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OF ORIGINAL FILED
Los Angeles Superior Court

MAR 29 2016

Sherril H. Carter, Executive Officer/Clerk
By: Moses Soto, Deputy

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

ROSE TREVIS, an individual,

Plaintiff,

vs.

HAWLEYWOOD'S dba
HAWLEYWOOD'S BARBER SHOP &
SHAVING PARLOR, a California
Corporation, DOES 1 through 10

Defendants.

CASE NO.: **BC 6 1 5 1 6 1**

COMPLAINT FOR DAMAGES

1. Violation of Unruh Civil Rights Act (Cal. Civil Code §51) – Discrimination Based on Gender
2. Violation of Unruh Civil Rights Act (Cal. Civil Code §51) – Discrimination Based on Perceived Gender Identity

Plaintiff Rose Trevis hereby alleges as follows:

PRELIMINARY FACTUAL STATEMENT

1. Plaintiff ROSE TREVIS (“Plaintiff” or “TREVIS”), at all relevant times mentioned herein was a resident of the County of Los Angeles, State of California.
2. Defendant HAWLEYWOOD'S dba HAWLEYWOOD'S BARBER SHOP & SHAVING PARLOR, (“Defendant” or “Hawleywood’s”) is incorporated in the state of

1 California and was at all relevant times doing business in the County of Los Angeles, State of
2 California. Upon information and belief, Defendant is a business establishment for the purposes
3 of the Unruh Civil Rights Act, Civil Code §51 and operates three locations in Southern
4 California.

5 3. The true names and capacities, whether individual, corporate, partnership,
6 associate or otherwise, of Defendants sued herein as DOES 1 through 10, inclusive, are currently
7 unknown to Plaintiff, who therefore sues said Defendants by such fictitious names. Plaintiff is
8 informed and believes, and based thereon alleges, that each of the Defendants designated herein
9 as a DOE is legally responsible in some manner for the events and happenings referred to herein,
10 and caused injury and damage proximately thereby to Plaintiff as hereinafter alleged, Plaintiff is
11 informed and believes that Does 8 through 10 are successors in interest to the named defendants
12 and, on that basis, are liable for the acts and omissions alleged hereinafter. Plaintiff will seek
13 leave of court to amend this Complaint to show the true names and capacities of the Defendants
14 designated herein as DOES when the same have been ascertained. Whenever in this complaint
15 reference is made to "Defendants," such allegation shall be deemed to mean the acts of
16 Defendants acting individually, jointly, and/or severally.

17 4. Except as hereinafter specifically described, Defendants and each of them, are and
18 were the agents and/or employees of the other Defendants, and in acting as described herein were
19 acting within the scope of their authority or employment as agents and/or employees thereof, and
20 with the permission and consent of the other Defendants.

21 5. On March 4, 2016, Plaintiff and Plaintiff's domestic partner, Laura Lozano, were
22 walking in a business neighborhood of Long Beach. As they came upon Hawleywood's Barber
23 Shop & Shaving Parlor, Plaintiff decided to get a haircut at the barber shop.

24 6. Plaintiff and Lozano entered Hawleywood's located at 2234 E. 4th St. in Long
25 Beach, California. The establishment was open for business and other customers were present.
26 Upon entering, an individual who appeared to be a barber providing services at the shop
27 approached and asked Plaintiff if he could help Plaintiff. Plaintiff then asked for a haircut.

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1 7. The barber stated that Hawleywood's only provided services to customers who
2 had appointments. Plaintiff then asked to make an appointment and questioned if there were any
3 available that day.

4 8. The barber then stared at Plaintiff, as if he was examining Plaintiff's appearance,
5 and stated "We don't cut women's hair." Plaintiff is a transgender male with a masculine gender
6 expression.

7 9. Plaintiff was surprised by the barber's response and replied, "Who says I'm a
8 woman?" The barber replied: "Like I said, we don't cut women's hair."

9 10. The barber then walked to the back of the shop and summoned another individual
10 who also appeared to be a barber at the shop.

11 11. As the second barber approached Plaintiff, he examined Plaintiff from head to toe,
12 tilting his head while looking Plaintiff up and down. The second barber then asked if he could
13 help Plaintiff.

14 12. Plaintiff again asked to receive a haircut. The second barber replied, "We don't
15 cut women's hair." Plaintiff replied, as Plaintiff had to the first barber, "Who says I'm a
16 woman?"

17 13. Plaintiff told him that refusing to provide services was discrimination. The
18 second barber replied that the business has "the right to refuse services to anyone." He then
19 added that the business "is an old school barber shop" and therefore they do not service women.

20 14. After Plaintiff and Lozano pointed out that Hawleywood's policy was illegal
21 discrimination, the second barber stated "We don't care."

22 15. Lozano then asked if her presence in the shop was the reason the barbers were
23 refusing to serve Plaintiff. The second barber responded "We don't cut women's hair and
24 women are not even allowed in the shop!"

