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8 Attorneys for Plaintiff  
9 LANA LAWLESS

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **SAN FRANCISCO DIVISION**

13 LANA LAWLESS,

14 Plaintiff,

15 v.

16 LADIES PROFESSIONAL GOLF  
17 ASSOCIATION; LONG DRIVERS OF  
18 AMERICA; CVS PHARMACY, INC; DICK'S  
19 SPORTING GOODS, INC.; and RE/MAX  
LLC.

20 Defendants.

Case No.:

10 4599

**COMPLAINT FOR DAMAGES**

1. UNRUH CIVIL RIGHTS ACT (CAL. CIV. CODE § 51)
2. UNFAIR COMPETITION (CAL. BUS. & PROF. CODE § 17200 *et seq.*)
3. INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE

**DEMAND FOR JURY TRIAL**

**Jurisdiction**

- 24 1. Plaintiff LANA LAWLESS (hereinafter "Plaintiff") is a female citizen of the State of  
25 California.
- 26 2. Defendant LADIES PROFESSIONAL GOLF ASSOCIATION ("LPGA") is an Ohio  
27 corporation, headquartered in Daytona Beach, Florida and registered to do business in  
28 California as CSC-Lawyers Incorporating Service, Sacramento, CA, under Corporation  
Number C1880947.

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3. At least three LPGA tournaments take place in California in 2010: the KIA CLASSIC Presented by J Golf (March 25-28, 2010) in Carlsbad, CA; the Kraft Nabisco Championship (April 1-4, 2010) in Rancho Mirage, CA; and the CVS/pharmacy LPGA Challenge (October 14-17, 2010) in Danville, CA. Additionally, the LPGA holds a Sectional Qualifying event (September 14-17, 2010) in Rancho Mirage California.
4. Defendant CVS PHARMACY, INC. (hereinafter "CVS") is a pharmacy chain in the United States. CVS is incorporated in Delaware, and has its principal place of business in Rhode Island. At all times relevant to this Complaint, Defendant has sponsored the CVS/pharmacy LPGA Challenge in Danville, CA.
5. Defendant LONG DRIVERS OF AMERICA, LTD. (hereinafter "LDA") is a golf events Corporation based in Roanoke, Texas.
6. At least two LDA qualifying tournaments are held in California in 2010: a local qualifying tournament in Pleasanton, CA (April 25, 2010); and a local qualifying tournament in Chula Vista, CA (May 15, 2010).
7. Defendant RE/MAX, LLC is a real estate company in the United States. Defendant RE/MAX, LLC is a Delaware Corporation, with its principal place of business in Denver, Colorado. At all times relevant to this Complaint, Defendant has sponsored the RE/MAX World Long Drive Championship Powered by Dick's Sporting Goods.
8. Defendant Dick's Sporting Goods, Inc. is a sporting goods retailer in the United States. Defendant Dick's Sporting Goods, Inc. is a Delaware Corporation with its principal place of business in Pittsburgh, Pennsylvania. At all times relevant to this Complaint, Defendant has sponsored the RE/MAX World Long Drive Championship Powered by Dick's Sporting Goods.
9. Jurisdiction in the U.S. District Court of the Northern District of California is proper pursuant to 28 U.S.C. §1332, Federal Diversity Jurisdiction in that Plaintiff is a citizen of California, Defendant LPGA is incorporated in Ohio, with its principal place of business in Daytona Beach, Florida; Defendant CVS is incorporated in Delaware, and has its principal place of business in Rhode Island, Defendant LDA is incorporated in the state of Texas, with its principal place of business in Roanoke, Texas; Defendant RE/MAX, LLC is a Delaware Corporation, with its principal place of business in Denver, Colorado; and Defendant Dick's

1 Sporting Goods, Inc. is a Delaware Corporation with its principal place of business in  
2 Pittsburgh, Pennsylvania.

3 10. The amount in controversy exceeds \$75,000 exclusive of interest and costs.

4 **Intradistrict Assignment**

5 11. Intradistrict assignment in the San Francisco Division of the Northern District of California is  
6 proper as the action arises from conduct which primarily occurred in Danville, Contra Costa  
7 County, California pursuant to Civil Local Rule 3-2(d).

8 **Parties to the Civil Action**

9 12. Plaintiff is informed and believes and on that basis alleges that each of the named Defendants  
10 is legally responsible in some manner for the occurrences herein alleged and that the injuries  
11 alleged herein were caused by the acts and/or omissions of such Defendants.

