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Superior Court of California,
County of San Diego
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Clerk of the Superior Court
By S. Bakke ,Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO – CENTRAL DIVISION

ROXANA KENNEDY,

Plaintiff,

vs.

CITY OF CHULA VISTA; TIFFANY ALLEN;
MICHAEL INZUNZA; CESAR FERNANDEZ;
CAROLINA CHAVEZ; JOSE PRECIADO; and
DOES 1 through 100,

Defendants.

CASE NO. 26CU026069C

**COMPLAINT FOR DAMAGES AND
OTHER RELIEF BASED ON
VIOLATIONS OF THE FAIR
EMPLOYMENT AND HOUSING ACT
AND OTHER LAWS**

Plaintiff ROXANA KENNEDY ("PLAINTIFF") alleges as follows:

Introductory Statement

1. PLAINTIFF is the Chief of Police for Defendant CITY OF CHULA VISTA ("CITY"). Despite her groundbreaking law-enforcement career, including serving as CITY's first female Chief of Police, CITY leadership secretly decided to force her out of her job in order to replace her with someone younger and of a different ethnicity. The leadership's tactics included making PLAINTIFF's job miserable by fabricating allegations of wrongdoing by PLAINTIFF, launching a retaliatory investigation, directing her to sit for a lengthy investigative interview while she was off work on an approved medical leave, denying her access to information to defend herself in the investigation, cutting off her e-mail access, and disabling her access to personnel information and wage statements.

1 PLAINTIFF loves her job and the community she serves, but the illegal pressure put on her by CITY
2 is excruciating.

3 **Parties**

4 2. PLAINTIFF is currently employed by CITY and has been employed there continuously
5 for more than 33 years.

6 3. CITY is a charter city organized and operating under the laws of the State of California.

7 4. Defendants TIFFANY ALLEN (“ALLEN”) is CITY’s executive officer and city
8 manager.

9 5. Defendants MICHAEL INZUNZA (“INZUNZA”), CESAR FERNANDEZ
10 (“FERNANDEZ”), CAROLINA CHAVEZ (“CHAVEZ”); JOSE PRECIADO (“PRECIADO”) are
11 members of the Chula Vista City Council.

12 6. The true names and capacities of the Defendants identified as DOES 1 through 100 are
13 unknown to PLAINTIFF, who will seek the Court’s permission to amend this pleading in order to allege
14 the true names and capacities as soon as they are ascertained. PLAINTIFF is informed and believes and
15 on that basis alleges that each of the fictitiously named Defendants 1 through 100 participated in or was
16 otherwise responsible at least in part for the wrongdoing against PLAINTIFF as alleged in this pleading.

17 7. PLAINTIFF is informed and believes and on that basis alleges that, at all times stated
18 in this pleading, each Defendant was the co-conspirator, agent, servant, or employee of every other
19 Defendant and was, in doing the things alleged in this pleading, acting within the scope of said
20 conspiracy, agency, servitude, or employment and with the full knowledge or subsequent ratification
21 of his/her/its co-conspirators, principals, masters, and employers. Alternatively, in doing the things
22 alleged in this pleading, each Defendant was acting alone and solely to further his/her/its own interests.

23 **Jurisdiction and Venue**

24 8. The Court has jurisdiction over this lawsuit pursuant to Government Code Section 12900
25 *et seq.*, the California Constitution, and the common law, among other provisions of law.

26 9. Venue in this Court is proper because the obligations, liabilities, and violations of law
27 alleged in this pleading occurred in the County of San Diego in the State of California.

1 **Background Allegations**

2 10. By way of example and not limitation:

3 A. Late in December 2025, PLAINTIFF was reprimanded by her immediate
4 supervisor, ALLEN, allegedly for perfectly lawful off-duty conduct in which she engaged while
5 attending a private event outside the City of Chula Vista. ALLEN and other Defendants were present
6 at the event and expressed support for and approval of PLAINTIFF's conduct. More than five weeks
7 later, ALLEN reprimanded PLAINTIFF for that same conduct, accusing PLAINTIFF of putting CITY
8 in a negative light and prompting multiple complaints; in fact, nobody who witnessed the conduct filed
9 a *bona fide* grievance or other complaint over PLAINTIFF's conduct. ALLEN ordered PLAINTIFF to
10 prepare a written plan to correct the alleged damage that PLAINTIFF had done to CITY's reputation
11 (when in fact no damage had been done) and threatened a full-scale audit of CITY's Police Department
12 and other measures, all of which was intended as a subterfuge for CITY's real objective of getting
13 PLAINTIFF to resign before she is ready to retire so that CITY could hire a person who was younger
14 and/or of a different ethnicity to fill PLAINTIFF's position. PLAINTIFF is informed and believes and
15 on that basis alleges that a majority of the Chula Vista City Council's members identify as Latino or
16 Latina, and prior to the private event at least one of the members (with the tacit if not explicit consent
17 of two or more of his colleagues) had been secretly vetting a younger, Latino law-enforcement official
18 in a nearby jurisdiction to replace PLAINTIFF.

