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United States District Court of the Ninth Circuit

For

The Central District Of California

Reginald Robert Watkins Plaintiff

-vs-

Donald Sterling And The Sterling Family Trust Defendant; et All

Civil Action Number

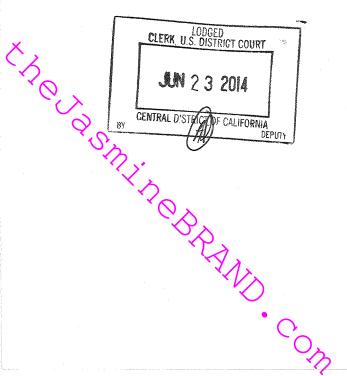
EV14-04833

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Civil Rights Complaint Action

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I the plaintiff Reginald Robert Watkins do hereby bring this Civil Rights Complaint Action against the defendant Donald Sterling and The Sterling Family Trust for the defendant's violation of the plaintiff's Civil Rights pursuant to 42 U.S.C.S. 1981(a).





Jurisdiction

28 U.S.C.S. 1343(a)(4) lawfully states that; The District Court shall have original jurisdiction of any civil action authorized by law to be commenced by any person to recover damages to redress or to secure equitable or other relief under any act of congress providing for the protection of civil rights.

28 U.S.C.S. 1343 confers jurisdiction on District Courts to hear certain causes of action, namely, questions arising under acts of congress where federal right is being asserted that provides for equal rights of citizen: it merely gives district court power to hear causes and acts when rights are asserted under other provisions. Dorak vs. Shapp, 403 F. Supp 863.

District Courts have subject matter jurisdiction grounded on 42 U.S.C.S. 1981 through 28 U.S.C.S. 1343 to enforce Thirteenth Amendment to the United States Constitution to prohibitall racial discrimination which deprive any person of full and equal benefit of all laws. United States vs. Chicago 549 F. 2d 415.

28 U.S.C.S. 1343 is tied to 42 U.S.C.S. 1981 and has broad jurisdictional grounds to redress deprivation of any constitutional right to redress dep-* the Jasmine BRAMD COM rivation of equal rights where rights are secured by statue. Tayyari vs. New Mexico State University 495 F. Supp 1365.

Background

On and about April 25, 2014 Donald Sterling, the National Basketball Association Team owner of the Los Angeles Clippers, was heard, on recorded tape spewing bigoted and derogatory racist sentiment about his dislikes for the people of the Black American Race.

The bigoted racist remarks from Donald Sterling were broadcasted and heard on live television.

Due to the vile and disgusted racist remarks of Donald Sterling toward people of the Black American Race, Donald Sterling was banned for life from all activity participation and ownership per order of the Commissioner of the National Basketball Association, Mr. Adam Silver.

Upon hearing the offensive, abusive, attacking racist remarks from Los Angeles Clippers Basketball team owner Donald Sterling, I the plaintiff Reginald Robert Watkins became emotionally upset and emotionally disturbed, I was affected mentally in a deep and profound way. Donald Sterling's racist remarks about me a black man who is a member of the Black American Race has forever altered and changed my life as to my mental health, I may never recover or be the same, as such therefor I am suing Donald Sterling for the * Alectas Minos BRAMD COM violation of my civil rights pursuant to 42 U.S.C.S. 1981.

Statement Of The Facts

On and around about Friday April 25, 2014 Donald Sterling the owner of the Los Angeles Clippers National Association Basketball Team was heard speaking racist sentiments on recorded tape regarding his disgust and dislike for people of the Black Race. The TMZ News affiliate released an audio recording of Los Angeles Clippers owner Donald Sterling telling his

friend Ms. V. Stivano that "It bothers me a lot that you want to broadcast that you're associating with <u>Black People</u>, do you have to? . Donald Sterling went on to tell Ms. V. Stivano "The little I ask you is not to promote it (your association with <u>Black People</u>) and not to bring them (<u>Black People</u>) to any of my games". Lastly Los Angeles Clippers owner Donald Sterling stated to friend Ms. V. Stivano, not to post photos of herself with <u>Black People</u>, including National Basketball Association Hall of Famer Mr. Ervin Majic Johnson.

When I the plaintiff Reginald Robert Watkins a black man in this Civil Rights complaint heard the television tape recording account of the deragotory and bigoted remarks of Donald Sterling directed towards myself a black man and directed towards other people of my black race, I the plaintiff became very sick to my stomach and very distrued in my mind. Since hearing the racist remarks of Donald Sterling I have begun to develop a deep concern and fear for my safety and for the wholesome well-being as a black man <u>living</u> in this country of the United States of America.

