	000
Cause of discrimination 8ASED on (CHECK AF ID PACE DISEX ID DISABILITY ID COLOR ID AGE ID MARITAL STATUS	☐ RELIGION ☐ NATIONAL ORIG ☐ OTHER (SPECIFY)	IN/ANCESTRY D SEXUAL ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINA		TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) January THE PARTICULARS ARE:	31, 2011	Unruh
which is a violation of Governm 51 of the Civil Code. My belief A. On or about January 2011 (additional test taking time.	of my reasonable accommodation. The accommodation in the form of a livery and Muscle damage in left ent Code, Section 12948. The Go is based on the following: advised the Accommodated Testion I also provided supporting medical was notified that my requested accommodated accommodated to the commodated that my requested accommodated that my requested accommodation.	shoulder/arm), overnment Code incorporates Section ag section of my medical need for documentation. commodation was being denied.
now, or will in the future be sin Typod and mailed for signature on August 26, 2011. I declare under penalty of perjury under the law knowledge except as to matters stated on my	nilarly aggrieved. Is of the State of California that the foreg	oing is true and correct of my own
Dated 10 6 11 At SAN FINICISCO City	COMPLAINANT'S SIGNA	T'S SIGNATURE URE GUARDIAN COLLINGME
OFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND H	DATE FILED: OUSING	CGT O 6 ZOTE OF CALIFORNIA DEPT OF FAIR EMPLOYMENT & HOUSING BAKERSHELD DISTRICT OFFICE

* * * PUBLIC ACCOMMO ATION/RALPH/CIVIL CODE STITIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOY AND HOUSING ACT WHICH INCORPORATES THE RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AN	YMENT E UNRUH CIVIL	
COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual) TALESHPOUR, GAZELLE (MS.)	电影大大大大大大大大大大大大大大大大大大大大大大大大大大大大大大大大大大大大	of the Association of the Associ
ADDRESS 6756 Bestwood Court		TELEPHONE NUMBER (INCLUDE AREA CODE) XXX-XXX-XXXX
CITY/STATE/ZIP	COUNTY	COUNTY CODE
San Dìego, CA 92119	San Diego	073
NAMED IS THE PERSON, BUSINESS ESTABLISHME DISCRIMINATED AGAINST ME: NAME(S)	NT, PUBLIC ACCOMMODA	TION OR OTHER ENTITY THAT
Law School Admissions Council, Inc. (LSAC))	
ADDRESS		TELEPHONE NUMBER (INCLUDE AREA CODE)
662 Penn Street	okamba dan an kalansan nakralan 1860-1881 wak kepitak kan kalik dalam asik an kalan an kalan papa kan ke	215-968-1001
CITY/STATE/ZIP	COUNTY	COUNTY CODE
Newtown, PA 18940 CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE B	Out of State	000
□ RAGE □SEX Ø DISABILITY □ RELIG □ COLOR □ AGE □ MARITAL STATUS □ OTH		
DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) December 6, 201	0	TYPE OF COMPLAINT Unruh
 Most recently on or about 12/6/10 I was (Law School Admissions Test). No adequate reason was given for denial. I believe I was denied reasonable accommonecessary due to my disabilities (Dyslexia which is a violation of Government Code, 51 of the Civil Code. My belief is based. A. On or about 2008 and again starting is medical need for reasonable accommodation was being denied. 	of my reasonable accommodation in the form of act, ADHD, Complications d. Section 12948. The Go on the following: In 7/2010 I advised the Applications. I also provided was notified that at least provided.	modation. Iditional test taking time, which is ue to bone marrow transplant), vernment Code incorporates Section accommodated Testing section of my supporting medical documentation.
IV. I am making this complaint on behalf of now, or will in the future be similarly agg Typed and mailed for signature on September 30, 2011. Correcte I declare under penalty of perjury under the laws of the Sta	rieved. d and re-mailed October 7, 2011.	
knowledge except as to matters stated on my information		
Dated Oct 7th, 2011	COMPLAINAN	T'SSIGNATURE ECEIVEN
City	COMPLAINANT'S SIGNAT	URE/GUARDIAN AD LITEM
DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING	DATE FILED: DEPT (OF FAIR EMPLOYMENT & HOUSTE OF CALIFORNIA AKERSFIELD DISTRICT OFFICE

