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 [Filing fee exempt, Gov. Code, § 6103]

11  
 12 **IN THE UNITED STATES DISTRICT COURT**  
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14  
 15 THE DEPARTMENT OF FAIR EMPLOYMENT) Case No. CV 12-1830-EMC  
 AND HOUSING, an agency of the State of )  
 16 California, )  
 17 ) Plaintiff,) **SECOND AMENDED GROUP AND**  
 ) **CLASS ACTION COMPLAINT FOR**  
 18 vs. ) **DAMAGES AND INJUNCTIVE RELIEF**  
 )  
 19 LAW SCHOOL ADMISSION COUNCIL, INC., ) [FEHA, Gov. Code, § 12900 et seq. and  
 a Delaware tax exempt corporation, ) Unruh Civil Rights Act, Civ. Code, § 51 et  
 20 ) seq.]  
 21 Defendant.)

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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,  
  
Real Parties in Interest.

) Jury Trial Demanded



1 Plaintiff DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING (Department or  
2 DFEH) alleges the following against defendant LAW SCHOOL ADMISSION COUNCIL, INC.  
3 (LSAC), a Delaware tax exempt Corporation:

4 PARTIES

5 1. DFEH is the state agency charged with enforcing the right of all Californians under  
6 the Unruh Civil Rights Act (Unruh Act) (Civ. Code, § 51 et seq.) “to the full and equal  
7 accommodations, advantages, facilities, privileges, or services in all business establishments of every  
8 kind whatsoever.” (Civ. Code, § 51, subd. (a).) Government Code section 12948 makes a violation  
9 of the Unruh Act a violation of the Fair Housing and Employment Act (FEHA) (Gov. Code, § 12900  
10 et seq.). The FEHA empowers the DFEH to investigate and prosecute Unruh Act claims within the  
11 state, including those that adversely affect, in a similar manner, a group or class. (Gov. Code, §§  
12 12961, 12965.)

13 2. Each real party in interest, John Doe, Jane Doe, Peter Roe, Raymond Banks, Kevin  
14 Collins, Rodney Decomo-Schmitt, Elizabeth Hennessey-Severson, Otilia Ioan, Alex Johnson,  
15 Nicholas Jones, Caroline Lee, Andrew Quan, Stephen Semos, Gazelle Taleshpour, Kevin Vielbaum,  
16 and Austin Whitney, applied to LSAC for reasonable accommodations on the Law School  
17 Admissions Test (LSAT) between January 19, 2009 and the present. Each real party was denied a  
18 reasonable accommodation, either in whole or in part, within this same time frame. At the time of  
19 applying for reasonable accommodations, each real party resided in California.

20 3. Real parties in interest John Doe, Jane Doe, and Peter Roe wish to participate in this  
21 litigation anonymously. Each real party seeks to retain their privacy interest in the details of their  
22 disability and need for accommodation. Each of these real parties has expressed a legitimate fear of  
23 negative professional ramifications should their true names be associated with this litigation. A  
24 motion requesting the court’s permission to proceed under fictitious names for these two real parties  
25 is filed concurrently with this complaint.

26 //  
27 //



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

4 **GROUP ACTION ALLEGATIONS**

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

6 **CLASS ACTION ALLEGATIONS**

7 6. **Class Definition:** The DFEH also brings this case as a class action, on behalf of: *all*  
8 *disabled individuals in the State of California who requested a reasonable accommodation for the*  
9 *Law School Admission Test (LSAT) from January 19, 2009 to the present.* The DFEH alleges that  
10 everyone within this class was subjected to LSAC’s unlawful policies of discouraging requests for  
11 accommodation, requiring excessive documentation, and requesting unlawful information about  
12 mitigation measures. Within this class is a subclass of people who took the LSAT with the condition  
13 of extended time and were thereafter subjected to discriminatory treatment and retaliation because of  
14 this accommodation. These two classes are defined as follows:

15 a. **Unlawful Discouragement and Consideration of Mitigation Measures:** All  
16 disabled individuals in the State of California who requested a reasonable accommodation for the  
17 LSAT from January 19, 2009 to the present.

18 b. **Differential Treatment and Retaliation Against Examinees Granted Extended**  
19 **Time:** All disabled individuals in the State of California who took the LSAT with the accommodation  
20 of extra time from January 19, 2009 to the present.

21 7. **Class Representative:** The Director of the DFEH, with the assistance of the 16 named  
22 real parties in interest, will fairly and adequately represent the class. Government Code section 12961  
23 authorizes the Director to pursue this litigation as a class representative. Section 12961 authorizes the  
24 DFEH to seek class relief without being certified as the class representative. Nonetheless, this lawsuit  
25 meets the criteria for class certification.

26 8. **Manageability:** Class treatment of this dispute would save time and money by  
27 bringing all like claims before this court. For LSAC policies that affect a large group of applicants in



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

5 9. **Numerosity:** The class is estimated to include hundreds of LSAT applicants. It would  
6 be impracticable to join each of these applicants who requested reasonable accommodation during the  
7 three-year time frame and to bring them individually before the court for adjudication. The members  
8 of this class are fully ascertainable and there exists a probability that the individual members will  
9 ultimately be available to come forward to prove their separate damage-related claims to a portion of  
10 the total class recovery, if any.

11 10. **Commonality:** There exists for the class a well-defined community of interest such  
12 that common questions of both law and fact predominate over individual interests or claims.

13 11. **Typicality:** The class claims raised by the real parties in interest are typical of those  
14 held by other members of the class. Each applicant for reasonable accommodation was subject to an  
15 unlawful inquiry about mitigation measures, and each test-taker, who was granted extra time, had his  
16 or her test score segregated and flagged.

17 12. **Adequacy of Representation:** With the assistance of the real parties in interest, the  
18 DEFH will fairly and adequately represent the interests of all members of the class in the adjudication  
19 of their similar legal claims.

20 **JURISDICTION AND VENUE**

21 13. The DFEH realleges and incorporates by reference each and every allegation  
22 contained in paragraphs 1 through 12, inclusive, as if fully set forth herein.

23 14. This action arises under the FEHA, specifically Government Code section 12948,  
24 which incorporates the Unruh Act into the enforcement structure of the FEHA, giving the DFEH  
25 jurisdiction over Unruh Act violations occurring within the state. By virtue of its incorporation into  
26 the Unruh Act, a violation of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. § 12101  
27 et seq.) also constitutes a violation of the Unruh Act. (Civ. Code, § 51, subd. (f).)



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

4           16.     At all times relevant to this complaint, real parties in interest John Doe, Jane Doe,  
5 Peter Roe, Raymond Banks, Kevin Collins, Rodney Decomo-Schmitt, Elizabeth Hennessey-  
6 Severson, Otilia Ioan, Alex Johnson, Nicholas Jones, Caroline Lee, Andrew Quan, Stephen Semos,  
7 Gazelle Taleshpour, Kevin Vielbaum, Austin Whitney, and all other similarly situated individuals,  
8 were “persons” within the meaning of Government Code section 12925, subdivision (d), and Civil  
9 Code section 51, subdivision (b).

10           17.     On May 9, 2010, Jane Doe filed a verified complaint of discrimination in writing with  
11 the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully denied  
12 her full and equal access to the LSAT within the preceding one year, in violation of the FEHA and  
13 Unruh Act. A redacted copy of this complaint is attached hereto as Exhibit 1.

14           18.     On January 12, 2010, Nicholas Jones filed a verified complaint of discrimination in  
15 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
16 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
17 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
18 2.

19           19.     After receiving the complaints of Jane Doe and Mr. Jones, and beginning an  
20 investigation into their allegations, the Department came to believe that LSAC’s policies and  
21 practices toward disabled applicants requesting reasonable accommodation were affecting a larger  
22 group or class of applicants in a similar manner.

23           20.     On July 22, 2010, the Department issued a document entitled “Notice of Class Action  
24 Complaint and Director’s Complaint” describing the affected group or class as “all disabled  
25 individuals in the State of California who have or will request a reasonable accommodation for the  
26 Law School Admission Test (LSAT), administered by the LSAC, and who have or will be unlawfully

27



1 denied such request from January 19, 2009 to the conclusion of the Department’s investigation of this  
2 complaint.” A redacted copy of this complaint is attached hereto as Exhibit 3.

3 21. During its investigation of the class action and Director’s complaint, the DFEH  
4 propounded administrative discovery to determine whether other people had been harmed by LSAC’s  
5 discriminatory practices within the state. The DFEH’s efforts to obtain this information from  
6 defendant included the filing of a superior court petition to compel LSAC to respond to its discovery  
7 requests. Although Government Code section 12960, subdivision (d), provides that the DFEH has  
8 one year from the date of the filing of its complaint until the filing of its accusation, this time is  
9 extended by the pendency of a court action to enforce administrative discovery. (Gov. Code, §  
10 12963.5, subd. (f).) Therefore, this action is timely filed.

11 22. With the court’s assistance, the DFEH was able to discover and notify other persons  
12 who were harmed by defendant’s discriminatory practices. Some of these people elected to file  
13 individual complaints as follows.

14 23. On August 29, 2011, Alex Johnson filed a verified complaint of discrimination in  
15 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
16 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
17 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
18 4.

19 24. On August 31, 2011, John Doe filed a verified complaint of discrimination in writing  
20 with the Department pursuant to Government Code section 12960, alleging that LSAC unlawfully  
21 denied him full and equal access to the LSAT within the preceding one year, in violation of the  
22 FEHA and Unruh Act. A redacted copy of this complaint is attached hereto as Exhibit 5.