When Barack Obama the President of the United States calls the deragotory bigoted remarks of Donald Sterling "racist" that concerns me profoundly. When Mr. Ervin Majic Johnson calls Donald Sterling's bigoted deragatory remarks "racist", that disturbs me. When Mr. Michael Jordan calls the outrageous hateful remarks of Donald Sterling "racist", that alarms me.

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Donald Sterling's racist remarks about black people did cut through me like a bullet to my heart. My heart felt the emotional impact. The racist remarks of Donald Sterling weighed heavily on my mind. The thoughts in my mind began to race out of control with thoughts of panick, worry, and anxiety. I felt that Donald Sterling's racist remarks were an offered deliberate invitation for the sole purpose of recruiting other whites who also shared like Donald Sterling those racist viewpoints that harbor a deep hatred and very deep dislike for a black person like myself. When Donald Sterling showcased his racist attitude of hatred for myself and the people of the black race, the deep inner voice of my soul spoke to me and stated that "people like Donald Sterling have no place in a World whose Creator has endowered all people of every race with the universal right to be treated equally with the upmost compassion, upmost love, and upmost respect".

I Reginald Watkins the plaintiff a blackman am one of the many men and women, who have served in the United States Military and have provided security and safety to all of the citizens of the United States of America. As we all should know that many of the men and women who serve in the United States military are people of the black race. Apparently Donald Sterling does not value the good and great contributions that black people like myself have provided to the country of the United States.

I the plaintiff Reginald Robert Watkins (a black person) have three(3) honorable discharges. I was honorably discharged from the United States Army, the United States Army Reserve, and the United States National Guard. I am certain I have fully and truly earned the right to enjoy all benefits as a citizen in this free nation of the United States of America.

I am deeply hurt and offended by the deragotary, bigoted and racist remarks of the Los Angeles Clippers owner Donald Sterling. When he Donald Sterling

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stated on tape that he did not want <u>black people like myself to attend</u>
the basketball games of the Los Angeles Clippers. The racist remarks from Donald Sterling have affected my equal rights as a black person. The racist remarks of Donald Sterling do clearly violate my Civil Rights pursuant to 42 U.S.C.S. 1981(e).

When Los Angeles Clippers owner Donald Sterling stated on recorded tape, "that he did not want <u>black people</u> like <u>myself</u> to attend his Los Angeles Clippers basketball games, I the plaintiff was deeply hurt and offended by the bigoted, deragotory, and racist remarks of Donald Sterling. Donald Sterling's racist remarks have violated my Civil Equal Rights pursuant to 42 U.S.C.S. 1981(a)—(e). Accordingly as such, I the plaintiff Reginald Robert Watkins a black person am suing Donald Sterling for the violation of my Civil Equal Rights pursuant to 42 U.S.C.S. 1981

42 U.S.C.S. 1981 (a) Statement Of Equal Rights:

Equal Rights Under The Law: All persons within the jurisdiction of the United States shall have the same rights in every state and territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefits of all laws and proceedings for the security of persons and property as is enjoyed by white citizens.

Intentional Discrimination

Los Angeles Clippers owner Donald Sterling intentionally discriminated against me the plaintiff a black person, when Donald Sterling told his friend Ms. V. Stivano that he (Donald Sterling) was bothered that Ms. Stivano was associating with black people. Donald Sterling intentionally discriminated against me the plaintiff a black person, when Donald Sterling told his friend Ms. V. Stivano not to promote her association with black people and not to bring black people to his Los Angeles Clippers basketball games.

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42 U.S.C.S. 1981(a) provides in relevant part that all persons shall have the same rights to full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white people.

To state a claim under 42 U.S.C.S. 1981, a plaintiff must a Dege(1) member-ship in a racial minority; (2) defendant's intent to discriminate on the basis of race; (3) discrimination concerning one of the enumerated activities.

I the plaintiff here Reginald Robert Watkins am a black man of the black race and therefor am a member of a racial minority in the United States of America. The racist, bigoted and deragotory remarks of Donald Sterling did intentionaly discriminate against me a black person on the basis of my black race. Donald Sterling did discriminate against me a person of a black race concerning one of the enumerated activities, such enumerated activity being the enjoyment of a property rights as is enjoyed by white citizens, to attend the Los Angeles Clippers Basketball games. Donald Sterling has no lawful right to discriminate against black people like myself by suggesting on tape that black people like myself are not welcome as a citizen to attend a public event at a public facility on public property. The public event at a public facility on public property, is the Los Angeles Clippers basketball game played at the United Staples Center located in downtown Los Angeles California.