EXECUTE BIT 10

* * * PUBLIC ACCOMMUNATION/RALPH/CIVIL CODE SEUTIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UND		DFEH #	
PROVISIONS OF THE CALIFORNIA FAIR			,
AND HOUSING ACT WHICH INCORPOR	ATES THE UNRUH	CIVIL	
RIGHTS ACT, THE RALPH CIVIL RIGHTS		CODE SECTIONS 51.5 AND 9	j4
COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if ind	lvidual}		
		TELEPHONE NO	ADED (MALLISE ADEA DADE)
ADDRESS			MBER (INCLUDE AREA CODE) XXX-XXX-XXXX
ON VISTATE/ZIP	· · · · · · · · · · · · · · · · · · ·	OUNTY	COUNTY CODE
		of State	000
NAMED IS THE PERSON, BUSINESS ESTA			HER ENTITY THAT
DISCRIMINATED AGAINST ME:	(4.4.)		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
NAME(S)		***************************************	**************************************
Law School Admissions Council, Inc	. (LSAC)		
ADDRESS		TELEPHONE NUI	VIBER (INCLUDE AREA CODE)
662 Penn Street		OUNTY	215-968-1001
citystateizip Newtown, PA 18940		of State	COUNTY CODE OOO
Newtown, PA 18940 Cause of discrimination based on (Check APP		or otate	
□ RACE □SEX ☑ DISABILITY	□ RELIGION	D NATIONAL ORIGIN/ANCESTRY	SEXUAL ORIENTATION
COLOR DAGE DMARITAL STATUS	OTHER (SPECIF	Y}	TYPE OF COMPLAINT
DATE MOST RECENT OR CONTINUING DISCRIMINAT TOOK PLACE (month, day, and year) October 2			Unruh
THE PARTICULARS ARE:	- 1 4010		OTHER PROPERTY.
I. On or about 10/21/10 I was den	ied the reasonable	accommodation to take the	LSAT (Law School
Admissions Test).			
		•	The second second
II. The reason citd for denying my	request for reason	able accommodation was the	at documentation did
not support that my condition lin	nited a major life	activity.	•
•			
III. I believe I was denied reasonable			
Deficit—Hyperactivity Disorder [
Code, Section 12948. The Gov	ernment Code inc	orporates Section 51 of the (Civil Code. My belief is
based on the following:		•	
		م در موسول	
A. On or about 8/2010 I advise			
reasonable accommodations	. I also provided s	supporting medical document	ation,
75 3 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	0/01/10	كالما المالية	
B. Most recently on or about 10	3/21/10 was not	ified that my requested acco	mmodations were being
denied.			
13 /) biss of the annual above on b	abolf of mucalf or	d all other dischlad individua	to who have been are
IV. I am making this complaint on b		id all other disabled illdividua	is with flave beet, are
now, or will in the future be sim	many aggneved.		
Typed and mailed for signature on September 27, 20	11.		
I declare under penalty of perjury under the law	rs of the State of Calif	fornia that the foregoing is true and	correct of my own
knowledge except as to matters stated on my i	nformation and benef,	and as to those matters i believe i	to be true.
Dated			And the state of t
Dated <u>03/27/201/</u> At ScoHsdule, AZ		THE WATER TO T	CIVEIN
11. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.			The same of the construction of the constructi
/	~~×	PLAINANT'S SIGNATURE GUARDIA	MASSIBLE WAS BEEN AND A STATE OF THE STATE O
City DFEH-300-02 (12/99) B:PND	COIVI	DATE FILED. OLACH, WI	ļ)
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSIN		fed (1)	APLOYMENT & HOUSING ALIFORNIA
		DEPT OF FAIR EN	LD DISTRICT OFFICE
		I DHIVELIOUS	and the state of t