23 25. On September 26, 2011, Elizabeth Hennessey-Severson filed a verified complaint of  
24 discrimination in writing with the Department pursuant to Government Code section 12960, alleging  
25 that LSAC unlawfully denied her full and equal access to the LSAT within the preceding one year, in  
26 violation of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as  
27 Exhibit 6.



1 26. On October 3, 2011, Caroline Lee filed a verified complaint of discrimination in  
2 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
3 unlawfully denied her full and equal access to the LSAT within the preceding one year, in violation  
4 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
5 7.

6 27. On October 6, 2011, Raymond Banks filed a verified complaint of discrimination in  
7 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
8 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
9 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
10 8.

11 28. On October 7, 2011, Gazelle Taleshpour filed a verified complaint of discrimination in  
12 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
13 unlawfully denied her full and equal access to the LSAT within the preceding one year, in violation  
14 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
15 9.

16 29. On October 11, 2011, Peter Roe filed a verified complaint of discrimination in writing  
17 with the Department pursuant to section Government Code section 12960, alleging that LSAC  
18 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
19 of the FEHA and Unruh Act. A redacted copy of this complaint is attached hereto as Exhibit 10.

20 30. On October 11, 2011, Stephen Semos filed a verified complaint of discrimination in  
21 writing with the Department pursuant to section Government Code section 12960, alleging that LSAC  
22 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
23 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
24 11.

25 31. On October 14, 2011, Rodney DeComo-Schmitt filed a verified complaint of  
26 discrimination in writing with the Department pursuant to Government Code section 12960, alleging  
27 that LSAC unlawfully denied him full and equal access to the LSAT within the preceding one year,





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

3 32. On October 17, 2011, Andrew [redacted] filed a verified complaint of discrimination  
4 in writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
5 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
6 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
7 13. Andrew [redacted] directly entered into a settlement agreement with LSAC. The DFEH is not a  
8 party to the settlement agreement between Andrew [redacted] and LSAC.

9 33. On October 19, 2011, Kevin Collins filed a verified complaint of discrimination in  
10 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
11 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
12 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
13 14.

14 34. On October 24, 2011, Otilia Ioan filed a verified complaint of discrimination in  
15 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
16 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
17 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
18 15.

19 35. On October 28, 2011, Andrew Quan filed a verified complaint of discrimination in  
20 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
21 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
22 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
23 16.

24 36. On October 28, 2011, Austin Whitney filed a verified complaint of discrimination in  
25 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
26 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
27



1 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
2 17.

3 37. On November 7, 2011, Kevin Vielbaum filed a verified complaint of discrimination in  
4 writing with the Department pursuant to Government Code section 12960, alleging that LSAC  
5 unlawfully denied him full and equal access to the LSAT within the preceding one year, in violation  
6 of the FEHA and Unruh Act. A true and correct copy of this complaint is attached hereto as Exhibit  
7 18.

8 38. On February 6, 2012, the DFEH issued a Group and Class Accusation before the  
9 California Fair Employment and Housing Commission (Commission), charging LSAC with  
10 violations of the Unruh Act. The Group and Class Accusation was properly served on LSAC by  
11 certified mail.

12 39. On February 17, 2012, the DFEH issued a First Amended Group and Class Accusation  
13 before the Commission. This accusation was properly served on the LSAC by certified mail.

14 40. Pursuant to Government Code section 12965, subdivision (c)(1), LSAC elected to  
15 have this dispute heard in civil court in lieu of a hearing before the Commission, and so notified the  
16 Department in writing, on or about February 22, 2012. A true and correct copy of "Respondent's  
17 Notice of Transfer of Proceedings to Court" is attached hereto as Exhibit 19.

18 41. The Department has withdrawn its accusation and has timely filed this complaint  
19 pursuant to Government Code section 12965, subdivision (c)(2).

20 42. The harm that is the subject of this complaint occurred throughout the State of  
21 California. Three of the real parties in interest lived in the County of Alameda at the time that they  
22 were denied full and equal accommodations in the testing process.

23 43. The amount of damages sought by this complaint exceeds the minimum jurisdictional  
24 limits of this court.

25 **FACTUAL ALLEGATIONS**

26 **The Law School Admissions Test (LSAT)**





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

4 The LSAC Accommodation Request Process

5 52. LSAC requires candidates requesting a reasonable accommodation to utilize its  
6 standard forms and procedures. Applicants making an accommodation request for a so-called  
7 cognitive or psychological impairment are required to provide psychoeducational/  
8 neuropsychological testing and a full diagnostic report, including comprehensive aptitude and  
9 achievement testing.

10 53. LSAC requires each applicant to disclose whether he or she took prescribed  
11 medication during the evaluation process and to provide an explanation for any failure or refusal to  
12 take the medication.

13 54. LSAC has a policy whereby examinees who complete the LSAT under a disability-  
14 related accommodation involving additional test time receive a notation on their score report  
15 indicating that their exam scores were earned under non-standard time conditions. When reporting  
16 these LSAT scores to the law schools, defendant advises the schools that these examinees' scores  
17 "should be interpreted with great sensitivity and flexibility."

18 55. In addition, scores from tests taken under extended time conditions are not averaged  
19 with other scores to produce a percentile ranking as are other test scores. Instead, extended time  
20 scores are reported individually.

21 John Doe

22 56. John Doe, a resident of Rancho Santa Fe (San Diego County), requested that  
23 defendant make accommodations for the December 2010 LSAT at Saddleback College.

24 57. Mr. Doe was diagnosed with attention deficit disorder (ADD) at age 13. In addition, in  
25 2010 he became extremely ill with a bacterial infection and was hospitalized for approximately two  
26 months, spending several weeks in the Intensive Care Unit in a medically-induced coma. During this  
27 illness he suffered a severe brain edema, which left him with residual neurological impairments.













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

4 93. In support of his request, Mr. DeComo-Schmitt submitted a thorough  
5 psychoeducational assessment and proof that he had received time and a half (150 percent) on his  
6 SAT exam.

7 94. LSAC at first refused to consider Mr. DeComo-Schmitt's request for reconsideration,  
8 asserting that it had been submitted past the deadline for the October 2010 exam. Later, LSAC denied  
9 any accommodation to Mr. DeComo-Schmitt for the December 2010 exam, asserting that the  
10 documentation he had submitted did not demonstrate a limitation of a major life activity which  
11 affected his ability to take the LSAT.

12 95. Mr. DeComo-Schmitt requested reconsideration of LSAC's decision, submitting a  
13 letter from his psychologist contending that LSAC had misinterpreted the psychological testing.

14 96. LSAC stood by its denial of accommodation, informing Mr. DeComo-Schmitt that he  
15 was registered for the December 2010 LSAT as a standard test taker.

16 **Elizabeth Hennessey-Severson**

17 97. Elizabeth Hennessey-Severson, a resident of San Francisco (San Francisco County),  
18 requested that defendant make accommodations for the June 2011 LSAT at University of California,  
19 Hastings College of the Law.

20 98. Ms. Hennessey-Severson has reading, written expression and mathematics disorders,  
21 and ADHD. These conditions impair her working memory and her ability to plan, organize, and  
22 devote sustained attention to language-based tasks, particularly reading.

23 99. Ms. Hennessey-Severson requested that LSAC accommodate her on the LSAT with a  
24 minimum of time and a half (150 percent) extra testing time, and by allowing her short breaks of 10  
25 to 15 minutes between sections of the exam.



1 100. In support of her request, Ms. Hennessey-Severson submitted psychoeducational  
2 assessment reports from 2002 and 2009. She also submitted proof that she had been accommodated  
3 with time and a half (150 percent) on the SAT, and while she was a student at Dartmouth College.

4 101. Defendant denied all of Ms. Hennessey-Severson’s requests for accommodation,  
5 contending that she scored in the “very superior” and “high average” range in her psychoeducational  
6 testing, and that her 2002 evaluation noted that she demonstrated a remarkable ability to compensate  
7 for her learning disabilities, such that she was able to take honors courses and play high school sports.

8 102. Ms. Hennessey-Severson and her psychologist requested that LSAC reconsider its  
9 decision to deny accommodation. Her psychologist wrote: “It is my professional opinion based on all  
10 available evidence including comprehensive history, diagnostic interview, well established history of  
11 early diagnosis, remediation, and later accommodations throughout high school and college, that Ms.  
12 Hennessey has a standard learning disability that has a substantial impact on a major life function,  
13 namely, her ability to read, write, and calculate efficiently, and that extended time for formal testing  
14 is a reasonable accommodation for her disability.”

15 103. After reconsideration, LSAC stood by its prior decision to deny Ms. Hennessey-  
16 Severson any accommodation.

17 **Otilia Ioan**

18 104. Otilia Ioan, a resident of San Jose (Santa Clara County), requested accommodation for  
19 the December 2010 LSAT offered at Santa Clara University.

20 105. Ms. Ioan is quadriplegic. She is paralyzed in all four limbs and is unable to physically  
21 write without using a brace.

22 106. Ms. Ioan requested that LSAC provide her with double time on all sections of the test,  
23 an alternate answer sheet, the use of a scribe, and an additional break of 30 minutes between sections  
24 3 and 4 of the test.

25 107. In support of her request, Ms. Ioan submitted verification that she had received the  
26 accommodation of double time on tests while a student at De Anza College, and double time when  
27 taking the GRE.



1 108. LSAC asked Ms. Ioan to submit additional information from her doctor before it could  
2 consider her request for accommodation. LSAC wrote: "Your evaluator needs to provide detailed  
3 information regarding the nature, extent, severity, and treatment of your disorder and its functional  
4 limitation on your ability to take the LSAT," defendant wrote.

5 109. Ms. Ioan's doctor supplied the additional information that LSAC requested.

