

**3:13-cv-00248-WQH-DHB** Kenney v. San Diego, City of et al  
William Q. Hayes, presiding  
David H. Bartick, referral  
**Date filed:** 01/30/2013  
**Date of last filing:** 12/09/2013

## Case Summary

**Office:** San Diego  
**Jury Demand:** Plaintiff  
**Nature of Suit:** 440  
**Jurisdiction:** Federal Question  
**County:** San Diego  
**Origin:** 1  
**Lead Case:**  
**Related Case:**  
**Defendant Custody Status:**

**Filed:** 01/30/2013  
**Demand:** \$6000000  
**Cause:** 42:1983 Civil Rights Act  
**Disposition:**  
**Terminated:**  
**Reopened:** None  
None  
**Other Court Case:** None

**Plaintiff:** John B. Kenney  
**represented by** John B. Kenney(Designation Retained)  
**Phone** (619) 269-1775  
:  
**Email** jbkincaproper.prison.googblock@gmail.com  
:

**Defendant:** City of San Diego  
**represented by** Kathy J Steinman  
**Phone:**(619) 538-5800  
**Fax:** (619) 533-5856  
**Email:** ksteinman@sandiego.gov

**Defendant:** San Diego Police Dept (SDPD)  
**represented by** Kathy J Steinman  
**Phone:**(619) 538-5800  
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**Defendant:** Sanders  
**represented by** Kathy J Steinman  
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**Fax:** (619) 533-5856  
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**Defendant:** Lansdowne  
**represented by** Kathy J Steinman  
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**Defendant:** Thompson  
**represented by** Kathy J Steinman  
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**Email:** ksteinman@sandiego.gov

**Defendant:** Lawrence  
**represented by** Kathy J Steinman

**Defendant:** Stum

**by** **Phone:** (619) 538-5800  
**Fax:** (619) 533-5856  
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**represented** Kathy J Steinman

**by** **Phone:** (619) 538-5800  
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**Defendant:** Does #1-200

**Defendant:** Jan Goldsmith

**represented** Kathy J Steinman

**by** **Phone:** (619) 538-5800  
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**Email:** ksteinman@sandiego.gov

**Defendant:** San Diego Sheriff's Dept

**represented** Morris G Hill

**by** **Phone:** (619) 531-5649  
**Fax:** (619) 531-6005  
**Email:** morris.hill@sdcounty.ca.gov

**Defendant:** William Gore

**Defendant:** Does 1-20,000, inclusive

**Defendant:** Federal & Private Contractor Intelligence & Security Police-state Industrial Complex Conspirators

**Defendant:** U.S. Security

**Defendant:** Tyco

**Defendant:** SAIC

**Defendant:** Titan Corp

**Defendant:** cum L-3 Communications

**Defendant:** General Atomics

**Defendant:** Raytheon

**Defendant:** Securitas AB

**Defendant:** Pinker- ton Consulting & Investigations

**Defendant:** US Dep't Homeland Security (DHS)

**Defendant:** Federal Protective Service (FPS)

**Defendant:** DHS Office State & Local Law Enforcement

**Defendant:** Police Exec'tv Research Forum (PERF)

**Defendant:** local Fusion Center, the

**Defendant:** National Operations Center (NOC)

**Defendant:** US Justice Department

**Defendant:** FBI, the

**Defendant:** FBI Joint Terror-ism Task Force, the

**Defendant:** Terrorism Liaison  
Officers  
**Defendant:** Counter Terrorism  
Information Center  
**Defendant:** CIA  
**Defendant:** DEA  
**Defendant:** US Military  
**Defendant:** state & local police  
agencies  
**Defendant:** Border Patrol  
**Defendant:** Navy & other Armed  
Military Services  
**Defendant:** Private or U.S. Gov't,  
Intelligence Officers & Officers in  
San Diego  
**Defendant:** Julie Majcher  
**Defendant:** Raffi Aftandelian  
**Defendant:** Tahra Ludwig  
**Defendant:** "Shahrokh" & Labor  
Union Damian Tyron & Kathy  
Sorrel  
**Defendant:** Eva David  
**Defendant:** Lynn Ann Garrett  
**Defendant:** Frank Gormlie  
**Defendant:** Todd "Toddyho"  
**Defendant:** Cristie Paris  
**Defendant:** William Alexander  
Johnson  
**Defendant:** Shahrokh Saadat-Nejad  
**Defendant:** Pat Barnes  
**Defendant:** Benjamin Cossel  
**Defendant:** "Gonzo"  
**Defendant:** Ben Liotta  
**Defendant:** Melissa Berens  
**Defendant:** GEO Group &  
Corrections Corp  
**Defendant:** Susan Cratty  
**Defendant:** Nan Di Giovanni  
**Defendant:** Ray Lutz  
**Defendant:** Martha Sullivan  
**Defendant:** James Bartoli  
**Defendant:** Amir Irani Shoja  
**Defendant:** San Diego Security  
Network  
**Defendant:** Cubic Corp  
**Defendant:** L-3  
**Defendant:** U.S. Security Associates  
**Defendant:** Pinkertons  
**Defendant:** Pinkerton Governmental