Casse3122ev+00.8389FEMIC Directionmenti1.262 FFFFeeld032272183 FF3ajoe660067766

TUDLIC ACCUMIN MIRUMINALL BIOIAIF OODE U 201112 H-0025-00-p COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT WHICH INCORPORATES THE UNRUH CIVIL RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AND CIVIL CODE SECTIONS 51.5 AND 54 COMPLAINANT'S NAME(S) (indicate Mr. or Ms., if individuel) SEMOS, STEPHEN (MR.) ADDRESS TELEPHONE NUMBER (INCLUDE AREA CODE) 6512 Monero Drive 310-544-2993 CITY/STATE/ZIP COUNTY COUNTY CODE Los Angeles Rancho Palos Verdes, CA 90275 037 NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME: NAME(S) Law School Admissions Council, Inc. (LSAC) ADDRESS TELEPHONE NUMBER (INCLUDE AREA CODE) 662 Penn Street 215-968-1001 COUNTY CITY/STATE/ZIP COUNTY CODE Newtown, PA 18940 Out of State 000 CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES)) ☑ DISABILITY ☐ NATIONAL ORIGIN/ANCESTRY CI RACE DSEX II RELIGION IJ SEXUAL ORIENTATION COLOR □ AGE ☐ MARITAL STATUS OTHER (SPECIFY) DATE MOST RECENT OR CONTINUING DISCRIMINATION TYPE OF COMPLAINT TOOK PLACE (month, day, and year) February 28, 2011 Unruh THE PARTICULARS ARE: I. Most recently on or about February 2011 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test). No adequate reasons were given for denial of my reasonable accommodation. III. I believe I was denied reasonable accommodation which is necessary due to my disabilities ((Epilepsy, ADD [Attention Deficit Disorder] and Gertsmann Syndrome), which is a violation of Government Code, Section 12948. The Government Code incorporates Section 51 of the Civil Code. My belief is based on the following: A. On or about 2008, 11/2010 and 12/21/10 I advised the Accommodated Testing section of my medical need for accommodation. I also provided supporting medical documentation. B. Most recently on or about February 2011 I was notified that my requested accommodation was being denied. IV. I am making this complaint on behalf of myself and all other disabled individuals who have been, are now, or will in the future be similarly aggrieved. Typed and mailed for signature on September 30, 2011. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true. COMPLAINANT

Αt COMPLAINANT'S City DATE FILED: DFEH-300-02 (12/99)

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DEPT OF FAIR EMPLOYMENT & HOUSING OF CALIFORNIA BAKERSHELD DISTRICT OFFICE

* * * PUBLIC ACCOMMODATION/RALPH/CIVIL CODE SECTIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UI PROVISIONS OF THE CALIFORNIA FA AND HOUSING ACT WHICH INCORPO RIGHTS ACT, THE RALPH CIVIL RIGH	UR EMPLOYMENT PRATES THE UNRUH CIVIL	U 201112 H-0027-00-p
COMPLAINANT'S NAME(S) (Indicate Mr. or Ma., if		Free death of the second control of the seco
DECOMO-SCHMITT, RODNEY ALE	A STATE OF THE PARTY OF THE PAR	TELEPHONE NUMBER (INCLUDE AREA CODE)
4579 Paradise Drive		XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
CITY/STATE/ZIP	COUNTY	COUNTY CODE
Tiburon, CA 94920 NAMED IS THE PERSON, BUSINESS ES	Marin	TOM OR STUDE PROPERTY THEF
NAMED IS THE PERSON, BOSINESS ES DISCRIMINATED AGAINST ME: NAMEGI	TABLISHMENT, FUBLIC AUGUMMUUA	INCOMEN CANTILL THAT
Law School Admissions Council, In	nc. (LSAC)	
ADDRESS		TELEPHONE NUMBER (INCLUIDE AREA CODE) 215-968-1001
662 Penn Street	COUNTY	CONTA CODE
Newtown, PA 18940	Out of State	000
Cause of Discrimination Based on (Check A II race IISEX & Disability II color II age II marital Status	I RELIGION IN NATIONAL ORIGI	
DATE MOST RECENT OR CONTINUING DISCRIMIN		TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) Octobel THE PARTICULARS ARE:	7 25, 2010	Unruh
School Admissions Test). II. LSAC stated that the document activity. III. I believe I was denied reasonal necessary due to my disabilities of Government Code, Section Code. My belief is based on the A. On or about 9/2010 I advice reasonable accommodation. B. Most recently on or about denied. IV. I am making this complaint on now, or will in the future be significant.	sed the Accommodated Testing sect n. I also provided supporting medical 10/25/10 I was notified that my required behalf of myself and all other disable imilarly aggrieved.	Iditional test taking time, which is essing Problem), which is a violation reporates Section 51 of the Civil ion of my medical need for i documentation.
Typed and malied for signature on October 13, 201 I declare under penalty of perjury under the la		Inn is true and correct of my own
knowledge except as to matters stated on m		
18 100 11	10-11-1	
Dated	JA Monda COMPLAINANT	T'S SIGNATURE
At Tibunon California City		YREKGUAHDIAN AR LEEEM
DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND	HOUSING DATE FILED:	SELVE STATE OF CALIFORNIA
\$00/200'd 8011#	DEPT OF FA	A EMPLOYMENT & HOUSING