6 110. Ms. Ioan wrote to LSAC requesting reconsideration of its decision to deny her double  
7 testing time. LSAC stood by its previous decision.

8 Alex Johnson

9 111. Alex Johnson, a resident of Lake San Marcos (San Diego County), requested  
10 accommodations for the October 2010 LSAT offered at the University of Southern California.

11 112. Mr. Johnson is quadriplegic. He is unable to write or turn pages because his fingers are  
12 paralyzed. He is unable to draw diagrams, underline text, or use a standard Scantron answer sheet.

13 113. Mr. Johnson requested 15 minutes of extra break time between each section of the  
14 LSAT, and 120 additional minutes (more than triple time) on the multiple choice and writing sample  
15 sections.

16 114. In support of his request, Mr. Johnson submitted medical documentation of his  
17 condition and need for accommodation, as well as verification from the University of Southern  
18 California that he had received double time on his exams while a student there.

19 115. At first, LSAC refused to consider Mr. Johnson's accommodation request, because he  
20 was not registered to take the LSAT. Later, it granted Mr. Johnson time and a half (150 percent) on  
21 the multiple choice and writing sample sections, and 10 minutes of break time between each section.  
22 It agreed to provide Mr. Johnson with a scribe, and permitted him to use a computer for the writing  
23 sample.

24 116. Mr. Johnson requested that LSAC reconsider his request for double time. His doctor  
25 wrote, "Double time is the least amount of time I should be allocated. It is also very hard to use a  
26 scribe because of time limitations."

27



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

3 Nicholas Jones

4 118. Nicholas Jones, a resident of Palm Desert (Riverside County), requested that  
5 defendant provide him with an accommodation for the December 2009 LSAT offered at the  
6 University of Laverne (Ontario).

7 119. Mr. Jones suffers from two distinct eye conditions. First, he has amblyopia or “lazy  
8 eye” in his left eye, which impairs his visual processing. Second, he has posterior vitreous  
9 detachments in his right eye, meaning that he has persistent floaters or spots, which obstruct his field  
10 of vision. These conditions together impair Mr. Jones’ reading speed and ability.

11 120. Mr. Jones requested time and a half (150 percent) on the multiple choice and writing  
12 sample sections of the exam and five-minute breaks between each section.

13 121. In support of his request, Mr. Jones submitted medical forms filled out by his doctor,  
14 an eye specialist.

15 122. LSAC refused to provide any accommodation to Mr. Jones, informing him that “[t]he  
16 documentation provided did not reflect an impairment related to taking the Law School Admission  
17 Test.”

18 123. Mr. Jones requested that LSAC reconsider its decision denying him accommodations,  
19 and asked it to provide further explanation. Mr. Jones’ doctor wrote a letter supporting his request for  
20 reconsideration, asserting that Jones’ eye condition “substantially limits him in at least one major life  
21 activity, reading.”

22 124. After reconsideration, defendant stood by its prior decision to deny accommodation.  
23  
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Caroline Lee

1  
2 125. Caroline Lee, a resident of Oakland (Alameda County), requested that defendant make  
3 accommodations for the December 2010 LSAT offered in the City of Oakland.

4 126. Ms. Lee suffers from ADHD and a reading disorder, causing her reading to be labored  
5 and excessively slow, and impairing her short-term memory.

6 127. Ms. Lee requested time and a half (150 percent) on the LSAT multiple choice and  
7 writing sample, as well as extended breaks during the exam, a quiet testing environment, and the use  
8 of a laptop to compose all written work.

9 128. In support of her request, Ms. Lee submitted proof that she had received extended  
10 testing time of 150 percent while a student at City College of San Francisco (CCSF) and that she had  
11 taken the SAT and ACT with accommodations. She also submitted a psychoeducational assessment  
12 that had been performed while she was a student at CCSF.

13 129. LSAC replied in writing to Ms. Lee that she needed to submit additional  
14 documentation in order for her request to be considered, asking for: “[t]esting results and a full  
15 diagnostic report from a comprehensive up-to-date psychoeducational/neuropsychological assessment  
16 that comply with the Law School Admissions Council, Inc. Guidelines for Documentation of  
17 Cognitive Impairments.”

18 130. Ms. Lee then obtained and submitted a full psychoeducational evaluation in February  
19 2011, which documented her ADHD and reading disorder. Her psychologist recommended that she  
20 receive 150 percent extended time, as well as the other previously requested accommodations.

21 131. LSAC then requested that Ms. Lee submit several additional documents and reports.  
22 Ms. Lee did so.

23 132. In April 2011, defendant denied all of Ms. Lee’s requested accommodations,  
24 informing her that: her performance on academic measures was commensurate with her ability,  
25 negating a finding of impairment; her documentation failed to support the diagnosis of an attention  
26 disorder; and her request for additional time on the writing sample was not considered because her  
27 psychologist had not administered the right tests.



1 133. Ms. Lee requested that LSAC reconsider its denial of accommodation. This request  
2 was accompanied by a letter from her psychologist, who contended that LSAC had misinterpreted the  
3 psychoeducational assessment.

4 134. After reconsideration, LSAC stood by its initial decision to deny accommodations.

5 Andrew Quan

6 135. Andrew Quan, a resident of Hayward (Alameda County), requested accommodation  
7 for the October 2011 LSAT offered at the University of California, Santa Cruz.

8 136. Mr. Quan has ADHD, a visual-motor integration deficit with slow processing speed,  
9 hypotonia, and dysgraphia.

10 137. Mr. Quan requested that LSAC provide him with the accommodations of double time  
11 on the multiple choice and writing sample portions of the exam, 10-minute breaks between each  
12 section of the test, and the use of a computer for the writing sample.

13 138. In support of his request, Mr. Quan submitted to LSAC proof that he had been  
14 accommodated with the use of a computer on his ACT exams. He also submitted a 2008  
15 psychoeducational assessment from high school, showing that Mr. Quan suffered from “significant  
16 deficits in visual-motor integration and fine motor skills.” Included within that assessment was a  
17 2008 IEP documenting dysgraphia, attention deficit, visual processing, and sensory motor skills  
18 disorders which qualified him for special educational services, the use of a laptop computer, a scribe,  
19 and extra examination time.

20 139. LSAC requested that Mr. Quan provide further documentation to support his request,  
21 including “testing results and a full diagnostic report from a comprehensive up-to-date  
22 psychoeducational/neuropsychological assessment that comply with [LSAC Guidelines].”

23 140. Mr. Quan contested LSAC’s need for additional documentation, asserting that it was  
24 unnecessary, unaffordable, and burdensome.

25 141. LSAC responded that if Mr. Quan wanted any accommodation in the future, he would  
26 need to submit “substantive documentation to support your request for your hypotonia/dysgraphia  
27 disorders.”



Stephen Semos

1  
2 142. Stephen Semos, a resident of Rancho Palos Verdes (Los Angeles County), requested  
3 that defendant make accommodations for the December 2010 LSAT at Whittier Law School (Costa  
4 Mesa).

5 143. Mr. Semos has ADHD and dysgraphia, which significantly impair his reading, writing,  
6 organization, and general academic performance.

7 144. Mr. Semos requested time and a half (150 percent) on both the multiple-choice and  
8 writing sample portions of the exam, additional break time of five to eight minutes.

9 145. In support of his request, Mr. Semos submitted proof that he had received:  
10 accommodations on the SAT; an IEP from the Palos Verdes Peninsula Unified School District  
11 identifying Mr. Semos as learning disabled; a letter verifying that he had received accommodations  
12 while a student at the University of California, Irvine, of time and a half (150 percent) on tests; and a  
13 complete psychoeducational assessment by his doctor, a neuropsychologist.

14 146. LSAC's first response was to ask Mr. Semos to provide additional documentation in  
15 order to consider his accommodation request, including a full report of two particular tests for  
16 cognitive disabilities, the Nelson-Denny Reading Test (NDRT) and the Conner's Continuous  
17 Performance Test-II. LSAC also informed Mr. Semos that the deadline for the December 2010 LSAT  
18 had passed, but that he could request accommodation for future exams.

19 147. Mr. Semos then submitted his documentation for the February 2011 LSAT.

20 148. In response, LSAC denied all of Mr. Semos' requests for accommodation on the basis  
21 that his test scores were generally commensurate with his abilities and thus did not demonstrate a  
22 learning disability.

23 149. Mr. Semos' neuropsychologist requested that LSAC reconsider its denial. Mr. Semos'  
24 doctor wrote: "Your denial letter written to Mr. Semos selectively highlighted the above average  
25 scores and thereby masked the patterns of deficits in processing speed and fine motor speed noted in  
26 my neuropsychological report."  
27



1 150. LSAC responded that the letter from Mr. Semos' neuropsychologist had arrived too  
2 late to be considered for the February 2011 LSAT. LSAC wrote: "You remain registered to test as a  
3 standard test taker. No accommodations have been granted."

4 **Gazelle Taleshpour**

5 151. Gazelle Taleshpour, a resident of San Diego (San Diego County), requested that  
6 defendant make accommodations for the October 2010 LSAT offered at the University of San Diego.

7 152. Ms. Taleshpour has ADHD. She also suffers from osteopenia (bone loss) and chronic  
8 pain in her neck and back as a result of treatment she had received for leukemia, a bone marrow  
9 transplant, radiation, and chemotherapy.

10 153. Ms. Taleshpour requested that LSAC accommodate her with 30 extra minutes on the  
11 multiple choice and writing sample portions of the exam, breaks of two to five minutes every half  
12 hour so that she could stretch and alleviate pain, a high table, and a comfortable chair.