Services (PGS)

**Defendant:** Tyco Corp

**Defendant:** Gordon Pettus

**Defendant:** Paul Martin

**Defendant:** Allison

**Defendant:** Randall Holmes

**Defendant:** Brett

**Defendant:** Mitch

**Defendant:** Matthew

**Defendant:** Bernardo

**Defendant:** all other present

occupants of 5076 Saratoga Ave.

**Defendant:** Jim Clark

Deadlines/Hearings

<b>Doc. No.</b>	<b>Deadline/Hearing</b>	<b>Event Filed</b>	<b>Due/Set</b>	<b>Satisfied</b>	<b>Terminated</b>
<a href="#">1</a>	Answer due	01/30/2013	06/18/2013		
<a href="#">1</a>	Answer due	01/30/2013	06/18/2013		
<a href="#">1</a>	Answer due	01/30/2013	06/18/2013		
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<a href="#">1</a>	Answer due	01/30/2013	06/18/2013		
<a href="#">1</a>	Answer due	01/30/2013	06/18/2013		
<a href="#">1</a>	Answer due	01/30/2013	06/19/2013		
<a href="#">1</a>	Answer due	01/30/2013	06/20/2013		

**Defendant**

**Does 1-20,000, inclusive**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/30/2013	<a href="#">1</a>	COMPLAINT with Jury Demand against Federal & Private Contractor Intelligence Community, Jan Goldsmith, Gore, Lansdowne, Lawrence, San Diego Police Dept (SDPD), San Diego Sheriff's Dept, San Diego, City of, Sanders, Security Police-State Industrial Complex Conspirators, Stum, Thompson, Does #1-200, Does 1-20,000, inclusive, (filing fee \$350 receipt number 1371), filed by John B. Kenney. (Attachments: # <a href="#">1</a> Civil Case Cover

		Sheet).  The new case number is 3:13-cv-248-WQH-DHB. Judge William Q. Hayes and Magistrate Judge David H. Bartick are assigned to the case. (Kenney, John) (dls) (cap). (Entered: 01/31/2013)
01/30/2013	<a href="#">2</a>	Summons Issued. <b>Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. Summons has been provided to plaintiffs not receiving notice electronically.</b> (dls) (cap). (Entered: 01/31/2013)
05/30/2013	<a href="#">3</a>	SUMMONS Returned Executed by John B. Kenney. City of San Diego & Federal & Private Contractor Intelligence Community And Security Police-State Industrial Complex Conspirators served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
05/30/2013	<a href="#">4</a>	SUMMONS Returned Executed by John B. Kenney. Jan Goldsmith served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
05/30/2013	<a href="#">5</a>	SUMMONS Returned Executed by John B. Kenney. Sanders served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
05/30/2013	<a href="#">6</a>	SUMMONS Returned Executed by John B. Kenney. San Diego Police Dept (SDPD) served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
05/30/2013	<a href="#">7</a>	SUMMONS Returned Executed by John B. Kenney. Lansdowne served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
05/30/2013	<a href="#">8</a>	SUMMONS Returned Executed by John B. Kenney. Lawrence served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
05/30/2013	<a href="#">9</a>	SUMMONS Returned Executed by John B. Kenney. Thompson served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
05/30/2013	<a href="#">10</a>	SUMMONS Returned Executed by John B. Kenney. Gore served. (mdc) Modified on 5/31/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 05/31/2013)
06/10/2013	<a href="#">11</a>	MOTION to Dismiss <i>Motion to Strike and Motion for a More Definite Statement Related to Plaintiff's Complaint</i> by City of San Diego, Jan Goldsmith, Lansdowne, Lawrence, San Diego Police Dept (SDPD), Sanders, Stum, Thompson. (Attachments: # <a href="#">1</a> Memo of Points and Authorities, # <a href="#">2</a> Request for Judicial Notice, # <a href="#">3</a> Declaration Kathy J. Steinman, # <a href="#">4</a> Declaration Charles Hopper, # <a href="#">5</a> List of Evidence, # <a href="#">6</a> Proof of Service) (Steinman, Kathy) (Entered: 06/10/2013)