* * * PUBLIC ACCOMMODA	ITION/RALPH		51.5 & 54 * * * 2 H-0028-00-p
COMPLAINT OF DISCRIMINATION UN PROVISIONS OF THE CALIFORNIA FAI		DFEH #	
IND HOUSING ACT WHICH INCORPO EIGHTS ACT, THE RALPH CIVIL RIGHT			4
OMPLAINANT'S NAMEISI (INDICATE MIC OF MIS., IT IN BROSSMAN, ANDREW "ANDY" (M		то по в под постоя на постоя н Постоя на постоя	
obsess 4780 Farwell Avenue			1BER (INCLUDE AREA CODE) 408-741-5859
rrystateizie Gratoga, CA 95070	San	county ta Clara	COUNTY CODE 085
IAMED IS THE PERSON, BUSINESS EST DISCRIMINATED AGAINST ME:	ABLISHMENT, PUI	BLIC ACCOMMODATION OR OTI	IER ENTITY THAT
aw School Admissions Council, In	c. (LSAC)		
obness 662 Penn Strøet	,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		(BER INCLUDE AREA-CODE) 215-968-1001
ity state zip Jewtown, PA 18940	Out	of State	COUNTY CODE
AUSE OF DISCRIMINATION BASED ON (CHECK AF I BACE OSEX B-OISABILITY I COLOR D AGE D MARITAL STATUS	D RELIGION	O NATIONAL ORIGINANCESTRY FY)	ej šexual orientation
ATE MOST RECENT OR CONTINUING DISCRIMINA OOK PLACE (MORTH, day, and year) NOVETH'S			TYPE OF COMPLAINT Unruh
School Admissions Test). II. No reason was given for the pa III. I believe I was denied reasonab Brain Injury and Depression/An: 12948. The Government Code following: A. On or about 7/2010 or 8/20	le accommodation xiety Disorder), w Incorporates Sec	n which is necessary dire to make the make the make the make the second of the Civil Code. My	int Code, Section belief is based on the
for reasonable accommodat B. Most recently on or about 1 being denied.		ed supporting rhedical docume	
IV. I am making this complaint on I now, or will in the future be sin your and mailed for signatury on October 10, 2011	nilariy aggrieved.		
declare under penalty of perjury under the lev nowledge except as to matters stated on my		f, and as to those matters I believe it	to be true.
omed 10/13/11		COMPLAINANT'S SIGNATURE	
ir <u>Sanotago</u>	<u> </u>	Hu Fracionian	
PEH-300-02 (12/99) B:PNO PEPARTMENT OF PAIR EMPLOYMENT AND H	OUSING	DATE FILER OCT 17201	TAN OF CALIFORNIA