13 154. In support of her request, Ms. Taleshpour submitted documentation from her treating  
14 medical doctor, her chiropractor, and her psychologist. She also provided LSAC with verification that  
15 she had received time and a half (150 percent) on all tests and exams while a student at the University  
16 of San Diego.

17 155. LSAC requested that Ms. Taleshpour provide additional documentation in support of  
18 her accommodation request, including "[t]esting results and a full diagnostic report from a  
19 psychoeducational/neuropsychological assessment that comply with Guidelines for Documentation of  
20 Cognitive Impairments."

21 156. Ms. Taleshpour obtained and submitted the additional documentation that LSAC  
22 requested. Her psychiatrist performed a full psychoeducational assessment, which diagnosed her with  
23 ADHD, a reading disorder, and a learning disability (dyslexia). Her psychiatrist supported Ms.  
24 Taleshpour's request for double time and other accommodations.

25 157. LSAC only partially granted Ms. Taleshpour's request for accommodation, allowing  
26 her to sit or stand at a podium while taking the exam, and to bring a seat cushion or an adjustable  
27 chair.









1           173. In support of this request, Mr. Whitney submitted medical forms from four different  
2 doctors, each of whom supported his need for extra testing time. Dr. Larry Snyder explained:  
3 “Patient has significant fatigue due to medications taken for previous spinal injury - this will affect  
4 his performance in TIMED conditions.” Dr. Carol Jessop wrote that, due to Mr. Whitney’s spinal  
5 cord injury with chronic, neuropathic pain, he needed extra time to compensate for the effects of the  
6 pain medication which cause fatigue. Dr. Jessop explained: “This is a significant problem for Austin  
7 Whitney as he is taking medications . . . that cause him to be sleepy and fatigued. This drowsiness  
8 makes him slower in his response to test questions. If an exam has a time limit, he will definitely  
9 need extra time to complete it.”

10           174. LSAC then granted Mr. Whitney the extra break time that he requested, and agreed to  
11 provide a wheelchair accessible testing site, but denied his request for extra testing time. “If you  
12 choose to have your cognitive disorder (alluded to by Carol Jessop, MD) considered,” defendant  
13 wrote, “you must provide a current psychoeducational/neuropsychological assessment or  
14 neuropsychological evaluation as per our Guidelines for Documentation of Cognitive Impairments.”

15           175. Mr. Whitney asked defendant to reconsider its decision to deny additional testing time,  
16 and three of his doctors wrote to LSAC in support of his request.

17           a. Dr. Snyder wrote, “His pain and spacticity are a constant distraction and put  
18 him at a significant disadvantage as a test taker. In addition, the medication he is taking causes  
19 significant fatigue and makes it difficult to concentrate. The medication side effects do not impair  
20 cognition but can slow processing speed. For these reasons, he should be afforded extra time when  
21 taking this standardized test.”

22           b. Dr. Jessop wrote, “I would like to emphasize that the nature of Mr. Whitney’s  
23 condition is physiological (pain issues) and NOT cognitive or due to a learning disorder. Our request  
24 for extra time on the exam is based solely on physiological effects of chronic, severe neuropathic  
25 pain, and the fatiguing side effects of pharmaceutical pain killers. Thus, because he doesn’t have a  
26 learning disability, I feel strongly that neuropsychological or psychoeducational testing would be  
27 irrelevant in his case.”



1 c. Dr. Hedelman wrote, "Patient's significant impacts on concentration, reading,  
2 writing, ability to attend class is secondary to his unpredictable, severe neuropathic pain and the  
3 associated pain management medications. Patient does not have an underlying cognitive impairment  
4 requiring neuropsych[ological] testing."

5 176. LSAC refused to reconsider its decision, responding: "We have no objective evidence  
6 to support Dr. Carol Jessop, MD's conclusion that your thought processes are not as fast as they  
7 could be without medication."

8 177. In 2011, at LSAC's behest, Mr. Whitney was evaluated by a psychologist, who  
9 determined that he required double time on examinations due to the effect that his pain medication  
10 was having on his cognitive abilities.

11 178. In response to a second accommodation request by Mr. Whitney with the  
12 psychologist's report as supporting documentation, LSAC awarded him 10 additional minutes on  
13 each section of the exam. LSAC provided no rationale for denying his request for double time.

14 **FIRST CLASS CAUSE OF ACTION**

15 **Unlawful Consideration of Mitigation Measures**

16 **(42 U.S.C. § 12102(4)(E)(1)(i)(I))**

17 179. The DFEH realleges and incorporates by reference each and every allegation  
18 contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.

19 180. The ADA, 42 U.S.C. § 12102(4)(E)(1)(i)(I), requires that "any determination of  
20 whether an impairment substantially limits a major life activity shall be made without regard to the  
21 ameliorative effects of mitigating measures such as medication." The ADA is incorporated into the  
22 Unruh Act by Civil Code section 51, subdivision (f).

23 181. By requiring applicants to take the medication prescribed for their disabilities while  
24 being evaluated for accommodations or explain their failure or refusal to do so, LSAC violates the  
25 rights of class members under the FEHA, Unruh Act, and ADA,



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

4 183. As a further and direct result of the unlawful practices of defendants as alleged herein,  
5 class members have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation,  
6 and loss of dignity and self-esteem, in an amount to be proven at trial.

7 184. Defendants have engaged in, and by their refusal to comply with the law, have  
8 demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination  
9 described herein unless and until they are enjoined, pursuant to the police power granted by  
10 Government Code sections 12920 and 12920.5, and pursuant to section 12974, from failing or  
11 refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until  
12 defendants are enjoined from failing or refusing to comply with the mandates of these laws, class  
13 members' right to full and equal access to places of public accommodation will continue to be  
14 violated. Plaintiff lacks any plain, speedy, adequate remedy at law to prevent such harm, injury and  
15 loss, which will continue until the court enjoins the complained of unlawful conduct and grants other  
16 affirmative relief as prayed for herein.

17 **SECOND CLASS CAUSE OF ACTION**

18 **Failure to Ensure that Exam Measures Ability Rather than Disability**

19 **(42 U.S.C. § 12189 and 28 C.F.R. § 36.309)**

20 185. The DFEH realleges and incorporates by reference each and every allegation  
21 contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.

22 186. The ADA requires that any person offering examinations related to post-secondary  
23 education or profession "shall offer such examinations or courses in a place and manner accessible to  
24 persons with disabilities." (42 U.S.C. § 12189.) Regulations interpreting this section impose an  
25 obligation on the entity offering such an examination that "[t]he examination is selected and  
26 administered so as to best ensure that, when the examination is administered to an individual with a  
27 disability that impairs sensory, manual, or speaking skills, the examination results accurately reflect



1 the individual’s aptitude or achievement level or whatever other factor the examination purports to  
2 measure, rather than reflecting the individual’s impaired sensory, manual, or speaking skills.” (28  
3 C.F.R. § 36.309.)

4 187. By adhering to a blanket policy of annotating scores taken under extended time  
5 conditions, defendant is communicating to law schools that it does not know whether or not the  
6 applicants’ exam results accurately reflect aptitude or achievement. Therefore, LSAC is breaching its  
7 duty under the FEHA, Unruh Act, and ADA to ensure that the examination results accurately reflect  
8 the individual’s aptitude or achievement level. (28 C.F.R. § 36.309(b)(1)(i).)

9 188. As a direct result of the unlawful practices of defendants as alleged herein, class  
10 members have incurred out of pocket losses, including test registration fees and medical bills, in an  
11 amount to be proven at trial.

12 189. As a further and direct result of the unlawful practices of defendants as alleged herein,  
13 class members have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation,  
14 and loss of dignity and self-esteem, in an amount to be proven at trial.

15 190. Defendants have engaged in, and by their refusal to comply with the law, have  
16 demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination  
17 described herein unless and until they are enjoined, pursuant to the police power granted by  
18 Government Code sections 12920 and 12920.5, and pursuant to section 12974, from failing or  
19 refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until  
20 defendants are enjoined from failing or refusing to comply with the mandates of these laws, class  
21 members’ right to full and equal access to places of public accommodation will continue to be  
22 violated. Plaintiff lacks any plain, speedy, adequate remedy at law to prevent such harm, injury and  
23 loss, which will continue until the court enjoins the complained of unlawful conduct and grants other  
24 affirmative relief as prayed for herein.



**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,





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

4 **FIFTH CAUSE OF ACTION – REAL PARTIES IN INTEREST ONLY**

5 **Coercion, Intimidation, Threats, or Interference with ADA Rights**

6 **(42 U.S.C. § 12203)**

7 203. The DFEH realleges and incorporates by reference each and every allegation  
8 contained in paragraphs 1 through 184, inclusive, as if fully set forth herein.

9 204. The ADA makes it unlawful to “coerce, intimidate, threaten, or interfere with any  
10 individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed,  
11 any right granted or protected by this Act.” (42 U.S.C. § 12203.)

12 205. LSAC’s policies and patterns of requiring unreasonable types and excessive amounts  
13 of documentation to support each accommodation request violate the FEHA, Unruh Act, and the  
14 ADA, by unlawfully coercing, intimidating, threatening, or interfering with real parties’ exercise or  
15 enjoyment of their right to reasonable accommodation on the LSAT.

16 206. As a direct result of the unlawful practices of defendants as alleged herein, real parties  
17 have incurred out of pocket losses, including test registration fees and medical bills, in an amount to  
18 be proven at trial.

19 207. As a further and direct result of the unlawful practices of defendants as alleged herein,  
20 real parties have suffered emotional distress, anxiety, lost opportunity, frustration, humiliation, and  
21 loss of dignity and self-esteem, in an amount to be proven at trial.