19 B. ALLEN has the authority to terminate PLAINTIFF. Around the time of or after
20 the bogus reprimand, ALLEN disclosed confidential personnel information about PLAINTIFF to at least
21 one member of the public who is not a CITY employee and is not entitled to receive the information
22 about PLAINTIFF. Additionally and alternatively, ALLEN made false statement about PLAINTIFF's
23 job performance to at least one member of the public who is not a CITY employee and is not entitled
24 to receive the information about PLAINTIFF.

25 C. Upon learning that CITY was trying to force her to resign before she was ready
26 to retire, PLAINTIFF caused a preservation-of-evidence letter to be sent to Defendants. On February
27 24, 2026, Defendants launched two investigations involving PLAINTIFF in retaliation for her evidence-
28 preservation letter. One investigation purported to focus on her claims against Defendants, even though

1 PLAINTIFF had not filed any claim with or against the Defendants as of that date. The other
2 investigation involved allegations against PLAINTIFF “by multiple employees that could be cause for
3 discipline, including but not limited to violation of the City’s policy against workplace harassment.”
4 Both interview notices directed PLAINTIFF to make herself available for an interview with an outside
5 investigator, even though she was off work on an approved medical leave and the Police Department
6 has an established policy of not interviewing employees while they are off work on an approved leave;
7 and advised her that she was prohibited from talking to any potential witnesses. Since February 24,
8 CITY representatives have made multiple attempts to schedule the interviews and informed PLAINTIFF
9 not only that failing to participate in the interview could result in her termination but that she “will not
10 have access to City facilities or technology during this time,” which impaired her ability to defend
11 herself in the investigation.

12 D. PLAINTIFF’s personnel and wage information, including her periodic wage
13 statements, are accessible only via CITY’s facilities and technology platforms. On or after February
14 24, 2026, Defendants terminated PLAINTIFF’s access to these facilities and platforms, thereby
15 precluding her from accessing her personnel and wage information, and Defendants have not otherwise
16 provided such information to PLAINTIFF.

17 E. Defendants are aware of other members of the Police Department who have
18 engaged in at least some of the misconduct falsely alleged against PLAINTIFF. However, none of those
19 who actually engaged in such misconduct has been investigated or disciplined for the misconduct.

20 F. Defendants’ objective in each and all of the foregoing has been to make
21 PLAINTIFF’s working conditions so miserable that a reasonable person would deem the environment
22 too hostile, oppressive, and toxic to remain and instead to resign in order to avoid the hostility,
23 oppression, and toxicity.

24 G. On or about March 17, 2026, PLAINTIFF caused two claims under Government
25 Code Section 810 *et seq.* to be filed with CITY, which has not responded to either of them.

26 H. On or about May 11, 2026, PLAINTIFF obtained a right-to-sue letter from the
27 California Civil Rights Department. A true and correct copy of the letter is attached to this pleading
28 as Exhibit “A.”

1 **FIRST CAUSE OF ACTION:**

2 **Invasion of Privacy**
(Against All Defendants)

3 11. The preceding allegations in this pleading are fully incorporated into this paragraph.

4 12. Defendants disclosed confidential information about PLAINTIFF to third parties.

5 13. PLAINTIFF did not consent to or authorize the disclosure of confidential information.

6 14. The disclosed information was not already public or previously known by the recipient(s)
7 of the information received.

8 15. A reasonable person would find the disclosure of PLAINTIFF's confidential information
9 highly offensive.

10 16. Defendants knew or should have known that the disclosure of PLAINTIFF's confidential
11 information would be highly offensive to a reasonable person.

12 17. The wrongful conduct alleged in this cause of action proximately caused substantial
13 damage to PLAINTIFF, in an amount to be proven at trial.

14 18. Defendants engaged in the wrongdoing alleged in this cause of action with oppression,
15 fraud, and/or malice.

16 **SECOND CAUSE OF ACTION:**

17 **Defamation**
(Against All Defendants/Respondents)

18 19. The preceding allegations in this pleading are fully incorporated into this paragraph.

19 20. Defendants made false statements about PLAINTIFF and/or her job performance to third
20 parties, knowing or having reason to know the statements to be false when made.

21 21. The false statements about PLAINTIFF and/or her job performance were understood by
22 the recipient(s) to refer to PLAINTIFF.

23 22. The false statements about PLAINTIFF and/or her job performance damaged her
24 reputation and standing in the community and profession.

25 23. PLAINTIFF did not consent to the making of the false statements to third parties.