DEPT OF FAIR EMPLOYMENT & HOUSING

EXELBIT 14

* * * PUBLIC ACCOMMOP TION/RALPH/CIVIL CODE SF TIONS 51.5 & 54 * * *

CONSTITUTE OF MICOMORPHIA STRUCK STRUCKS TO		01112 H-0029-00-p
COMPLAINT OF DISCRIMINATION UNDER TH		
PROVISIONS OF THE CALIFORNIA FAIR EMPL		
AND HOUSING ACT WHICH INCORPORATES		
RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT		
COMPLAINANT'S NAME(S) (indicate Mr. or Ms., if indi	vidual)	
COLLINS, KEVIN M. (MR.)		
ADDRESS	TELEPH	ONE NUMBER (INCLUDE AREA CODE)
23140 Victory Blvd. City/state/zip	COUNTY	818-346-4200
Woodland Hills, CA 91367	Los Angeles	COUNTY CODE 037
NAMED IS THE PERSON, BUSINESS ESTA		
NAMED IS THE PERSON, BUSINESS ESTA DISCRIMINATED AGAINST ME:	DEISHWENT, FUBLIC ACCOMMUDATION	UN UTHEN ENTITE THAT
NAME(S)		
Name(5) Law School Admissions Council, Inc. (LSAC	~}	
ADDRESS		ONE NUMBER (INCLUDE AREA CODE)
662 Penn Street		215-968-1001
CITY/STATE/ZIP	COUNTY	COUNTY CODE
Newtown, PA 18940	Out of State	000
CAUSE OF DISCRIMINATION BASED ON ICHECK APP	ROPRIATE BOX[ES]) □ RELIGION □ NATIONAL ORIGIN/ANCE	STRY DI SEXUAL ORIENTATION
D COLOR D AGE D MARITAL STATUS	☐ OTHER (SPECIFY)	G SEXONE ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINATI		TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) March 14	, 2011	Unruh
THE PARTICULARS ARE:		The company and the second of the second
 On or about 1/18/11 and most re 	ecently on 3/14/11 I was denied reasona	able accommodation to take 🛸
the LSAT (Law School Admission	ns Test).	$V = V_{\rm tot}$
II The denial on 1/18/11 was allege	edly due to insufficient documentation.	No reason was given for the
	asonable accommodation on 3/14/11.	
partial definer of the required to	agonable accommodation are dys (7) is,	
III forther force desired researching	and a second desired and a second sec	o to my disphilities /Ciffod
	accommodation which is necessary due	
•	order and Written Expression Disorder), v	
·	18. The Government Code incorporates	Section by of the Civil Code.
My belief is based on the followi	ng;	
2 3	/10 I advised the Accommodated Testing	
for reasonable accommodation	on. I also provided supporting medical do	ocumentation.
B. On or about 1/18/11 I was no	otified that my requested accommodatio	n was not being granted even
thought I believe that all nece	essary supporting documentation had be-	en submitted.
-		
C. Most recently on 3/14/11 I w	vas notified that part of my requested ac	commodation was being
denied.		
30111001		
IV I am making this complaint on he	ehalf of myself and all other disabled indi	ividuals who have been are
now, or will in the future be simi		Widdig Wile Have been, are
Typed and mailed for signature on October 19, 2011.	tarry aggnered.	
I declare under penalty of perjury under the laws	s of the State of California that the foregoing is to	rue and correct of my own
knowledge except as to matters stated on my in		
· · · · · · · · · · · · · · · · ·		Standard Consideration of State Stat
10/02/11	TOTER	EIME
Dated 19 03/11		
I'r A plac	COMPLAINTS SIG	NATURE
At MOD AND COURS		T 29 2011 L
City U	the body the	the all C. U.S. S. Steensman
DFEH-300-02 (12/99) B:PND	DATE FILED:	TARD CHAILER 3 INTERPRET OF A LIFERNIA
DEPARTMENT OF FAIR EMPLOYMENT AND HO		IMPLOYMENT & HODAING OF CALIFORNIA ELD DISTRICT OFFICE
	I DAACHOFU	ACC CONTROL OF HAME TO T