The current language of the Federal Equal rights Law 42 U.S.C.S. 1981(e) can only be read to protect all of 42 U.S.C.S. 1981(a) rights against both governmental and private inferences. 42 U.S.C.S. 1981 affords a federal remedy against private discrimination on the basis of race. U.S. Court of Appeals of the 3rd Circuit 784 F. 2d 505. Discrimination based on race seems at a minimum to involve discrimination directed against an individual because he or she is genetically part of an ethnic race of people. 42 U.S.C.S. 1981 is intended to protect from discrimination identifiable classes of people who

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are subjected to discrimination soley because of their ancestry or ethnic characteristic. U.S.D.C. of the 9th Circuit, 673 F. Supp. 2d 1194 (November 20, 2009).

To state a claim pursuant to 42 U.S.C.S. 1981 a plaintiff must allege that the discrimination took place because of the individual's race. Fing vs. Ayotte 806 F. Supp. 2d 118, U.S.D.C. of the 1st Circuit (May 12, 2012).

Memorandum Of Law

Section 42 U.S.C.S. 1981 was originally enacted as part of section #1 of the Civil Rights act of 1866, authorized by section #2 of the 13th amendment to the United States Constitution. 42 U.S.C.S. 1981 was clearly designed and enacted to do fust what it's term suggest: To prohibit all racial discrimination. Under the original language of the Congressional 1866 act, congress prohibited racial discrimination between citizens with respect to the enumerated rights; that is discrimination between white and nonwhite citizens of the United States of America. With respect to the rights enumerated under 42 U.S.C.S. 1981, person within the jurisdiction of the United States are guranteed the same freedoms enjoyed by white citizens of the United States of America. Title 42 U.S.C.S. 1981's broad sweep is directed to intentional discrimination. The Civil Rights Act of 1866 was directed primarily against the mistreatment of black people by private individuals. See Jones vs. Alfred H. Mayer Company, 392 U.S. 409. In the House of Representative, representative Wilson argued for passage of the 1866 Civit Right bill on the grounds that the law would " protect our United States cirigen's from the highest to the lowest from the whitest to the blackest, in the enjoyment of the fundamental rights which belong to all men, one race sharp not be more favored in respect to another. Cong. Globe, 39th Congress. 1st session at 1117, also see Jones, 392 U.S. 436. 42 U.S.C.S. 1981 rest not only on the 14th Amendment but also on the foundation of the

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13th Amendment to the United States Constitution. Section 42 U.S.C.S. 1981 was enacted as sweeping legislation implementing the 13th Amendment to abolish all the remaining badges and vestiges of the slavery system. The Black Law Dictionary defines the ugly word of discrimination as the unifair treatment or denial of normal priveleges to persons because of their race. Also Black Law defines discrimination as the Failure to treat all persons equally, where no reasonable distinction can be found between those favored and those not favored.

As the United States Supreme Court has noted, the intent of 42 U.S.C.S.

1981 is to protect from discrimination identifiable classes of persons who
are subjected to intentional discrimination soley because of their ancestry
or ethnic characteristic.

Conclusion

Donald Sterling has been sued repeatedly for racial discrimination. Donald Sterling has previously been held liable in a racial discrimination complaint involving black tenants. Donald Sterling once called his black tenants smelly and dirty. Once again Los Angeles Clippers basketball team owner Donald Sterling has targeted black people of the African-American Race with his racial discrimination attack. Donald Sterling's racial attack this time has affected me in a very personal way. Donald Sterling has violated my personal natural rights guranteed and protected by the United States Constitution pursuant to my Civil Liberties. Unfortunatly, unjustly, unfairly and wrongly black people have been traditionaly victims of discrimination. Sadly we have a black president in the United States of America, and the disturbing and malicious hate tul discrimination attacks against a black person like myself still does exist dig to the ignorance of people like Donald Sterling. It seems to be that people like Donald Sterling to not want to accept and respect that black people in the United States of America have Federal Civil Rights. Therefor it seems to be now the urgent opportune date and time to hold Donald

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Sterling accountable to the reality of the Civil Rights of black people and as such that his racial discrimination against Plack people like myd St. TOOR ON self will no longer be accepted or tolerated in the United States of America.