12 13. Plaintiff herein alleges that the Defendants, and each of them, did conspire together and/or  
13 aid and abet the others so as to violate Plaintiff Lawless' rights as alleged herein.

14 14. Plaintiff is informed and believes and on that basis alleges that there exists, and, at all times  
15 relevant to this Complaint existed, a unity of interests between certain of the Defendants,  
16 such that any individuality and separateness between these certain Defendants has ceased and  
17 that these certain Defendants are the alter ego of other Defendants and each exerted control  
18 over the other(s). Adherence to the fiction of the separate existence of these certain  
19 Defendants as entities distinct from other certain Defendants will permit an abuse of the  
20 corporate privilege and would sanction fraud and/or promote injustice. Plaintiff does not  
21 allege a unity of interests between the LPGA and the LDA.

22 **Facts Common to All Causes of Action**

23 15. Plaintiff is the 2008 Women's Long Drive Association champion.

24 16. Plaintiff is a post-operative transsexual female, and as such, is within a class of persons  
25 protected by the Unruh Act on the basis of gender. Plaintiff has felt like a female since birth  
26 and has had gender reassignment surgery to harmonize her anatomy with her feelings.

27 Plaintiff is recognized under California law as a female.

28 **Claims Against the LPGA ("LPGA Defendants")**

17. Defendant LPGA is a business establishment for the purposes of the Unruh Civil Rights Act,  
Civ. Code, § 51.

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- 1 18. The LPGA is a professional membership organization, whose membership, both for its  
2 tournaments and its Teaching and Club Pro ("T&CP") Membership, is by its own terms  
3 limited to those who were "female at birth."  
4 19. The LPGA is a women's golf organization in the United States. The LPGA Defendants do  
5 business within California and are holding a tournament at the Blackhawk Country Club in  
6 Danville, California.  
7 20. In light of the stated requirement that members be female at birth, Plaintiff is ineligible to  
8 seek membership in the LPGA.  
9 21. Plaintiff sought to participate in the LPGA, but representatives of the LPGA informed  
10 Plaintiff that she was ineligible to compete due to the "female at birth" requirement for  
11 female golfers. (Exhibit "A").  
12 22. Plaintiff's inability to seek membership in the LPGA has limited her professional golf career.  
13 23. The LPGA Defendants' policy of requiring its members to be "female at birth" has denied  
14 Plaintiff and other transgendered women, who in the eyes of California law are women, from  
15 full and equal access to the accommodations, advantages, facilities, privileges, and/or  
16 services of Defendants' organizations.  
17 24. Each LPGA Defendant acted intentionally to discriminate as a business establishment in  
18 violation of the Unruh Civil Rights Act, Civ. Code, § 51. Plaintiff is informed and believes,  
19 and thereupon alleges, that each LPGA Defendant and/or its employees sought to preclude  
20 Plaintiff from access to membership in its organizations and its attendant accommodations,  
21 advantages, facilities, privileges, and services because of her sexual orientation and/or gender  
22 as a post-operative transsexual female. Plaintiff is further informed and believes, and  
23 thereupon alleges, that the exclusion of transsexuals from membership in the LPGA  
24 Defendants' organizations and its attendant accommodations, advantages, facilities,  
25 privileges, and services is the policy of the LPGA Defendants.  
26 25. Plaintiff suffered damages that include economic damage, mental suffering, emotional  
27 distress, grief, anxiety, humiliation, shock, indignity, and embarrassment.

28 **Claims Against the LDA ("LDA Defendants")**

- 26 26. Defendant LDA is a business establishment for the purposes of the Unruh Civil Rights Act,  
27 Civ. Code, § 51.