* * * PUBLIC ACCOMMO_ATION/RALPH/CIVIL CODE \$_CTIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMEND HOUSING ACT WHICH INCORPORATES THE URIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AND O	NRUH CIVIL	-l #	H-0031-00-p
COMPLAINANT S NAME(S) (Indicate Mr. or Ms., if individual)		**************************************	*************************************
IOAN, OTILIA (MS.)			
ADDRESS		TELEPHONE NUM	BER (INCLUDE AREA CODE)
5305 Harwood Road		×	XXX-XXX-XXX
CITY/STATE/ZIP	COUNTY		COUNTY CODE
San Jose, CA 95124 NAMED IS THE PERSON, BUSINESS ESTABLISHMENT DISCRIMINATED AGAINST ME:	Santa Clara , PUBLIC ACCOMM(DDATION OR OTHE	O85 ER ENTITY THAT
NAME(S) Law School Admissions Council, Inc. (LSAC)			
ADDRESS		TELEPHONE NUM	BER (INCLUDE AREA CODE)
662 Penn Street	•		215-968-1001
CITY/STATE/ZIP	COUNTY	на настигна и селен на Wasalid III възденива дорожници пред превод настигна учени пред настигна учени учени уч	COUNTY CODE
Newtown, PA 18940	Out of State		000
CAUSE OF DISCRIMINATION BASED ON COHECK APPROPRIATE BOX[I RACE ISEX IDENTIFY IDENTIFY I COLOR ID AGE ID MARITAL STATUS ID OTHER	NATIONAL C	DRIGIN/ANCESTRY	☐ SEXUAL ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINATION			TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) November 17, 2010 THE PARTICULARS ARE:			Unruh
 I. On or about 11/17/10 I was denied reasonate Admissions Test). II. No reason was given for denial of my reasonable. I believe I was denied reasonable accommod Injury—Quadriplegia), which is a violation of incorporates Section 51 of the Civil Code. No. A. On or about 8/2010 I advised the Accommodation. I also provides B. On or about 11/17/10 I was notified that IV. I am making this complaint on behalf of mysnow, or will in the future be similarly aggriever. 	able accommodation which is necessory ation which is necessory and all other disable accommodated Testing sold and all other disable accommodated testing mediant of my requested and all other disable accommodated.	on. essary due to my Section 12948. on the following: ection of my med lical documentation ted accommodati	disability (Spinal Chord The Government Code lical need for on. on was being denied.
Typed and mailed for signature on September 27, 2011.			
I declare under penalty of perjury under the laws of the State of knowledge except as to matters stated on my information and			
Dated 10/20/11 At San Jose	COMPLAIN	AMPEGATE	VEM
At Dan Jose	Othin Co	Harry (
City	COMPLAINANT'S SIG	VATURE/GUARDIAN	200 ilmess
DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING	DATE FILED:	DEPT OF FAIR EMPLOYM BAKERSFIELD DISTI	ENT & HOUSING RICT STRETE OF CALIFORNIA

* * * PUBLIC ACCOMMODATION/RALPH/CIVIL CODE SECTIONS 51.5 & 54 * * *

PROVI AND H	LAINT OF DISCRIMINATION UI SIONS OF THE CALIFORNIA FA OUSING ACT WHICH INCORPO S ACT, THE RALPH CIVIL RIGH	IR EMPLOYMENT BATES THE UNRUH CIVIL)reh #	12 H-0032-00+p	
	NANT'S RAME(S) lindicate Mr. of Ma., if i			ىيىد، دېد د د او د د د د د د د د د د د د د د د د	
	, ANDREW (MR.)	والمراجعة	ر در		
ADDRES			TELEPHONE NU	IMBER (INCLUDE AREA CODE)	
4023	Oak Manor Court	COUNTY		COUNTY CODE	
	ard, CA 94542	Alameda	•	0001	
NAME! DISCRI) IS THE PERSON, BUSINESS EST MINATED AGAINST ME:		MMODATION OR OT		
NAME(S)		in Hear			
ADORES	ichool Admissions Council, Ir	IU, ILOMO	TELEPHONE NO	JMBER (INCLUDE AREA-CODE)	
	enn Street		11421114	215-968-1001	
CITY/ST/	ATE/ZIP	COUNTY		COUNTY CODE	
	own, PA 18940	Out of State		000	
D RACE		O RELIGION DINATIO O OTHER (SPECIFY)	NAC ORIGINIANCESTRY	D SEXUAL DRIENTATION	
	OST RECENT OR CONTINUING DISCRIMINA			TYPE OF COMPLAINT	
		per 13, 2011	موسوماتها والمحاصد ومساورها والمحاصرة والمحاصرة والمحاصرة والمحاصرة والمحاصرة والمحارثين	Unruh	
	Ticulars are: Most recently on or about 9/18 School Admissions Test).	8/11 I was denied reasonabl	e accommodation to	o take the LSAT (Law	
IV. Typed an	No reason was given for denial libelieve I was denied reasonate necessary due to my disabilitie injuryl, which is a violation of the Section 51 of the Civil Code. If A. On or about 9/2011 I adviss reasonable accommodation. B. Most recently on or about 9 denied. I am making this complaint on now, or will in the future be sittle denied for signature on October 7, 2011. It audier peneity of perjury under the large except as to matfers stated on my	ble accommodation in the forms (Hypotonia, Dysgraphia, A Government Code, Section My belief is based on the form and the Accommodated Test is. I also provided supporting 13/11 I was notified that the behalf of myself and all other milarly aggrieved. We of the State of California that information and belief, and as to	rm of additional tes (DHD, Visual Proces 12948. The Govern lowing: ing section of my mg medical document my requested accomer disabled individuative foregoing is true and the foregoing is the foregoing is true and the foregoin	ssing Disorder, and back ament Code incorporates nedical need for tation. Inmodations were being als who have been, are	
Dated _	11)-26-2011	Dry t. Qu	7/2 PLAINANT'S SIGNATUR	TE.	
A +					
At .	City	COMPLAINANT	S SIGNATURE/GUARDI/	AN AO LITEM	·
	00-02 (12/99) B:PND MENT OF FAIR EMPLOYMENT AND F	DATE FILE	DEPT	OCT 28 2011 OF FAIR EMPLOYMENT & HOUST AKERSFIELD DISTRICT OFFICE) ING