22 208. Defendants have engaged in, and by their refusal to comply with the law, have  
23 demonstrated that they will continue to engage in, the pattern and practice of unlawful discrimination  
24 described herein unless and until they are enjoined, pursuant to the police power granted by  
25 Government Code sections 12920 and 12920.5, and pursuant to section 12974, from failing or  
26 refusing to comply with the mandates of the FEHA, Unruh Act, and the ADA. Unless and until  
27 defendants are enjoined from failing or refusing to comply with the mandates of these laws, class



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

5 **PRAYER FOR RELIEF**

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

8 **AS TO REAL PARTIES IN INTEREST**

9 209. Provide free and accommodated testing at the next available testing date in each real  
10 party's area, with accommodations as initially requested by that real party;

11 210. Provide a letter to each real party explaining that their LSAT scores used for their law  
12 school applications during the relevant period may not have provided accurate measures of their  
13 acquired reading and verbal reasoning skills, because LSAC did not reasonably accommodate their  
14 disabilities.

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

17 211. Cease and desist from consideration of mitigation measures such as medication when  
18 making a determination as to whether an applicant needs an accommodation.

19 212. Cease and desist from specially annotating LSAT scores tests scores administered  
20 under extended time conditions.

21 213. Include all test scores in the percentile ranking process and provide a ranked percentile  
22 to each test taker.

23 214. Immediately undertake a validation study to determine if LSAC scores under  
24 accommodation of extra time for cognitive disabilities are an equal measure of aptitude or  
25 achievement as compared to non-accommodated scores.

26 215. Reduce to a discrete and reasonable amount the documentation required to verify an  
27 applicant's need for an accommodation, especially for so-called cognitive disabilities, consistent with



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

5 216. Create a more streamlined and user-friendly process for considering reasonable  
6 accommodation requests, that includes notice to applicants, within a reasonable period of time,  
7 whether or not requested accommodations have been granted, and provides a fair process for timely  
8 reconsideration of any denial of requested accommodations.

9 217. Pay actual damages according to proof for each Unruh Act violation up to a maximum  
10 of three times the actual damages but in no case less than \$4,000 per violation.

11 218. Pay the DFEH’s attorneys’ fees and costs, pursuant to California Government Code  
12 § 12965(b) and California Civil Code § 52(a), in an amount according to proof, plus annual interest,  
13 as required by law.

14 219. Provide written proof to the Department of the nature and extent of LSAC’s  
15 compliance with all requirements of the court’s order within 100 days of its effective date; and,

16 220. Provide such other relief as the Court deems to be just and proper.

17 Dated: March 12, 2013

DEPARTMENT OF FAIR EMPLOYMENT  
AND HOUSING

18  
19 Jon M. Ichinaga  
Chief Counsel

20  
21 R. Sybil Villanueva  
Associate Chief Counsel

22  
23 Phoebe P. Liu  
Senior Staff Counsel

24  
25 Mari Mayeda  
Senior Staff Counsel

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



# EXHIBIT 1

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

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

DFEH # U200910-Q-0003-00

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

ADDRESS [REDACTED] TELEPHONE NUMBER (INCLUDE AREA CODE) [REDACTED]
CITY/STATE/ZIP [REDACTED] COUNTY Alameda COUNTY CODE 001

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S) LAW SCHOOL ADMISSIONS COUNCIL
ADDRESS P.O. Box 8512 TELEPHONE NUMBER (INCLUDE AREA CODE) (215) 968-1001
CITY/STATE/ZIP Newtown, PA 18940 COUNTY Accommodations COUNTY CODE 000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))
[ ] RACE [ ] SEX [x] DISABILITY [ ] RELIGION [ ] NATIONAL ORIGIN/ANCESTRY [ ] SEXUAL ORIENTATION
[ ] COLOR [ ] AGE [ ] MARITAL STATUS [ ] OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) April 21, 2010 TYPE OF COMPLAINT B

THE PARTICULARS ARE:

- I. On or about April 21, 2010, I was denied my reasonable accommodation request for 50% extra testing time when taking my LSAT exam for the Law School Admissions Council which is located at P.O. Box 8512, Newtown, PA 18940.
II. I believe I was denied my reasonable accommodation request for 50% extra testing time when taking my LSAT exam which is necessary due to my disability (Attention Deficit Disorder) which is a violation Government Code, Section 12948. The Government Code incorporates Section 51 of the Civil Code. My belief is based on the following:
A. Corporate Council, Joan Van Tol, was aware of my disability and the granting of my accommodation request for 50% additional testing time for a prior test date. However, after I requested an accommodation for 50% additional testing time for the June 6, 2010 exam, my request was denied.

Typed and mailed for signature on May 4, 2010.
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.

Dated X May 3, 2010 [REDACTED SIGNATURE]
At X Oakland City [REDACTED SIGNATURE]
MAY 09 2010

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM
DEPT OF FAIR EMPLOYMENT & HOUSING-OAKLAND HOUSING UNIT
DFEH-300-02 (12/99) Q:DS:bps DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING DATE FILED: STATE OF CALIF

**EXHIBIT 2**

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

**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**

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

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)  
 Jones, Nicholas E. (Mr)

ADDRESS  
 73213 Catalina Way

TELEPHONE NUMBER (INCLUDE AREA CODE)  
 (760) 409-9103

CITY/STATE/ZIP  
 Palm Desert, ca 92260

COUNTY  
 Riverside

COUNTY CODE  
 065

**NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:**

NAME(S)  
 Law School Admissions Council, Inc. (LSAC)

ADDRESS  
 Post Office Box 8512

TELEPHONE NUMBER (INCLUDE AREA CODE)  
 215-968-1001

CITY/STATE/ZIP  
 Newton, PA 18940-8512

COUNTY  
 Out-of-State

COUNTY CODE  
 000

**CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))**

RACE     SEX     DISABILITY     RELIGION     NATIONAL ORIGIN/ANCESTRY     SEXUAL ORIENTATION  
 COLOR     AGE     MARITAL STATUS     OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year)    December 5, 2009

TYPE OF COMPLAINT  
 B

**THE PARTICULARS ARE:**

- 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.

**\* \* \* PUBLIC ACCOMMODATION/RALPH/CIVIL CODE SECTION 54 \* \* \***

**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**

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

COMPLAINANT

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.

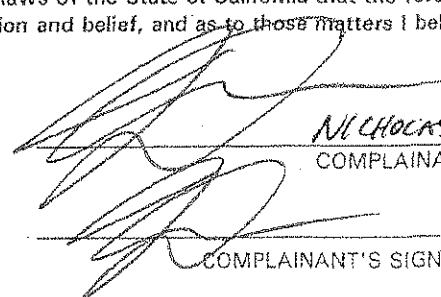
Pg. 2 of 2

RECEIVED

Typed and mailed for signature on January 11, 2010. **JAN 21 2010**

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.

Dated 1/14/2010



NICHOLAS E. JONES  
COMPLAINANT'S SIGNATURE

At PALM DESERT, CA  
City

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM



# EXHIBIT 3

1 SUSAN SAYLOR (#154592)  
Acting Chief Counsel  
2 ALEXANDRA SELDIN (#239708)  
Staff Counsel  
3 DEPARTMENT OF FAIR EMPLOYMENT  
AND HOUSING  
4 2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758  
5 Telephone No.: (619) 645-2575  
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  
12 THE DEPARTMENT OF FAIR  
EMPLOYMENT AND HOUSING,

} Case Nos. U-200910-G-0012-00-p  
U-200910-G-0011-00-p  
U-200910-Q0003-00

13 vs.

14 LAW SCHOOL ADMISSION COUNCIL,  
15 INC.,

} **NOTICE OF CLASS ACTION  
COMPLAINT AND DIRECTOR'S  
COMPLAINT**

16 Respondent,

} (Gov. Code §§ 12960, 12961 and 12965,  
subd. (a).)

17 HAMID MICHAEL HEJAZI; NICHOLAS E.  
18 JONES; and [REDACTED]

19 Complainants.  
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:



1 Case number U-200910-G-0011-00-p, filed by Complainant HAMID MICHAEL HEJAZI  
2 against Respondent LAW SCHOOL ADMISSION COUNCIL, INC. on January 19, 2010.

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

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

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

8 1. Complainants HAMID MICHAEL HEJAZI, NICHOLAS E. JONES and [REDACTED]  
9 [REDACTED] (hereinafter "Complainants") filed individual verified complaints in writing with the  
10 Department on the dates herein indicated alleging that Respondent LAW SCHOOL ADMISSION  
11 COUNCIL, INC. (hereinafter "LSAC") engaged in unlawful practices against them which were  
12 discriminatory on the basis of disability, in violation of the Fair Employment and Housing Act  
13 ("FEHA"), Government Code section 12900, *et. seq.* and the Unruh Civil Rights Act, Civil Code  
14 section 51.

15 2. The Department's investigation revealed that LSAC is a proper respondent for all  
16 purposes in this matter.

17 3. The group or class of which the Complainants are members is comprised of all  
18 disabled individuals in the State of California who have or will request a reasonable  
19 accommodation for the Law School Admission Test ("LSAT"), administered by the LSAC, and  
20 who have or will be unlawfully denied such request from January 19, 2009 to the conclusion of the  
21 Department's investigation of this complaint.

22 4. There are common questions of law and fact involved which affect the parties to be  
23 represented and those persons similarly situated in that during the course of the Department's  
24 investigation the Complainants provided and the Department obtained information, which, if  
25 proven, indicates that LSAC unlawfully denied or denies disabled individuals reasonable  
26 accommodations for the LSAT. Respondent disputes some of these allegations. The Department  
27 will continue the investigation to determine the merits of these allegations.