06/11/2013	<a href="#">12</a>	MOTION to Dismiss for Failure to State a Claim by San Diego Sheriff's Dept. (Attachments: # <a href="#">1</a> Memo of Points and Authorities)(Hill, Morris) (mdc) (Entered: 06/11/2013)
07/01/2013	<a href="#">13</a>	RESPONSE in Opposition re Doc. <a href="#">11</a> MOTION to Dismiss <i>Motion to Strike and Motion for a More Definite Statement Related to Plaintiff's Complaint</i> filed by John B. Kenney. (mdc) Modified on 7/2/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 07/02/2013)
07/01/2013	<a href="#">14</a>	RESPONSE in Opposition re Doc. <a href="#">12</a> MOTION to Dismiss for Failure to State a Claim filed by John B. Kenney. (mdc) Modified on 7/2/2013 - Copy was not mailed to the filing pro se party. (mdc) (Entered: 07/02/2013)
07/02/2013	<a href="#">15</a>	Notice of Document Discrepancies Accepting Document: Motion To E-File His Documents & Motion To Notice E-Mail Address Has Changed from John B. Kenney. Non-compliance with local rule(s), Civ. L. Rule 7.1: Lacking memorandum of points and authorities in support as a separate document. IT IS HEREBY ORDERED: The document is to be filed nunc pro tunc to date received. Signed by chambers of Judge William Q. Hayes on 7/2/2013. (All non-registered users served via U.S. Mail Service.) (mdc) (Entered: 07/03/2013)
07/02/2013	<a href="#">16</a>	MOTION To E-File His Documents & Motion To Notice E-Mail Address Has Changed by John B. Kenney. NUNC PRO TUNC 7/1/2013, per Doc. <a href="#">15</a> . (mdc) Modified on 7/3/2013 - Copy was mailed to the filing pro se party. (mdc) (Entered: 07/03/2013)
07/08/2013	<a href="#">17</a>	RESPONSE in Support re <a href="#">11</a> MOTION to Dismiss <i>Motion to Strike and Motion for a More Definite Statement Related to Plaintiff's Complaint</i> filed by City of San Diego, Jan Goldsmith, Lansdowne, Lawrence, San Diego Police Dept (SDPD), Sanders, Stum, Thompson. (Attachments: # <a href="#">1</a> Proof of Service) (Steinman, Kathy) (Entered: 07/08/2013)
07/08/2013	<a href="#">18</a>	REPLY to Response to Motion re <a href="#">12</a> MOTION to Dismiss for Failure to State a Claim filed by San Diego Sheriff's Dept. (Attachments: # <a href="#">1</a> Proof of Service) (Hill, Morris) (Entered: 07/08/2013)
07/12/2013	<a href="#">19</a>	ORDER: The Motion to E-File is GRANTED. (Doc. <a href="#">16</a> ). Plaintiff is required to follow all rules and policies in the ECF Manual, available via the Court's website. As stated in the ECF Manual, Plaintiff "must register as a user with the Clerk's Office and as a subscriber to PACER within five (5) days." ECF Manual Section 2(b). Signed by Judge William Q. Hayes on 7/12/2013. (All non-registered users served via U.S. Mail Service.) (mdc) (Entered: 07/12/2013)
09/20/2013	<a href="#">20</a>	ORDER: The Motion to Dismiss filed by the City Defendants is granted in part and denied in part. (Doc. <a href="#">11</a> ). The Motion to Dismiss filed by the Sheriff's Department is granted. (Doc. <a href="#">12</a> ). Plaintiff's request for leave to amend the Complaint is granted, and Plaintiff's request for sanctions is denied. No later than thirty (30) days from the date this Order is filed, Plaintiff shall file a first amended complaint. Signed by Judge William Q. Hayes on 9/20/2013. (Pro se plaintiff was electronically served.)(mdc)(jrd) (Entered: 09/23/2013)