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* * * PUBLIC ACCOMMODE TION/RALPH/CIVIL CODE ST TIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER T	H E Dei	U 201112	Н-0035-00-р
PROVISIONS OF THE CALIFORNIA FAIR EMP	LOYMENT	3)) ,	
AND HOUSING ACT WHICH INCORPORATES RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT		IONS 51.5 AND 5	4
COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)		Charles Martin and All State & La Million (A) in inspire of an institute consequence and appropriate probability of the Contract of the Contra	rastrumen nyerva cara a mahamma da da mahamma
WHITNEY, AUSTIN (MR.) ADDRESS		TELEPHONE NUM	MBER (INCLUDE AREA CODE)
1050 Miller Avenue			XXX-XXX-XXXX
C/TY/STATE/ZIP	COUNTY		COUNTY CODE
Berkeley, CA 94708	Alameda	manufacture and an analysis of the second and the s	001
NAMED IS THE PERSON, BUSINESS ESTABLISH DISCRIMINATED AGAINST ME:	HMENT, PUBLIC ACCOMN	MODATION OR OTH	IER ENTITY THAT
NAME(S)	A C \		
Law School Admissions Council, Inc. (LS ADDRESS	/- (TELEPHONE NUA	MBER (INCLUDE AREA CODE)
662 Penn Street			215-968-1001
CITY/STATE/ZIP	COUNTY		COUNTY CODE
Newtown, PA 18940	Out of State	A CONTRACTOR OF THE PROPERTY O	000
		ORIGIN/ANCESTRY	☐ SEXUAL ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINATION			TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) September 21 THE PARTICULARS ARE:	, 2011	والمساورة والمواولة	Unruh
I. On or about 9/21/11 I was denied rea Admissions Test).	sonable accommodation	to take the LSAT	(Law School
II. No reason was given for denial of my	reasonable accommoda	tion.	
III. I believe I was denied reasonable according to the control of the control	ropathic pain), which is	a violation of Gove	ernment Code, Section
A. On or about 8/28/11 I advised the reasonable accommodation. I also		•	
B. On or about 9/21/11 I was notified	d that part of my reques	ted accommodation	on was being denied.
IV. I am making this complaint on behalf now, or will in the future be similarly		isabled individuals	s who have been, are
Typed and mailed for signature on October 28, 2011. I declare under penalty of perjury under the laws of the			
knowledge except as to matters stated on my informa	don and belief, and as to thos	sa matters i nemene it	to be tide.
Dated	COMPLA	MAN ESTATE	
At Berkeley CA	COMPLAINANT'S S	IGNATURE/GUARDIA	
DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING	DATE FILED:	DEPT OF FAIR E BAKERSFIE	MPLOYMENT & HOUSING LD DISTRICT OFFICE

STATE OF CALIFORNIA

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

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* * * PUBLIC ACCOMMOL .TION/RALPH/CIVIL CODE SE TIONS 51.5 & 54 * * *