26 24. The wrongful conduct alleged in this cause of action proximately caused substantial
27 damage to PLAINTIFF, in an amount to be proven at trial.

1 25. Defendants engaged in the wrongdoing alleged in this cause of action with oppression,
2 fraud, and/or malice.

3 **THIRD CAUSE OF ACTION:**
4 **Violations of the Employment Laws**
 (Against All Defendants)

5 26. The preceding allegations in this pleading are fully incorporated into this paragraph.

6 27. PLAINTIFF was subjected to harassment by Defendants based on at least one protected
7 characteristic.

8 28. Defendants' harassment of PLAINTIFF was severe and/or pervasive, to the point of
9 altering the conditions of PLAINTIFF's employment and create a hostile and/or abusive working
10 environment.

11 29. The harassment was unwelcome and uninvited.

12 30. A reasonable person would find the work environment for PLAINTIFF hostile and/or
13 abusive.

14 31. Defendants knew or should have known of the harassment and failed to take prompt and
15 effective corrective action, or the harassment was committed by supervisory employees for whom
16 Defendants are strictly liable.

17 32. PLAINTIFF engaged in activity protected by law, including the exercise of her rights
18 under the First Amendment, her exercise of rights for employees who are experiencing a medical
19 condition and/or have suffered work-related injuries, and her refusal to discipline a subordinate police
20 officer who did not deserve to be disciplined.

21 33. Defendants knew of PLAINTIFF's engagement in activity protected by law.

22 34. Defendants took at least one adverse employment action against PLAINTIFF,
23 substantially motivated by PLAINTIFF's engagement in activity protected by law.

24 35. PLAINTIFF is a member of at least one protected class based on her age, sex, gender,
25 ethnicity, medical condition, and/or disability.

26 36. PLAINTIFF was and remains qualified for the Chief of Police position and was
27 otherwise performing the job in a satisfactory manner.

28 37. Defendants subjected PLAINTIFF to at least one adverse employment action.

1 38. The adverse action was taken by Defendants against PLAINTIFF under circumstances
2 giving rise to an inference of discrimination.

3 39. Defendants' stated reasons for the adverse against taken against PLAINTIFF were
4 pretextual and/or at least one of her protected characteristics was a substantial motivating factor.

5 40. The wrongful conduct alleged in this cause of action proximately caused substantial
6 damage to PLAINTIFF, in an amount to be proven at trial.

7 41. Defendants engaged in the wrongdoing alleged in this cause of action with oppression,
8 fraud, and/or malice.

9 **FOURTH CAUSE OF ACTION:**
10 **Intentional Infliction of Emotional Distress**
(Against All Defendants)

11 42. The preceding allegations in this pleading are fully incorporated into this paragraph.

12 43. Defendants engaged in extreme and outrageous conduct.

13 44. Defendants acted with intent to cause emotional distress or with reckless disregard for
14 the probability of causing emotional distress to PLAINTIFF.

15 45. The wrongful conduct alleged in this cause of action proximately caused substantial
16 damage to PLAINTIFF, in an amount to be proven at trial.

17 46. Defendants engaged in the wrongdoing alleged in this cause of action with oppression,
18 fraud, and/or malice.

19 **Prayer**

20 FOR ALL THESE REASONS, PLAINTIFF respectfully prays for the following relief against
21 all Defendants, to the maximum extent permitted by law, jointly and severally:

22 A. Compensatory damages in an amount to be proven at trial;

23 B. General and special damages in an amount to be proven at trial;

24 C. Punitive damages to the maximum extent permitted by law;

25 D. Pre-judgment interest on all damages at the maximum rate allowed by law;

26 E. All attorney fees and other legal expenses incurred by PLAINTIFF in connection with
27 this lawsuit; and

28 F. Any further relief that this Court may deem appropriate.

1 Date: May 12, 2026.

Respectfully submitted,

2 BRIGGS LAW CORPORATION

3 By: Cory J. Briggs

4 Cory J. Briggs

5 Attorneys for Plaintiff Roxana Kennedy

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**COMPLAINT FOR DAMAGES AND OTHER RELIEF BASED ON VIOLATIONS OF
THE FAIR EMPLOYMENT AND HOUSING ACT AND OTHER LAWS**

Exhibit "A"



Civil Rights Department

651 Bannan Street, Suite 200 | Sacramento | CA | 95811
1-800-884-1684 (voice) | 1-800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

May 11, 2026

RE: Notice of Filing of Discrimination Complaint

CRD Matter Number: 202605-35069812

Right to Sue: Kennedy / City of Chula Vista et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

This matter may qualify for CRD's Small Employer Family Leave Mediation Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Reproductive Loss Leave, or Bereavement Leave (Government Code sections 12945.2, 12945.6, or 12945.7) has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. You may contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@calcivilrights.ca.gov and include the CRD matter number indicated on the Right to Sue notice.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,

Civil Rights Department



Civil Rights Department

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calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

May 11, 2026

Roxana Kennedy
Confidential
El Cajon, CA 92019

RE: **Notice of Case Closure and Right to Sue**
CRD Matter Number: 202605-35069812
Right to Sue: Kennedy / City of Chula Vista et al.