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- 1 27. In 2007 and 2008, the LDA had no rule that female competitors be "female at birth."  
2 Consequently, Plaintiff was eligible to compete in the LDA in 2008.
- 3 28. In 2008, Plaintiff won the women's division of the Re-Max World Long Drive Champion, a  
4 tournament held by the LDA, with a 254 yard drive.
- 5 29. Winning the Re-Max World Long Drive Champion entitles a competitor to a five year  
6 exemption for qualifying for the world championship.
- 7 30. To compete in the LDA's World Finals in Mesquite, Nevada, the entry fee is \$800 per  
8 nonexempt player and \$600 for players with exemptions based on previous performance.
- 9 31. The LDA discontinued its Women's Championship in 2009, the year after Plaintiff won the  
10 competition.
- 11 32. The LDA reinstated the female competition with revised rules. The LDA's 2010 rules  
12 require competitors to be "female at birth."
- 13 33. Plaintiff sought to participate in the LDA, but representatives of the LDA informed Plaintiff  
14 that she was ineligible to compete because of her status as a post-operative transgendered  
15 woman. (Exhibit "B").
- 16 34. By claiming that Plaintiff is no longer eligible to compete in the LDA, the LDA Defendants  
17 have caused Plaintiff to suffer at least \$200.00 in economic loss because Plaintiff no longer  
18 receives the benefit of the exemption she was awarded by winning the 2008 LDA  
19 championship.
- 20 35. The LDA Defendants' policy of requiring its members to be "female at birth" has denied  
21 Plaintiff and other transgendered women, who in the eyes of California law are female, from  
22 full and equal access to the accommodations, advantages, facilities, privileges, and/or  
23 services of Defendants' organizations. As the LDA champion Plaintiff had sponsorships  
24 with Bang Golf and others which provided her with both economic and non-economic  
25 benefits. As a result of the unlawful, discriminatory policy of the LDA, she has lost her  
26 sponsorship(s).
- 27 36. Each LDA Defendant acted intentionally to discriminate as a business establishment in  
28 violation of the Unruh Civil Rights Act, Civ. Code, § 51. Plaintiff is informed and believes,  
and thereupon alleges, that each LDA Defendant and/or its employees sought to preclude  
Plaintiff from access to membership in its organizations and its attendant accommodations,  
advantages, facilities, privileges, and services because of her sexual orientation and/or gender



1 identity as a post-operative transgendered female. Plaintiff is further informed and believes,  
2 and thereupon alleges, that the exclusion of post-operative transgendered females from  
3 membership in the LDA Defendants' organizations and its attendant accommodations,  
4 advantages, facilities, privileges, and services is the policy of Defendants.

5 37. Plaintiff suffered damages that include economic damage, mental suffering, emotional  
6 distress, grief, anxiety, humiliation, shock, indignity, and embarrassment.

### 7 **FIRST CAUSE OF ACTION**

#### 8 **Violation of Unruh Civil Rights Act** 9 **(Cal. Civ. Code §51)** 10 **(Against All Defendants)**

11 38. Plaintiff incorporates by reference the allegations contained in the above paragraphs as  
12 though fully set forth herein.

#### 13 **LPGA Defendants**

14 39. Plaintiff was subjected to the above referenced conduct, including but not limited to  
15 discrimination on the basis of gender and/or sexual orientation at the hands of LPGA  
16 Defendants, and each of them.

17 40. Plaintiff is informed and believes, and thereupon alleges, that she was targeted for  
18 discrimination on the basis of gender and/or sexual orientation by LPGA Defendants, and  
19 each of them, because she is a woman who was not "female at birth."

20 41. At all times relevant, LPGA Defendants, and each of them, have had an explicit policy of  
21 requiring its members to be "female at birth." This policy has denied Plaintiff and other  
22 post-operative transgendered females equal access to the accommodations, advantages,  
23 facilities, privileges, and/or services of Defendant's business.

24 42. As a direct and proximate result of the unlawful conduct, Plaintiff has suffered special  
25 damages to be proven at time of trial.

26 43. As a direct and proximate result of LPGA Defendants' unlawful conduct, Plaintiff has  
27 suffered general damages including but not limited to great shame, humiliation,  
28 inconvenience, mental suffering, shock, embarrassment, intimidation, physical distress and  
injury, fear, stress, and other damages, to be proven at the time of trial, including loss of  
income and loss of endorsements.

44. Plaintiff is informed and believes, and thereupon alleges, that LPGA Defendants, and each of  
them, committed the acts herein alleged maliciously and oppressively in conscious disregard

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1 for Plaintiff's rights. Accordingly, Plaintiff is entitled to recover punitive damages in an  
2 amount according to proof.

3 45. As a result of the conduct of LPGA Defendants, and each of them, Plaintiff was forced to  
4 retain an attorney in order to protect her rights. Accordingly, Plaintiff seeks the reasonable  
5 attorneys fees incurred in this litigation in an amount according to proof at trial and other  
6 relief as requested in Plaintiff's prayer for relief below.

7 46. The continued practice of the LPGA Defendants of acting unlawfully will cause irreparable  
8 harm to Plaintiff and other transgendered persons.