COMPLAINT OF DISCRIMINATION UNDER THE	E	OFEH # U 201112	Н-0033-00-р
PROVISIONS OF THE CALIFORNIA FAIR EMPLOYM AND HOUSING ACT WHICH INCORPORATES THE U RIGHTS ACT, THE RALPH CIVIL RIGHTS ACT AND	IENT INRUH CIVIL		
COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual) VIELBAUM, KEVIN (MR.)	rear del fra a sel days de placer a confurency afront de la lace del frances per provincia un	**************************************	tedare film type (gantling) sith dissale (the mead through the desire of implicit over a sure requirement, one as we was
ADDRESS	consistent restricted a sea silvernamentarion province restricted and the restricted and analysis of	TELEPHONE NUM	BER (INCLUDE AREA CODE)
812 Foothill Drive		>	(XX-XXX-XXXX
CITY/STATE/ZIP	COUNTY	· Then I shared was been supplied by the statement and an investment of the statement of th	COUNTY CODE
San Mateo, CA 94402	San Mateo	KKKKON BYLOKE ON ONE	081
NAMED IS THE PERSON, BUSINESS ESTABLISHMENT DISCRIMINATED AGAINST ME: NAME(S)	, PUBLIC ACCU	MIMOUATION OR OTHI	EK ENTITY THAT
Law School Admissions Council, Inc. (LSAC)			
ADDRESS 662 Penn Street			BER (INCLUDE AREA CODE)
CITY/STATE/ZIP	COUNTY	£	215-968-1001 COUNTY CODE
Newtown, PA 18940	Out of State		000
CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX DI RACE DISEX DI DISABILITY DI RELIGIO DI COLOR DI AGE DI MARITAL STATUS DI OTHER	N. D NATIO	NAL ORIGIN/ANCESTRY	☐ SEXUAL ORIENTATION
DATE MOST RECENT OR CONTINUING DISCRIMINATION			TYPE OF COMPLAINT
TOOK PLACE (month, day, and year) May 12, 2011 THE PARTICULARS ARE:			Unruh
 II. No adequate reason was given for denial of III. I believe I was denied reasonable accommod Learning Disabilities), which is a violation of incorporates Section 51 of the Civil Code. I A. On or about March 2011 I advised the A reasonable accommodation. I also provides 	dation which is Government C My belief is bas coommodated ded supporting	necessary due to my ode; Section 12948. ed on the following: Testing section of my medical documentation	The Government Code medical need for on.
B. On or about 4/28/11 my initial request for about 5/12/11 I was notified that part of			•
IV. I am making this complaint on behalf of mys now, or will in the future be similarly aggrie- Typed and mailed for signature on November 4, 2011.		r disabled individuals	who have been, are
I declare under penalty of perjury under the laws of the State knowledge except as to matters stated on my information and		— -	•
Dated 11/08/11	a. Commence		and the second s
At San Mateo, CA DC	· COMI	PLAINANT'S SIGNATURE	Para ECEIVE
City	COMPLAINANT'S	S SIGNATURE/GUARDIAN	AB LITEM HOV SO 2011
DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING	DATE FILED):	REFLORE WELCHENIN

1	CASE NAME:	DFEH v. Law School Admission Council, Inc. (Austin Whitney, et al., Complainants)	
2	CASE NOS.: <u>U-201112-H-0021-00-p</u> , <u>U-201112-H-0008-00-p</u> , <u>U-201112-H-0029-00-p</u> ,		
	phonesis in an also payaged to the distance and as a payaged in man menusiana.	U-201112-H-0027-00-p, U-200910-Q-0003-00-p, U-201112-H-0018-00-p, U-201112-H-0028-00-p, U-201112-H-0014-00-p,	
4	***************************************	U-201112-H-0013-00-р, U-201112-H-0031-00-р, U-201112-H-0007-00-р,	
5		U-200910-G-0012-00-p, U-201112-H-0032-00-p, U-201112-H-0025-00-p, U-201112-H-0023-00-p, U-201112-H-0033-00-p, and U-201112-H-0035-00-p	
6			
7	RESPON	NDENT'S NOTICE OF TRANSFER OF PROCEEDINGS TO COURT	
8	I am a Re	espondent in this matter. I elect to transfer this proceeding to court in lieu of a	
9	hearing before th	ne Fair Employment and Housing Commission, pursuant to Government Code	
10	section 12965, su	abdivision (c)(1).	
11	Dated: 2-22	2-12	
12	amento al amento al formación de la confluencia del la confluencia del la confluencia del la confluencia de la confluencia del la confluencia de	Alie Capell	
13		Respondents/Representative's Signature	
14	,		
15		Respondent(s) [Please print]	
16		Julie Capell, Attorney For Law School	
17		Representative [Please print] Amount (April 1)	
18	·	Address of Respondent, or if	
19		represented, address of Representative	
20	-	555 5. Have mont 4/21 Mar	
21		Street OA 90071	
22		City State Zip	
23		(213) 892-9200	
24		Telephone number of Respondent, or if represented, telephone number of Representative	
25 25			
26			
27		-6-	
,		DFEH v. Law School Admission Council, Inc. (Whitney, et al.)	