Dear Roxana Kennedy:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective May 11, 2026 because an immediate Right to Sue notice was requested.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

This matter may qualify for CRD's Small Employer Family Leave Mediation Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Reproductive Loss Leave, or Bereavement Leave (Government Code sections 12945.2, 12945.6, or 12945.7) has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@calcivilrights.ca.gov and include the CRD matter number indicated on the Right to Sue notice.



Civil Rights Department

KEVIN KISH, DIRECTOR

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calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

After receiving a Right-to-Sue notice from CRD, you may have the right to file your complaint with a local government agency that enforces employment anti-discrimination laws if one exists in your area that is authorized to accept your complaint. If you decide to file with a local agency, you must file before the deadline for filing a lawsuit that is on your Right-to-Sue notice. Filing your complaint with a local agency does not prevent you from also filing a lawsuit in court.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

**COMPLAINT OF EMPLOYMENT DISCRIMINATION
BEFORE THE STATE OF CALIFORNIA
Civil Rights Department
Under the California Fair Employment and Housing Act
(Gov. Code, § 12900 et seq.)**

In the Matter of the Complaint of

Roxana Kennedy

CRD No. 202605-35069812

Complainant,

vs.

City of Chula Vista
276 4th Avenue
Chula Vista, CA 91910

Carolina Chavez

,

Tiffany Allen

,

Jose Preciado

,

Michael Inzunza

,

Cesar Fernandez

,

Respondents

1. Respondent **City of Chula Vista** is an **employer** subject to suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

2. Complainant is naming **Carolina Chavez** individual as Co-Respondent(s).
Complainant is naming **Tiffany Allen** individual as Co-Respondent(s).
Complainant is naming **Jose Preciado** individual as Co-Respondent(s).
Complainant is naming **Michael Inzunza** individual as Co-Respondent(s).
Complainant is naming **Cesar Fernandez** individual as Co-Respondent(s).

3. Complainant **Roxana Kennedy**, resides in the City of **El Cajon**, State of **CA**.

1 4. Complainant alleges that on or about **May 7, 2026**, respondent took the following
2 adverse actions:

3 **Complainant was harassed** because of complainant's color, sex/gender, gender identity or
4 expression, age (40 and over), other, disability (physical, intellectual/developmental, mental
5 health/psychiatric), family care and medical leave (cfra) related to serious health condition of
6 employee or family member, child bonding, or military exigencies, race (includes hairstyle
7 and hair texture).

8 **Complainant was discriminated against** because of complainant's color, sex/gender, age
9 (40 and over), other, disability (physical, intellectual/developmental, mental
10 health/psychiatric), family care and medical leave (cfra) related to serious health condition of
11 employee or family member, child bonding, or military exigencies, race (includes hairstyle
12 and hair texture) and as a result of the discrimination was reprimanded, other, denied
13 accommodation for a disability, denied family care and medical leave (cfra) related to
14 serious health condition of employee or family member, child bonding, or military exigencies,
15 given additional work responsibilities or assignments.

16 **Complainant experienced retaliation** because complainant reported or resisted any form
17 of discrimination or harassment, requested or used a disability-related accommodation,
18 participated as a witness in a discrimination or harassment complaint, requested or used
19 family care and medical leave (cfra) related to serious health condition of employee or family
20 member, child bonding, or military exigencies and as a result was reprimanded, denied any
21 employment benefit or privilege, other, denied accommodation for a disability, denied family
22 care and medical leave (cfra) related to serious health condition of employee or family
23 member, child bonding, or military exigencies, given additional work responsibilities or
24 assignments.

25 **Additional Complaint Details:** By way of example and not limitation: Over the last 6-12
26 months, one or more of the Respondents fabricated reasons for subjecting the Complainant
27 to discipline based on off-duty conduct at a private event outside the City limits, concocted a
28 retaliatory investigation against her, required her to participate in the investigation despite
her being on an approved medical leave for one or more employment-related injuries,
denied her access to evidence to defend herself in the investigation, denied her access to
her e-mail, wage, and other personnel information, and/or treated her disparately compared
to other similarly situated employees.

1 VERIFICATION

2 I, **Cory Briggs**, am the **Attorney** in the above-entitled complaint. I have read the
3 foregoing complaint and know the contents thereof. The matters alleged are based on
4 information and belief, which I believe to be true. The matters alleged are based on
information and belief, which I believe to be true.

5 On May 11, 2026, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

7 **Upland, California**