9 47. Plaintiff requests an injunction against the LPGA Defendants, and each of them, to prohibit  
10 them from operating tournaments, qualifying events, and other business activity in California  
11 as long as they continue to violate California law and the rights of transgendered persons.

#### 12 LDA Defendants

13 48. Plaintiff was subjected to the above referenced conduct, including but not limited to  
14 discrimination on the basis of gender and/or sexual orientation at the hands of LDA  
15 Defendants, and each of them.

16 49. Plaintiff is informed and believes, and thereupon alleges, that she was targeted for  
17 discrimination on the basis of gender and/or sexual orientation by LDA Defendants, and each  
18 of them, because she is a woman who was not "female at birth."

19 50. Because of Plaintiff's victory as the Long Drive Champion, LDA Defendants, and each of  
20 them, deliberately changed their policy so as to exclude her and other transgendered persons  
21 from competition by requiring its members to be "female at birth." This policy has denied  
22 Plaintiff and other post-operative transgendered persons equal access to the accommodations,  
23 advantages, facilities, privileges, and/or services of Defendant's business.

24 51. As a direct and proximate result of the unlawful conduct, Plaintiff has suffered special  
25 damages to be proven at time of trial, including loss of income and loss of endorsements.

26 52. As a direct and proximate result of LDA Defendants' unlawful conduct, Plaintiff has suffered  
27 general damages including but not limited to great shame, humiliation, inconvenience,  
28 mental suffering, shock, embarrassment, intimidation, physical distress and injury, fear,  
stress, and other damages, to be proven at the time of trial.

53. Plaintiff is informed and believes, and thereupon alleges, that LDA Defendants, and each of  
them, committed the acts herein alleged maliciously and oppressively in conscious disregard

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1 for Plaintiff's rights. Accordingly, Plaintiff is entitled to recover punitive damages in an  
2 amount according to proof.

3 54. As a result of the conduct of LDA Defendants, and each of them, Plaintiff was forced to  
4 retain an attorney in order to protect her rights. Accordingly, Plaintiff seeks the reasonable  
5 attorneys fees incurred in this litigation in an amount according to proof at trial and other  
6 relief as requested in Plaintiff's prayer for relief below.

7 55. The continued practice of the LDA Defendants of acting unlawfully will cause irreparable  
8 harm to Plaintiff and other transgendered persons.

9 56. Plaintiff requests an injunction against LDA Defendants, and each of them, to prohibit LDA  
10 Defendants, and each of them from denying post-operative transgendered females from  
11 seeking membership in LDA tournaments.

12 WHEREFORE, Plaintiff prays for relief as set forth below.

### 13 SECOND CAUSE OF ACTION

#### 14 Unfair Competition

15 (Cal. Bus. & Prof. Code § 17200 *et seq.*)

16 (Against All Defendants)

17 57. Plaintiff incorporates by reference the allegations contained in the above paragraphs as  
18 though fully set forth herein.

#### 19 LPGA Defendants

20 58. The LPGA Defendants, and each of them, have engaged in unlawful, and unfair business acts  
21 and practices, including unlawful discrimination, as set forth above.

22 59. At all relevant times, the LPGA Defendants, and each of them, have had an explicit policy of  
23 requiring its members to be "female at birth." This policy has denied Plaintiff and other  
24 post-operative transgendered females full and equal access to the accommodations,  
25 advantages, facilities, privileges, and/or services of Defendants' business.

26 60. By engaging in these acts and practices, as set forth above, LPGA Defendants, and each of  
27 them, committed one or more acts of unfair competition within the meaning of Section  
28 17200.

61. The conduct of the LPGA Defendants, and each of them, was unlawful under Section 17200,  
as it included business acts and practices that are discriminatory in violation of the Unruh  
Civil Rights Act, the California Constitution, and well-established public policy.