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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.

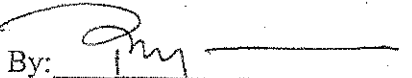
7. You may, but need not, respond to this notification in writing by submitting your response to:

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:   
Phyllis W. Cheng

**EXHIBIT 4**

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

**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**

DFEH # U 201112 H-0007-00-p

COMPLAINANT'S NAME(S) (indicate Mr. or Ms., if individual)

JOHNSON, ALEX (MR.)

ADDRESS

1447 La Linda Drive

TELEPHONE NUMBER (INCLUDE AREA CODE)

760-736-0119

CITY/STATE/ZIP

San Marcos, CA 92078

COUNTY

San Diego

COUNTY CODE

073

**NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:**

NAME(S)

Law School Admissions Council, Inc. (LASC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOXES)

RACE     SEX     DISABILITY     RELIGION     NATIONAL ORIGIN/ANCESTRY     SEXUAL ORIENTATION  
 COLOR     AGE     MARITAL STATUS     OTHER: (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) September 17, 2010

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. On or about 9/17/10 I was denied the reasonable accommodation needed to take the LSAT (Law School Admissions Test).
- II. No reason was given for partial denial of my reasonable accommodation and the granting of inadequate/ineffective accommodations.
- III. I believe I was denied reasonable accommodation, which is necessary due to my disability (Quadriplegia), 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 8/5/10 I advised the Accommodated Testing section of my medical need for accommodation in the form of using a computer for all sections of the test, 120 extra minutes on each section of the test, alternate to scantron answer sheet, use of amanuensis (to turn pages), additional rest period and breaks. I also provided supporting medical documentation to confirm the accommodations were medically necessary.
  - B. On or about 9/17/10 I was notified that part of my requested accommodation was being denied. The accommodations that were granted were inadequate and ineffective.
- 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 August 23, 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.

Dated 8-26-11

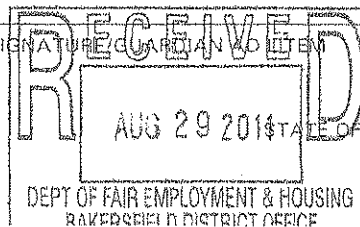
Alex V Johnson  
COMPLAINANT'S SIGNATURE

At Lake San Marcos  
City

COMPLAINANT'S SIGNATURE / GUARDIAN AD LITEM

DFEH-300-02 (12/99)      B:PND  
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED:



STATE OF CALIFORNIA

DEPT OF FAIR EMPLOYMENT & HOUSING  
RIVERSIDE DISTRICT OFFICE

# EXHIBIT 5

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

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

DFEH # U 201112 H-0008-00-p

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

ADDRESS

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

COUNTY

COUNTY CODE

San Diego

073

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LASC)

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 BASED ON (CHECK APPROPRIATE BOX(ES))

- Check boxes for RACE, SEX, DISABILITY, RELIGION, NATIONAL ORIGIN/ANCESTRY, SEXUAL ORIENTATION, COLOR, AGE, MARITAL STATUS, OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TYPE OF COMPLAINT

TOOK PLACE (month, day, and year) October 31, 2010

Unruh

THE PARTICULARS ARE:

- I. On or about 10/31/2010 I was denied the reasonable accommodation of adequate additional time to take the LSAT...
II. No reason was given for partial denial of my reasonable accommodation.
III. I believe I was denied reasonable accommodation in the form of additional test taking time and break periods...
A. On or about early 10/2010 I advised the Accommodated Testing section of my medical need for additional test taking time and break periods...
B. On or about 10/31/10 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 August 22, 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...

Dated

8/26/2011

COMPLAINANT'S SIGNATURE

At

Rancho Santa Fe CA

City

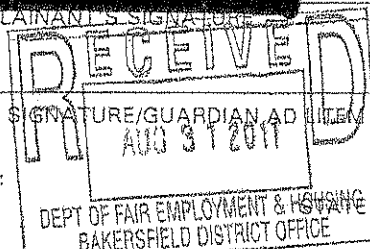
COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM

DFEH-300-02 (12/99)

B:PND

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED:





# EXHIBIT 6

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

**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**

DFEH # U 201112 H-0013-00-p

COMPLAINANT'S NAME(S) (indicate Mr. or Ms., if individual)

HENNESSEY-SEVERSON, ELIZABETH (MS.)

1-603-667-5459

ADDRESS

1067 Oak Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

San Francisco, CA 92101

COUNTY

San Francisco

COUNTY CODE

075

**NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:**

NAME(S)

Law School Admissions Council, Inc. (LSAC)

TELEPHONE NUMBER (INCLUDE AREA CODE)

ADDRESS

662 Penn Street

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE  SEX  DISABILITY  RELIGION  NATIONAL ORIGIN/ANCESTRY  SEXUAL ORIENTATION  
 COLOR  AGE  MARITAL STATUS  OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) May 10, 2011

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. From on or about 4/29/11 I was denied the reasonable accommodation of adequate additional time to take the LSAT (Law School Admissions Test).
- II. No reason was given for denial of my reasonable accommodation.
- III. I believe I was denied reasonable accommodation in the form of additional test taking time, which is necessary due to my disabilities (Anxiety, Processing Disorder, Learning Disorder, Attention Deficit-Hyperactivity Disorder [ADHD]), 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 4/27/11 I advised the Accommodated Testing section of my medical need for additional test taking time as well additional breaks in between test sections. I also provided supporting medical documentation.
  - B. On or about 4/29/11 and again 5/10/11 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 14, 2011.

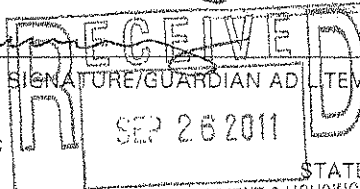
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 9/22/2011

At San Francisco  
City

ES Hennessey  
COMPLAINANT'S SIGNATURE

ES Hennessey  
COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM



DATE FILED:

# EXHIBIT 7

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

DFEH # U 201112 H-0018-00-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 individual)

LEE, CAROLINE FAVROT (MS.)

ADDRESS

676 Alcatraz Avenue

TELEPHONE NUMBER (INCLUDE AREA CODE)

510-655-1758

CITY/STATE/ZIP

Oakland, CA 94609

COUNTY

Alameda

COUNTY CODE

001

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LSAC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE

SEX

DISABILITY

RELIGION

NATIONAL ORIGIN/ANCESTRY

SEXUAL ORIENTATION

COLOR

AGE

MARITAL STATUS

OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) April 28, 2011

TYPE OF COMPLAINT

Unruh

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 for denial of my reasonable accommodation.
- III. I believe I was denied reasonable accommodation, which is necessary due to my disabilities (Learning Disabilities & Processing Disabilities), 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 10/2010 I advised the Accommodated Testing section of my medical need for reasonable accommodation. I also provided supporting medical documentation.
  - B. Most recently on or about 4/28/11 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 28, 2011.

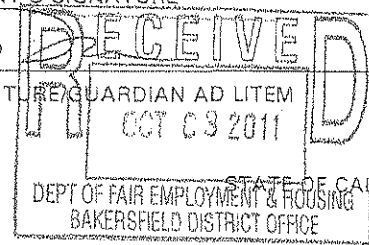
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated Sept 29 2011

*Caroline Favrot*  
COMPLAINANT'S SIGNATURE

At Oakland  
City

*Caroline Favrot*  
COMPLAINANT'S SIGNATURE  
REGUARDIAN AD LITEM



DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED:

STATE OF CALIFORNIA DEPT OF FAIR EMPLOYMENT & HOUSING BAKERSFIELD DISTRICT OFFICE

**EXHIBIT 8**

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

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

DFEH # U 201112 H-0021-00-p

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

BANKS, RAYMOND (MR.)

ADDRESS

P. O. Box 156661

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

San Francisco, CA 94115

COUNTY

San Francisco

COUNTY CODE

075

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LSAC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

- CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))
RACE, SEX, DISABILITY, RELIGION, NATIONAL ORIGIN/ANCESTRY, SEXUAL ORIENTATION, COLOR, AGE, MARITAL STATUS, OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) January 31, 2011

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. On or about January 2011 I was denied the reasonable accommodation of adequate additional time to take the LSAT (Law School Admissions Test).
II. No reason was given for denial of my reasonable accommodation.
III. I believe I was denied reasonable accommodation in the form of additional test taking time, which is necessary due to my disabilities (Nerve and Muscle damage in left shoulder/arm), 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 January 2011 I advised the Accommodated Testing section of my medical need for additional test taking time. I also provided supporting medical documentation.
B. On or about January 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 August 28, 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.

Dated

10/6/11

Raymond Banks (Signature)

COMPLAINANT'S SIGNATURE

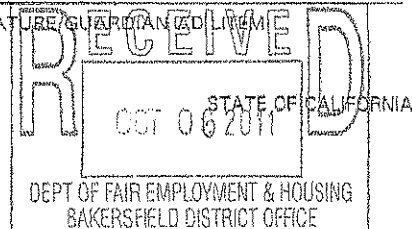
At

SAN FRANCISCO City

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM

OFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED:



# EXHIBIT 9

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

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

DFEH # U 201112 H-0023-00-p

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

TALESHPOUR, GAZELLE (MS.)