25 16. Plaintiff felt ashamed and humiliated by Hawleywood's denial of services and
26 left.

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1 17. At no point during Hawleywood's repeated denial of services or accommodations
2 to Plaintiff did Hawleywood's barbers present a legitimate business reason for denying such
3 accommodations or services to Plaintiff or women in general.

4 18. Upon information and belief, it is Hawleywood's policy to deny service to any
5 woman and not even to allow women inside their barbershops.

6 19. On its website, Hawleywood's advertises its barber shops as a "men's sanctuary."
7 The website further claims: "One thing you won't see at Hawleywood's is women. You all
8 know how distracting a woman can be and who wants a straight razor shave with a buxom
9 blonde in the joint?"

10 **FIRST CAUSE OF ACTION**

11 **(For Discrimination Based on Gender in Violation of Unruh Civil Rights Act Civil Code §**
12 **51; Against All Defendants)**

13 20. By reference, Plaintiff incorporates the allegations of paragraphs 1 through 19,
14 inclusive, hereof as though fully set forth at this point.

15 21. Defendant Hawleywood's intentionally denied full and equal accommodations
16 and services to Plaintiff because of Plaintiff's gender in violation of Civil Code § 51(a).

17 22. As a proximate result of the acts and omissions of the Defendants as alleged
18 hereinabove, Plaintiff has suffered humiliation, mental anguish, and emotional distress.

19 23. Plaintiff is therefore entitled to the greater of triple the actual damages Plaintiff
20 suffered as a result of Hawleywood's unlawful discriminatory action or statutory damages
21 pursuant to Civil Code §52(a) of \$4,000.

22 24. Defendant is also liable to Plaintiff for attorney's fees that may be determined by
23 the Court pursuant to Civil Code §52(a).

24 25. Plaintiff is entitled to preliminary and permanent injunctive relief with respect to
25 Hawleywood's policies illegally discriminating on the basis of gender as Defendant has
26 continued to do so.

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1 **SECOND CAUSE OF ACTION**

2 **(For Discrimination Based on Perceived Gender Identity in Violation of Unruh Civil Rights**
3 **Act Civil Code § 51; Against All Defendants)**

4 26. By reference, Plaintiff incorporates the allegations of paragraphs 1 through 25,
5 inclusive, hereof as though fully set forth at this point.

6 27. Defendant Hawleywood's intentionally denied full and equal accommodations
7 and services to Plaintiff because of the gender its barbers perceived Plaintiff to be in violation of
8 Civil Code § 51(a).

9 28. As a proximate result of the acts and omissions of the Defendants as alleged
10 hereinabove, Plaintiff has suffered humiliation, mental anguish, and emotional distress.

11 29. Plaintiff is therefore entitled to the greater of triple the actual damages Plaintiff
12 suffered as a result of Hawleywood's unlawful discriminatory action or statutory damages
13 pursuant to Civil Code §52(a) of \$4,000.

14 30. Defendant is also liable to Plaintiff for attorney's fees that may be determined by
15 the Court pursuant to Civil Code §52(a).

16 31. Plaintiff is entitled to preliminary and permanent injunctive relief with respect to
17 Hawleywood's policies illegally discriminating on the basis of perceived gender as Defendant
18 has continued to do so.

19 WHEREFORE, Plaintiff prays judgment against Defendants as follows:

20 **AS TO THE FIRST CAUSE OF ACTION:**

21 1. That Plaintiff be awarded actual damages in an amount according to proof at trial;

22 2. That Plaintiff be awarded such interest, reasonable attorneys' fees and/or costs of
23 suit as permitted by Civil Code § 52(a), Code of Civil Procedure § 1021.5, and as the law may
24 permit otherwise;

25 3. That Plaintiff be awarded preliminary and permanent injunctive relief enjoining
26 Defendants from refusing to provide accommodation or services on the basis of gender in their
27 places of business;

28

1 4. That this Court award such other and further relief as the Court deems just and
2 proper.

3 **AS TO THE SECOND CAUSE OF ACTION:**

4 1. That Plaintiff be awarded actual damages in an amount according to proof at trial;

5 2. That Plaintiff be awarded such interest, reasonable attorneys' fees and/or costs of
6 suit as permitted by Civil Code § 52(a), Code of Civil Procedure § 1021.5, and as the law may
7 permit otherwise;

8 3. That Plaintiff be awarded preliminary and permanent injunctive relief enjoining
9 Defendants from refusing to provide accommodation on the basis of gender identity or perceived
10 gender identity in their places of business;

11 4. That this Court award such other and further relief as the Court deems just and
12 proper.

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Dated: March 29, 2016

ALLRED, MAROKO & GOLDBERG
GLORIA ALLRED
BYRON R. LAU

By: 
GLORIA ALLRED
Attorneys for Plaintiff Rose Trevis