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- 1 62. The conduct of the LPGA Defendants, and each of, as outlined above, was unfair within the  
2 meaning of the Section 17200 because it was against established public policy and was  
3 pursued to attain an unjustified monetary advantage for the LPGA Defendants, and each of  
4 them, at the expense of the privacy, reputation, business, and occupation of Plaintiff. As  
5 such, the business practices and acts of the LPGA Defendants, and each of them, have been  
6 immoral, unethical, oppressive, and unscrupulous.
- 7 63. The injury to Plaintiff caused by the conduct of the LPGA Defendants, and each of them, is  
8 far greater than any alleged countervailing benefit.
- 9 64. By and through the unfair and unlawful business practices and acts described herein, the  
10 LPGA Defendants, and each of them, have benefitted from discrimination against Plaintiff  
11 and other post-operative transgendered females and have deprived Plaintiff and others of  
12 valuable rights and benefits guaranteed by law, all to Plaintiff's detriment.
- 13 65. As a result of the unlawful actions of the LPGA Defendants, and each of them, Plaintiff has  
14 suffered injury in fact and actual, general, and special damages, including but not limited to  
15 harm to her business, occupation, and reputation.
- 16 66. Plaintiff is seeking an injunction enjoining the LPGA Defendants from engaging in these  
17 unlawful acts.
- 18 67. Plaintiff seeks an order of this Court against the LPGA Defendants, and each of them,  
19 awarding restitution, disgorgement, injunctive relief and all other relief allowed under  
20 Section 17200, including interest and attorneys' fees and costs pursuant to, *inter alia*,  
21 California Code of Civil Procedure sections 1021.5 and 1032.

22 **LDA Defendants**

- 23 68. Plaintiff incorporates by reference the allegations contained in the above paragraphs as  
24 though fully set forth herein.
- 25 69. The LDA Defendants, and each of them, have engaged in unlawful, and unfair business acts  
26 and practices, including unlawful discrimination, as set forth above.
- 27 70. At all relevant times, the LDA Defendants, and each of them, have had an explicit policy of  
28 requiring its members to be "female at birth." This policy has denied Plaintiff and other  
post-operative transgendered females full and equal access to the accommodations,  
advantages, facilities, privileges, and/or services of Defendants' business.

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- 1 71. By engaging in these acts and practices, as set forth above, LDA Defendants, and each of  
2 them, committed one or more acts of unfair competition within the meaning of Section  
3 17200.
- 4 72. The conduct of the LDA Defendants, and each of them, was unlawful under Section 17200,  
5 as it included business acts and practices that are discriminatory in violation of the Unruh  
6 Civil Rights Act, the California Constitution, and well-established public policy.
- 7 73. The conduct of the LDA Defendants, and each of, as outlined above, was unfair within the  
8 meaning of the Section 17200 because it was against established public policy and was  
9 pursued to attain an unjustified monetary advantage for the LDA Defendants, and each of  
10 them, at the expense of the privacy, reputation, business, and occupation of Plaintiff. As  
11 such, the business practices and acts of the LDA Defendants, and each of them, have been  
12 immoral, unethical, oppressive, and unscrupulous.
- 13 74. The injury to Plaintiff caused by the conduct of the LDA Defendants, and each of them, is far  
14 greater than any alleged countervailing benefit.
- 15 75. By and through the unfair and unlawful business practices and acts described herein, the  
16 LDA Defendants, and each of them, have benefitted from discrimination against Plaintiff and  
17 other post-operative transgendered females and have deprived Plaintiff and others of valuable  
18 rights and benefits guaranteed by law, all to Plaintiff's detriment.
- 19 76. As a result of the unlawful actions of the LDA Defendants, and each of them, Plaintiff has  
20 suffered injury in fact and actual, general, and special damages, including but not limited to  
21 harm to her business, occupation, and reputation.
- 22 77. Plaintiff is seeking an injunction enjoining the LDA Defendants from engaging in these  
23 unlawful acts.
- 24 78. Plaintiff seeks an order of this Court against the LDA Defendants, and each of them,  
25 awarding restitution, disgorgement, injunctive relief and all other relief allowed under  
26 Section 17200, including interest and attorneys' fees and costs pursuant to, *inter alia*,  
27 California Code of Civil Procedure sections 1021.5 and 1032.

28 WHEREFORE, Plaintiff prays for relief as set forth below.

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**THIRD CAUSE OF ACTION**

**Intentional Interference with Prospective Economic Advantage  
(Against LDA Defendants)**

79. Plaintiff incorporates by reference the allegations contained in the above paragraphs as though fully set forth herein.

**LDA Defendants**

80. Plaintiff had a prospective economic benefit as one of the top Long Drive female golfers which included, among other things, the probability of future economic benefit derived from winning a LDA tournament, and the probability of receiving a sponsorship or endorsement.

81. Plaintiff was sponsored by certain entities by virtue of being the LDA champion.

82. The LDA Defendants had knowledge of the fact that Plaintiff was sponsored by certain entities by virtue of being the LDA champion.