ADDRESS

6756 Bestwood Court

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

San Diego, CA 92119

COUNTY

San Diego

COUNTY CODE

073

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LSAC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE
 SEX
 DISABILITY
 RELIGION
 NATIONAL ORIGIN/ANCESTRY
 SEXUAL ORIENTATION
 COLOR
 AGE
 MARITAL STATUS
 OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) December 6, 2010

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. Most recently on or about 12/6/10 I was denied the reasonable accommodation to take the LSAT (Law School Admissions Test).
- II. No adequate reason was given for denial of my reasonable accommodation.
- III. I believe I was denied reasonable accommodation in the form of additional test taking time, which is necessary due to my disabilities (Dyslexia, ADHD, Complications due to bone marrow transplant), 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 and again starting in 7/2010 I advised the Accommodated Testing section of my medical need for reasonable accommodations. I also provided supporting medical documentation.
  - B. Most recently on or about 12/6/10 I was notified that at least part of 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. Corrected and re-mailed October 7, 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.

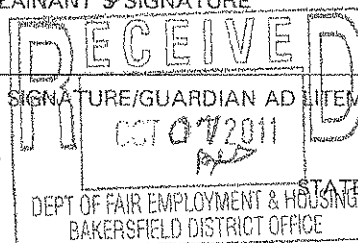
Dated Oct 7th, 2011

*Gazelle Talespour*  
COMPLAINANT'S SIGNATURE

At \_\_\_\_\_  
City

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM

DATE FILED:





**EXHIBIT 10**

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

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

DFEH # \_\_\_\_\_

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

[Redacted Name]

ADDRESS \_\_\_\_\_ TELEPHONE NUMBER (INCLUDE AREA CODE) \_\_\_\_\_

CITY/STATE/ZIP \_\_\_\_\_ COUNTY \_\_\_\_\_ COUNTY CODE \_\_\_\_\_

Out of State \_\_\_\_\_ 000

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

CITY/STATE/ZIP \_\_\_\_\_ COUNTY \_\_\_\_\_ COUNTY CODE \_\_\_\_\_

Newtown, PA 18940 \_\_\_\_\_ Out of State \_\_\_\_\_ 000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE  SEX  DISABILITY  RELIGION  NATIONAL ORIGIN/ANCESTRY  SEXUAL ORIENTATION  
 COLOR  AGE  MARITAL STATUS  OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION \_\_\_\_\_ TYPE OF COMPLAINT \_\_\_\_\_

TOOK PLACE (month, day, and year) October 21, 2010 \_\_\_\_\_ Unruh

THE PARTICULARS ARE:

- I. On or about 10/21/10 I was denied the reasonable accommodation to take the LSAT (Law School Admissions Test).
- II. The reason cited for denying my request for reasonable accommodation was that documentation did not support that my condition limited a major life activity.
- III. I believe I was denied reasonable accommodation, which is necessary due to my disabilities (Attention Deficit—Hyperactivity Disorder [ADHD] and Learning Disabilities), 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 8/2010 I advised the Accommodated Testing section of my medical need for reasonable accommodations. I also provided supporting medical documentation.
  - B. Most recently on or about 10/21/10 I was notified that my requested accommodations were 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 27, 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.

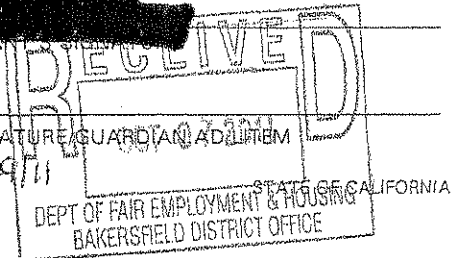
Dated 09/27/2011

[Redacted Signature]

At Scottsdale, AZ  
City

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM  
DATE FILED: 9/29/11

DFEH-300-02 (12/99) B:PND  
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING



**EXHIBIT 11**

J 201112 H-0025-00-p

DFEH # \_\_\_\_\_

**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 individual)

SEMOS, STEPHEN (MR.)

ADDRESS

6512 Monero Drive

TELEPHONE NUMBER (INCLUDE AREA CODE)

310-544-2993

CITY/STATE/ZIP

Rancho Palos Verdes, CA 90275

COUNTY

Los Angeles

COUNTY CODE

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

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE

SEX

DISABILITY

RELIGION

NATIONAL ORIGIN/ANCESTRY

SEXUAL ORIENTATION

COLOR

AGE

MARITAL STATUS

OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) February 28, 2011

TYPE OF COMPLAINT

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).
- II. 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 Gertsman 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.

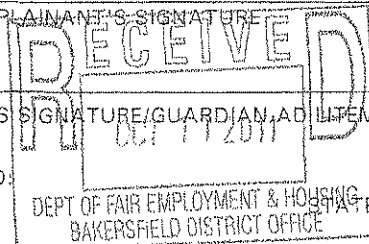
Dated ~~9-5-2011~~ 10-5-2011

*Stephen Semos*

COMPLAINANT'S SIGNATURE

At \_\_\_\_\_ City

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM



DATE FILED

**EXHIBIT 12**

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

U 201112 H-0027-00-p

DFEH # \_\_\_\_\_

**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 individual)

DECOMO-SCHMITT, RODNEY ALEXANDER

ADDRESS

4579 Paradise Drive

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

Tiburon, CA 94920

COUNTY

Marin

COUNTY CODE

041

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LSAC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE

SEX

DISABILITY

RELIGION

NATIONAL ORIGIN/ANCESTRY

SEXUAL ORIENTATION

COLOR

AGE

MARITAL STATUS

OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) October 25, 2010

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. Most recently on or about 10/25/10 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test).
- II. LSAC stated that the documentation submitted did not support that my condition limited a major life activity.
- III. I believe I was denied reasonable accommodation in the form of additional test taking time, which is necessary due to my disabilities (Learning Disability—Reading Processing Problem), 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 9/2010 I advised the Accommodated Testing section of my medical need for reasonable accommodation. I also provided supporting medical documentation.
  - B. Most recently on or about 10/25/10 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 October 13, 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.

Dated 10-13-11

COMPLAINANT'S SIGNATURE

At Tiburon, California  
City

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM

DFEH-300-02 (12/99) B:PND  
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED:



STATE OF CALIFORNIA

**EXHIBIT 13**

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

U 201112 H-0028-00-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

DFEH # \_\_\_\_\_

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

GROSSMAN, ANDREW "ANDY" (MR.)

ADDRESS TELEPHONE NUMBER (INCLUDE AREA CODE)

14780 Farwell Avenue

408-741-5859

CITY-STATE/ZIP COUNTY COUNTY CODE

Saratoga, CA 95070

Santa Clara

085

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

CITY-STATE/ZIP COUNTY COUNTY CODE

Newtown, PA 18940

Out of State

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE  SEX  DISABILITY  RELIGION  NATIONAL ORIGIN/ANCESTRY  SEXUAL ORIENTATION  COLOR  AGE  MARITAL STATUS  OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) November 30, 2010

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. Most recently on or about 11/2010 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test).
- II. No reason was given for the partial denial of my reasonable accommodation.
- III. I believe I was denied reasonable accommodation which is necessary due to my disabilities (Traumatic Brain Injury and Depression/Anxiety Disorder), 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 7/2010 or 8/2010 I advised the Accommodated Testing section of my medical need for reasonable accommodation. I also provided supporting medical documentation.
  - B. Most recently on or about 11/2010 I was notified that part of 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 October 10, 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.

Dated 10/13/11

Andrew L. Grossman

COMPLAINANT'S SIGNATURE

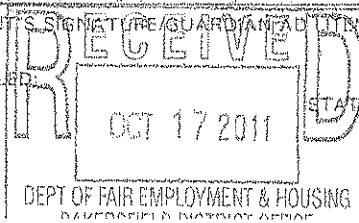
At Saratoga City

Andrew L. Grossman

COMPLAINANT'S SIGNATURE (GUARDIAN AD LITEM)

DFEH-300-02 (12/99) B:PND DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED



STATE OF CALIFORNIA

DEPT OF FAIR EMPLOYMENT & HOUSING



**EXHIBIT 14**

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

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

DFEH # U 201112 H-0029-00-p

COMPLAINANT'S NAME(S) (indicate Mr. or Ms., if individual)

COLLINS, KEVIN M. (MR.)

ADDRESS

23140 Victory Blvd.

TELEPHONE NUMBER (INCLUDE AREA CODE)

818-346-4200

CITY/STATE/ZIP

Woodland Hills, CA 91367

COUNTY

Los Angeles

COUNTY CODE

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

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

- Check boxes for RACE, SEX, DISABILITY, RELIGION, NATIONAL ORIGIN/ANCESTRY, SEXUAL ORIENTATION, COLOR, AGE, MARITAL STATUS, OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) March 14, 2011

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. On or about 1/18/11 and most recently on 3/14/11 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test).
II. The denial on 1/18/11 was allegedly due to insufficient documentation. No reason was given for the partial denial of my requested reasonable accommodation on 3/14/11.
III. I believe I was denied reasonable accommodation which is necessary due to my disabilities (Gifted Learning disability: Reading Disorder and Written Expression Disorder), 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. Beginning on or about 12/10/10 I advised the Accommodated Testing section of my medical need for reasonable accommodation. I also provided supporting medical documentation.
B. On or about 1/18/11 I was notified that my requested accommodation was not being granted even though I believe that all necessary supporting documentation had been submitted.
C. Most recently on 3/14/11 I was notified that part of 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.

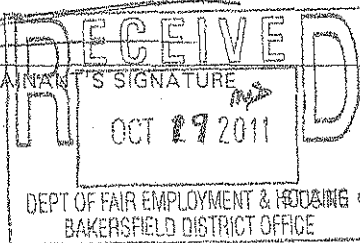
Typed and mailed for signature on October 19, 2011.

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.