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Relief Sought Damages

Pecuniary compensation or indemnity damages may be recovered in the courts by any person who has suffered loss whether to his person, property, or rights, through the unlawful act or omission or negligence of another. Damages may be compensatory or punitive according to whether they are awarded as the measure of actual loss suffered or as punishment for outrage bus conduct to deter future transgression. Compensatory or actual damages consist of both general and special damages. General damages are the natural, necd essary, and usual result of the wrongful act or occurrence in question. Real, substantial and just damages or the amount awarded to a complaint in compensation for his actual and real loss or injury does lawfully work to the benefit of the plaintiff to cure and remedy the wrongful ills of infliction incurred upon such injured party. Such as the law itself implies or presumed to have accrued from the wrong Complained of, for the reason that are its immediate, direct, and proximate result, or such as neccessarily result from the injury or such as did in fact result from the wrong, directly and proximately, damages which are expected to 10^{11} ow from the act or state of facts are therefor and do become the basis of a plaintiff's suit. The measure of injury, physical, mental and emotional, as a result of another's action of omission, does lawfully constitute damage to a person. As such "damage" and "injury" are commonly used interchangeably, but they are different to extent that injury is what actually suffered while damage is the measure of \mathcal{L} ompensation for such suffering. A return of an injured party to the position he occupied before he was injured by the unlawful act of another is a proper and lawful remedy. When return of the specific property right is not possible (as in a stock fraud transaction, due to the stock no longer available), rescissory damages would be the monetary equivalent value of the stock. Lastly substantial damages are assessed to satisfy a bare legal right, considerable in amount and intended as real compensation for a real injury.

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As wherefor it is the respectful request of the plaintiff here Reginald Robert Watkins that this Honorable United States District Court do enter and issue the following judgement via trial by jury or trial by judge.

Judgement

SOPPA S It is therefor the respectful request of the plaintiff Reginald Robert Watkins that this court order Donald Sterling to pay the plaintiff Reginald Robert Watkins damages in the forms of pecuniary, compensatory, al, actual, rescissory and substantial in the sum total monetary amount of \$50,000,000.00 (Fifty Million Dollars)

Respectfully submitted,

Robert Watkin

(Address)

(Date)

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FEBRUARY 1988

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DEPARTMENT OF THE ARMY U.S. ARMY RESERVE PERSONNEL CENTER 9700 PAGE BOULEVARD ST. LOUIS, MO 63132

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266H45-5704 SP4 REINFORCEMENT

YOU ARE DISCHARGED FROM COMPONENT SHOWN.

AUTHORITY: AR 135-178/ EFFECTIVE DATE: 21 MARCH 1984 COMPONENT: READY RESERVE TYPE OF DISCHARGE: HONORABLE

ADDITIONAL INSTRUCTIONS: IF RESERVE IDENTIFICATION DD FORM 24 (RED) IS IN YOUR POSSESSION, RETURN IT TO PHIS HEADQUARTERS, ATTN: DARC-SM. IF YOU HAVE ANY QUESTIONS IN THE FUTURE ABOUT YOUR MILITARY RECORDS OR YOUR MILITARY SERVICE, CONTACT THE NATIONAL PERSONNEL RECORDS CENTER, GENERAL SERVICES ADMINISTRATION, 9700 PAGE BOULEVARD: ST. LOUIS, MO 63132. AS YOU NO LONGER HAVE ANY MILITARY STATUS, YOUR RECORDS ARE NO LONGER MAINTAINED BY THE DEPARTMENT OF THE ARMY. REMEMBER TO INCLUDE YOUR FULL NAME, SOCIAL SECURITY NUMBER AND ALL PREVIOUS SERVICE NUMBERS, SO THAT YOUR RECORDS CAN BE POSITIVELY AND CULPKLY IDENTIFIED.

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PERMANENT ORDERS 124-11

11 November 1981

WATKINS, REGINALD ROBERT 266-45-5704 SP4 CO A 143D STO BN WAFBAO APC 02032

Announcement is made of the following award.

Award: Good Conduct Medal (1st Award)

Date(s) or period of service: 23 May 78 thru 22 May 81

Authority: Paragraph 3-2 Chapter 3 AR 672-5-1

Reason: For exemplary behavior, efficiency and fidelity during the period indicated.

Format: 320

FOR THE PERSONNEL OFFICER:

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CDR USA ENL RECDS EVAL CEN ATTN:

PCRE-FS FT BEN HARRISON IN 46249 (1)

SP4 WATKINS (5)

CDR, CO A 143D SIG BN 09039

ERNEST MARTIN

MSG, USA

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Assistant Personnel Officer

inquiries concerning these orders will be directed to Commander, 378th Personnel Service Company Frankfurt APO NY 09757 FM (2311) 7366/660, a subordinate organization A L
YOORAND
COM of 22d P&A Battalion (AFTV-PAZ-A).



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