83. The LDA Defendants' intentional acts of discontinuing the Women's Long Drive Championship in 2009, bringing back the Women's Long Drive Championship in 2010 with amended rules excluding post-operative transgendered females golfers, and excluding Plaintiff from competing in the LDA Long Drive Championship were designed to disrupt Plaintiff's economic relationship with certain entities that sponsored Plaintiff's career as a golfer. The amendment to the rules was an independent wrong committed by the LDA Defendants, which was in violation of the California Unruh Act, and the California's Unfair Competition laws.

84. As a result of the LDA Defendants' actions, Plaintiff was ineligible to compete in the LDA Long Drive Championship. Plaintiff lost her sponsorship(s) as a result of her inability to compete in the Long Drive Championship. This caused an actual disruption in Plaintiff's economic relationship with certain entities that sponsored Plaintiff's career as a golfer.

85. Plaintiff lost her sponsorship(s), causing Plaintiff an economic loss. Such economic loss was proximately caused by the LDA Defendants.

86. The conduct of each LDA Defendant was malicious and oppressive as that is defined under California Civil Code Section 3294 and, as such, warrants the imposition of punitive damages against each of them, in an amount to be determined at the time of trial.

87. Each LDA Defendant's wrongful exclusion of post-operative transgendered female golfers was not privileged, and caused Plaintiff economic and non-economic damages.

WHEREFORE, Plaintiff prays for relief as set forth below.

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## PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that process be issued and judgment be entered against Defendants, and each of them, as follows:

### For the First Cause of Action:

- a. Special damages in a sum according to proof against all Defendants;
- b. General damages in a sum according to proof against all Defendants;
- c. Statutory damages of a maximum of three times the amount of actual damages or a minimum of \$4,000;
- d. For interest provided by law including, but not limited to, California Civil Code Section 3291 against all Defendants;
- e. For attorney's fees as allowed by law against all Defendants;
- f. Costs of suit and for such other and further relief as the court deems proper against all Defendants;
- g. For civil penalty provided by law including, but not limited to, that provided by California Civil Code Section 52 against all Defendants;
- h. For punitive damages against all Defendants;
- i. A permanent injunction against the LPGA Defendants and the LDA Defendants enjoining them from denying post-operative transgendered females from seeking membership in golf tournaments and from doing business in California so long as they continue to violate California law and the rights of transgendered persons;
- j. A declaratory judgment declaring that the Unruh Civil Rights Act, Civ. Code, § 51, applies to defendants and that defendants' actions violated the Act;
- k. Costs of suit incurred herein; and
- l. For such other and further relief as the court deems proper.

### For the Second Cause of Action:

- a. Special damages in a sum according to proof against all Defendants;
- b. General damages in a sum according to proof against all Defendants;
- c. For costs of suit;
- d. For restitution, disgorgement, injunctive relief and all other relief allowed under Section 17200, including interest and attorneys' fees and costs;

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1 c. A permanent injunction against the LPGA Defendants and the LDA Defendants enjoining  
2 them from denying post-operative transgendered females from seeking membership in golf  
3 tournaments and from doing business in California so long as they continue to violate California  
4 law and the rights of transgendered persons;

5 f. For pre-judgment and post-judgment interest at the legal rate; and

6 g. For such other and further relief as the court deems proper.

7 **For the Third Cause of Action:**

8 a. Special damages in a sum according to proof against the LDA Defendants;

9 b. General damages in a sum according to proof against the LDA Defendants;

10 c. For costs of suit;

11 d. For pre-judgment and post-judgment interest at the legal rate; and

12 e. For punitive damages in an amount to be determined at trial;

13 f. For an award of interest as provided by law including, but not limited to, California Civil  
14 Code Section 3291, at the legal rate;

15 g. For such other and further relief as the court deems just and proper.

16 DATED: October 11, 2010

17 **THE DOLAN LAW FIRM**

18 By

19 Christopher B. Dolan

20 Michael J. DePaul

21 John J. Roach

22 Attorneys for Plaintiff

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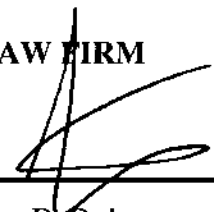
**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a jury trial of this action.

DATED: October 18, 2010

**THE DOLAN LAW FIRM**

By

  
\_\_\_\_\_  
Christopher B. Dolan  
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John J. Roach  
Attorneys for Plaintiff  
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