Dated 10/23/11
At Los Angeles
City

Handwritten signature of Kevin M. Collins

COMPLAINANT'S SIGNATURE



DATE FILED:

DFEH-300-02 (12/99) B:PND
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

**EXHIBIT 15**

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

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

DFEH # U 201112 H-0031-00-p

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

IOAN, OTILIA (MS.)

ADDRESS

5305 Harwood Road

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

San Jose, CA 95124

COUNTY

Santa Clara

COUNTY CODE

085

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LSAC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))
[ ] RACE [ ] SEX [x] DISABILITY [ ] RELIGION [ ] NATIONAL ORIGIN/ANCESTRY [ ] SEXUAL ORIENTATION
[ ] COLOR [ ] AGE [ ] MARITAL STATUS [ ] OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) November 17, 2010

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. On or about 11/17/10 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test).
II. No reason was given for denial of my reasonable accommodation.
III. I believe I was denied reasonable accommodation which is necessary due to my disability (Spinal Chord Injury--Quadriplegia), 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 8/2010 I advised the Accommodated Testing section of my medical need for reasonable accommodation. I also provided supporting medical documentation.
B. On or about 11/17/10 I was notified that part of 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 27, 2011.

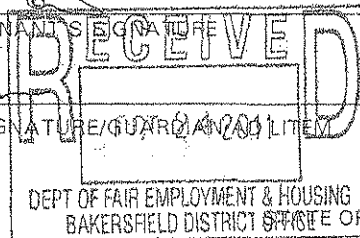
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 10/20/11

At San Jose City

COMPLAINANT'S SIGNATURE (with handwritten signature)
COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM (with handwritten signature)

DATE FILED:



**EXHIBIT 16**

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

DFEH # U 201112 H-0032-00-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 individual)

QUAN, ANDREW (MR.)

ADDRESS

4023 Oak Manor Court

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

Hayward, CA 94542

COUNTY

Alameda

COUNTY CODE

0001

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LSAC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))

RACE

SEX

DISABILITY

RELIGION

NATIONAL ORIGIN/ANCESTRY

SEXUAL ORIENTATION

COLOR

AGE

MARITAL STATUS

OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

September 13, 2011

TYPE OF COMPLAINT

Unruh

TOOK PLACE (month, day, and year)

THE PARTICULARS ARE:

- I. Most recently on or about 9/13/11 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test).
- II. No reason was given for denial of my requested reasonable accommodations.
- III. I believe I was denied reasonable accommodation in the form of additional test taking time, which is necessary due to my disabilities (Hypotonia, Dysgraphia, ADHD, Visual Processing Disorder, and back injury), 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 9/2011 I advised the Accommodated Testing section of my medical need for reasonable accommodations. I also provided supporting medical documentation.
  - B. Most recently on or about 9/13/11 I was notified that my requested accommodations were 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 October 7, 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.

Dated 10-26-2011

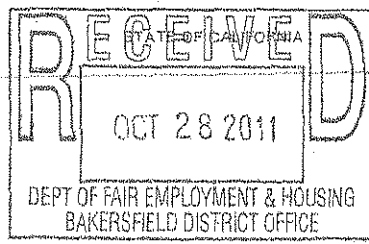
Andrew Quan  
COMPLAINANT'S SIGNATURE

At \_\_\_\_\_  
City

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM

DFEH-300-02 (12/99) B:PND  
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

DATE FILED:



**EXHIBIT 17**

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

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

DFEH # U 201112 H-0035-00-p

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)
WHITNEY, AUSTIN (MR.)

ADDRESS: 1050 Miller Avenue
TELEPHONE NUMBER (INCLUDE AREA CODE): XXX-XXX-XXXX
CITY/STATE/ZIP: Berkeley, CA 94708
COUNTY: Alameda
COUNTY CODE: 001

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S): Law School Admissions Council, Inc. (LSAC)
ADDRESS: 662 Penn Street
TELEPHONE NUMBER (INCLUDE AREA CODE): 215-968-1001
CITY/STATE/ZIP: Newtown, PA 18940
COUNTY: Out of State
COUNTY CODE: 000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX(ES))
[ ] RACE [ ] SEX [x] DISABILITY [ ] RELIGION [ ] NATIONAL ORIGIN/ANCESTRY [ ] SEXUAL ORIENTATION
[ ] COLOR [ ] AGE [ ] MARITAL STATUS [ ] OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year): September 21, 2011
TYPE OF COMPLAINT: Unruh

THE PARTICULARS ARE:

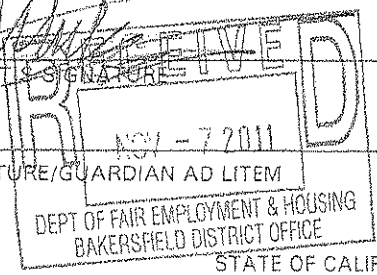
- I. On or about 9/21/11 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test).
II. No reason was given for denial of my reasonable accommodation.
III. I believe I was denied reasonable accommodation in which is necessary due to my disabilities (Spinal Chord Injury - paraplegia, chronic/neuropathic pain), 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 8/28/11 I advised the Accommodated Testing section of my medical need for reasonable accommodation. I also provided supporting medical documentation.
B. On or about 9/21/11 I was notified that part of 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 October 28, 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.

Dated: 11/5/11
At: Berkeley CA
City

COMPLAINANT'S SIGNATURE
COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM





**EXHIBIT 18**

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

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

DFEH # U 201112 H-0033-00-p

COMPLAINANT'S NAME(S) (Indicate Mr. or Ms., if individual)

VIELBAUM, KEVIN (MR.)

ADDRESS

812 Foothill Drive

TELEPHONE NUMBER (INCLUDE AREA CODE)

XXX-XXX-XXXX

CITY/STATE/ZIP

San Mateo, CA 94402

COUNTY

San Mateo

COUNTY CODE

081

NAMED IS THE PERSON, BUSINESS ESTABLISHMENT, PUBLIC ACCOMMODATION OR OTHER ENTITY THAT DISCRIMINATED AGAINST ME:

NAME(S)

Law School Admissions Council, Inc. (LSAC)

ADDRESS

662 Penn Street

TELEPHONE NUMBER (INCLUDE AREA CODE)

215-968-1001

CITY/STATE/ZIP

Newtown, PA 18940

COUNTY

Out of State

COUNTY CODE

000

CAUSE OF DISCRIMINATION BASED ON (CHECK APPROPRIATE BOX[ES])

- checkbox RACE, checkbox SEX, checkbox DISABILITY, checkbox RELIGION, checkbox NATIONAL ORIGIN/ANCESTRY, checkbox SEXUAL ORIENTATION, checkbox COLOR, checkbox AGE, checkbox MARITAL STATUS, checkbox OTHER (SPECIFY)

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (month, day, and year) May 12, 2011

TYPE OF COMPLAINT

Unruh

THE PARTICULARS ARE:

- I. Most recently on or about 5/12/11 I was denied reasonable accommodation to take the LSAT (Law School Admissions Test).
II. No adequate reason was given for denial of my reasonable accommodation.
III. I believe I was denied reasonable accommodation which is necessary due to my disabilities (Dyslexia— Learning Disabilities), 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 March 2011 I advised the Accommodated Testing section of my medical need for reasonable accommodation. I also provided supporting medical documentation.
B. On or about 4/28/11 my initial request for accommodation was denied in total. Most recently on or about 5/12/11 I was notified that part of 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 November 4, 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.

Dated 11/08/11

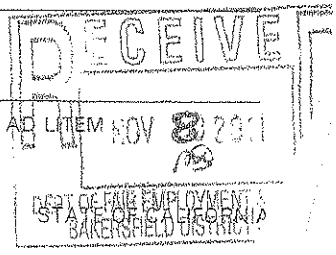
Handwritten signature of Kevin Vielbaum

COMPLAINANT'S SIGNATURE

At San Mateo, CA City

Handwritten signature of Kevin Vielbaum

COMPLAINANT'S SIGNATURE/GUARDIAN AD LITEM



# EXHIBIT 19

1 CASE NAME: DFEH v. Law School Admission Council, Inc.  
2 (Austin Whitney, et al., Complainants)

3 CASE NOS.: U-201112-H-0021-00-p, U-201112-H-0008-00-p, U-201112-H-0029-00-p,  
4 U-201112-H-0027-00-p, U-200910-Q-0003-00-p, U-201112-H-0018-00-p,  
5 U-201112-H-0028-00-p, U-201112-H-0014-00-p,  
6 U-201112-H-0013-00-p, U-201112-H-0031-00-p, U-201112-H-0007-00-p,  
7 U-200910-G-0012-00-p, U-201112-H-0032-00-p, U-201112-H-0025-00-p,  
8 U-201112-H-0023-00-p, U-201112-H-0033-00-p, and U-201112-H-0035-00-p

7 RESPONDENT'S NOTICE OF TRANSFER OF PROCEEDINGS TO COURT

8 I am a Respondent in this matter. I elect to transfer this proceeding to court in lieu of a  
9 hearing before the Fair Employment and Housing Commission, pursuant to Government Code  
10 section 12965, subdivision (c)(1).

11 Dated: 2-22-12

12 

13 Respondent's/Representative's Signature

14 Respondent(s) [Please print]

15 Julie Capell, Attorney for Law School  
16 Representative [Please print] Administration Council, Inc.

17 Address of Respondent, or if  
18 represented, address of Representative

19 Fulbright & Jaworski, L.P.  
20 555 S. Flower Street, 41st Floor

21 Street Los Angeles, CA 90071

22 City State Zip  
23 (213) 892-9800

24 Telephone number of Respondent, or if  
25 represented, telephone number of Representative