10/21/2013	<a href="#">21</a>	FIRST AMENDED COMPLAINT with Jury Demand <i>John B. Kenney</i> against All Defendants, filed by John B. Kenney. (Attachments: # <a href="#">1</a> Appendix TABLE OF CONTENTS, # <a href="#">2</a> Proof of Service Certificate of SERVICE) New Summons Requested. (Kenney, John) Modified on 10/22/2013 - Added "First" to text; under review re summons request. (mdc) (Entered: 10/21/2013)
10/21/2013	<a href="#">22</a>	MOTION for Extension of Time to Amend by John B. Kenney. (Kenney, John). Added MOTION to Strike City Defamations (Again!) on 10/22/2013, per document's caption-title. (mdc) (Entered: 10/21/2013)
10/22/2013	<a href="#">23</a>	Notice of Document Discrepancies and Order Thereon: Accepting Document, from Plaintiff John B. Kenney (pro se plaintiff allowed to e-file), re Doc. <a href="#">21</a> First Amended Complaint. Non-compliance with local rule(s), ECF 2(f): Lacking proper signature (documents are not signed). IT IS HEREBY ORDERED: The document is accepted despite the discrepancy noted above. Any further non-compliant documents may be stricken from the record. Signed by chambers of Judge William Q. Hayes on 10/22/2013. (Document was electronically served on pro se plaintiff.) (mdc) (Entered: 10/22/2013)
10/22/2013	<a href="#">24</a>	Notice of Document Discrepancies and Order Thereon: Accepting Document, from Plaintiff John B. Kenney (pro se plaintiff allowed to e-file), re Doc. <a href="#">22</a> MOTION for Extension of Time to Amend, MOTION to Strike City Defamations (Again!). Non-compliance with local rule(s), ECF 2(f): Lacking proper signature (document is not signed), Civ. L. Rule 7.1 or 47.1: Lacking memorandum of points and authorities in support as a separate document, OTHER: ECF Section 2(d)(2)-Missing Certificate of Service. IT IS HEREBY ORDERED: The document is accepted despite the discrepancy noted above. Any further non-compliant documents may be stricken from the record. Signed by chambers of Judge William Q. Hayes on 10/22/2013. (Document was electronically served on pro se plaintiff.) (mdc) (Entered: 10/22/2013)
10/22/2013	<a href="#">25</a>	Summons Issued on the First Amended Complaint (Doc. <a href="#">21</a> ). <b>Pro se plaintiff receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P. and LR 4.1.</b> (mdc) (Entered: 10/22/2013)
11/04/2013	<a href="#">26</a>	MOTION to Dismiss <i>Motion to Strike and Motion for a More Definite Statement</i> by City of San Diego, Jan Goldsmith, Lansdowne, Lawrence, San Diego Police Dept (SDPD), Sanders, Stum, Thompson. (Attachments: # <a href="#">1</a> Memo of Points and Authorities, # <a href="#">2</a> Request for Judicial Notice, # <a href="#">3</a> List of Evidence, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit, # <a href="#">6</a> Exhibit, # <a href="#">7</a> Exhibit, # <a href="#">8</a> Declaration, # <a href="#">9</a> Proof of Service)(Steinman, Kathy) (mdc) (Entered: 11/04/2013)
11/04/2013	<a href="#">27</a>	MOTION to Dismiss for Failure to State a Claim ( <i>First Amended Complaint</i> ) by San Diego Sheriff's Dept. (Attachments: # <a href="#">1</a> Memo of Points and Authorities)(Hill, Morris) (mdc) (Entered: 11/04/2013)
11/05/2013	<a href="#">28</a>	ORDER: The Motion to Strike and for Extension of Time is granted in part and denied in part. (Doc. <a href="#">22</a> ). The request to strike portions of the City Defendants' motion to dismiss and future filings by the City Defendants is denied. The request for 120 days to serve the Defendants newly named in the First

		Amended Complaint is granted. Plaintiff shall serve the newly-named Defendants no later than 120 days from the date the First Amended Complaint was filed. Signed by Judge William Q. Hayes on 11/5/2013. (mdc) Modified on 11/5/2013 - Pro se plaintiff was electronically served. (mdc)(jrd) (Entered: 11/05/2013)
12/02/2013	<a href="#">29</a>	RESPONSE to Motion re <a href="#">27</a> MOTION to Dismiss for Failure to State a Claim ( <i>First Amended Complaint</i> ) filed by John B. Kenney. (Kenney, John) (Entered: 12/02/2013)
12/02/2013	<a href="#">30</a>	RESPONSE to Motion re <a href="#">26</a> MOTION to Dismiss <i>Motion to Strike and Motion for a More Definite Statement No City Motion in my Efile notice</i> filed by John B. Kenney. (Kenney, John) (Entered: 12/02/2013)
12/05/2013	<a href="#">31</a>	REPLY to Response to Motion re <a href="#">27</a> MOTION to Dismiss for Failure to State a Claim ( <i>First Amended Complaint</i> ) filed by San Diego Sheriff's Dept. (Hill, Morris) (Entered: 12/05/2013)
12/09/2013	<a href="#">32</a>	RESPONSE in Support re <a href="#">11</a> MOTION to Dismiss <i>Motion to Strike and Motion for a More Definite Statement Related to Plaintiff's Complaint</i> filed by City of San Diego, Jan Goldsmith, Lansdowne, Lawrence, San Diego Police Dept (SDPD), Sanders, Stum, Thompson. (Attachments: # <a href="#">1</a> Proof of Service) (Steinman, Kathy) (Entered: 12/09/2013)