

LAW FIRM OF  
KAISER, DEBIASO, ANDREW AND SWINDELLS  
SUMITOMO TOWER NINTH FLOOR  
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**FILED**  
LOS ANGELES SUPERIOR COURT  
JUN 26 1996  
JOHN A. CLARKE, CLERK  
*C. Coleman*  
BY C. COLEMAN, DEPUTY

ERIC C. DEMLER S/B/N 096396

Attorneys for Plaintiff MARK  
CHIMBLO

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

MARK CHIMBLO,	)	CASE NO.
	)	BC152727
Plaintiff,	)	COMPLAINT
vs.	)	
NARCONON; ASSOCIATION FOR	)	
BETTER LIVING AND EDUCATION;	)	
PHIL ARMOUR; JEANNIE TRAHANT and	)	
DOES 1-50, Inclusive,	)	
	)	
Defendants.	)	
	)	
	)	

GENERAL ALLEGATIONS

1. At all times material to plaintiff's causes of action, plaintiff MARK CHIMBLO was a resident of the state of California. Plaintiff is now a resident of the state of Connecticut.

2. At all times concerned with this complaint, defendant NARCONON was a business entity of unknown form, residence or capacity. Plaintiff is informed and believes, and thereon alleges, that at all times herein concerned, said defendant was licensed to do business in, and was doing business in, the County of Los Angeles, State of California. NARCONON's place of business within the County of Los Angeles was at 3429 West Olympic Boulevard, Los Angeles, California. That place of business was the place where plaintiff's causes of action arose.

3. At all times concerned with this complaint, defendant ASSOCIATION FOR BETTER LIVING AND EDUCATION was a business entity of unknown form, residence or

1 capacity. Plaintiff is informed and believes, and thereon alleges, that at all times herein concerned,  
2 said defendant was licensed to do business in, and was doing business in, the County of Los  
3 Angeles, State of California. Plaintiff is informed and believes and thereon alleges that  
4 ASSOCIATION FOR BETTER LIVING AND EDUCATION owned, operated, managed or was  
5 otherwise involved with NARCONON.

6 4. Plaintiff is informed and believes and thereon alleges that at all times herein  
7 concerned, defendant PHIL ARMOUR was an individual who was a resident of the County of Los  
8 Angeles, State of California. Said defendant was employed by NARCONON at all material times.

9 5. Plaintiff is informed and believes and thereon alleges that at all times herein  
10 concerned, defendant JEANNIE TRAHANT was an individual who was a resident of the County  
11 of Los Angeles, State of California. Said defendant was employed by NARCONON as its  
12 executive director at all material times.

13 6. Plaintiff is ignorant of the true names and/or capacities, whether individual,  
14 corporate, associate, or otherwise, of defendants DOES 1-50, so plaintiff therefore sues said  
15 defendants by such fictitious names. Plaintiff is informed and believes, and thereon alleges, that  
16 each of these DOE defendants is legally responsible in some manner for the events and happenings  
17 herein referred to, and legally caused injury and damages thereby to plaintiff as herein alleged.

18 7. That at all times hereinmentioned, defendants, and each of them, were the agents,  
19 servants, and/or employees of each of the remaining defendants, and were at all times acting  
20 within the purpose and scope of said agency, service and/or employment, and that each defendant  
21 has ratified and approved the acts of his, her or its agent, servant and/or employee.

22 8. On or about April 5, 1995, plaintiff was hired as an employee of NARCONON  
23 pursuant to a written contract of employment. The term of that contract was 2-1/2 years. The  
24 terms of that contract were that plaintiff was to perform duties as an employee of NARCONON  
25 for that 2-1/2 year period. Plaintiff was then made an administrative supervisor which is an  
26 executive position at NARCONON with defendant JEANNIE TRAHANT as his superior. This  
27 was the position plaintiff held until he was discharged by NARCONON.

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1 **FIRST CAUSE OF ACTION**

2 **For Assault and Battery by Plaintiff Against All Defendants**

3 9. Plaintiff realleges and incorporates herein paragraphs 1-8 above as though fully set  
4 forth in this cause of action.

5 10. On or about June 27, 1995, plaintiff was working as an administrative supervisor  
6 at Narconon's place of business being 3429 W. Olympic Boulevard, Los Angeles, California. It  
7 is upon that date and upon NARCONON's premises, that plaintiff's co-employee, defendant PHIL  
8 ARMOUR, attacked plaintiff by throwing him up against the wall, pushing him around and  
9 screaming at him. Later that same day, and after plaintiff had reported this incident to defendant  
10 JEANNIE TRAHANT, defendant PHIL ARMOUR again attacked plaintiff with defendant  
11 JEANNIE TRAHANT observing that attack. Plaintiff did nothing to cause either attack.

12 11. Defendant PHIL ARMOUR intended to cause or to place plaintiff in apprehension  
13 of a harmful contact with plaintiff's person and acted with the intent to make a contact with  
14 plaintiff's person.

15 12. At no time did plaintiff consent to any of the acts of defendant PHIL ARMOUR  
16 as alleged in this cause of action.

17 13. As a legal result of the acts of assault and battery, plaintiff suffered physical and  
18 mental injuries all of which have caused, and continues to cause, plaintiff mental, physical and  
19 nervous pain and suffering. Plaintiff has suffered damages according to proof at trial and within  
20 the jurisdiction of this Court as a legal result of that conduct.

21 14. As a further legal result of the acts of defendants, plaintiff has incurred, and will  
22 continue to incur, medical and other related expenses in amount according to proof at the time of  
23 trial.

24 15. As a further legal result of the acts of defendants, plaintiff was prevented from  
25 attending to his usual occupation with NARCONON thereby losing earnings to his damage and  
26 also damaging his ability to earn income in the future. Plaintiff's loss of earnings up to a specific  
27 date has already been resolved with the loss of income beyond that date being claimed as damages  
28 in this action;



1 the jurisdiction of this Court as a legal result of that conduct.

2 21. As a further legal result of the acts of defendants, plaintiff has incurred, and will  
3 continue to incur, medical and other related expenses in amount according to proof at the time of  
4 trial.

5 22. As a further legal result of the acts of defendants, plaintiff was prevented from  
6 attending to his usual occupation with NARCONON thereby losing earnings to his damage and  
7 also damaging his ability to earn income in the future. Plaintiff's loss of earnings up to a specific  
8 date has already been resolved with the loss of income beyond that date being claimed as damages  
9 in this action.

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11 **THIRD CAUSE OF ACTION**

12 **For Breach of Contract By Plaintiff Against Defendants NARCONON,**  
13 **ASSOCIATION FOR BETTER LIVING AND EDUCATION and DOES 1-10**

14 23. Plaintiff incorporates herein by reference paragraphs 1-12, 16 and 19 above as  
15 though fully set forth and repeated herein.

16 24. Plaintiff's written employment contract with defendants NARCONON and DOES  
17 1-10 was that plaintiff was to have been employed by said defendants for a period of 2-12 years  
18 from on or about April 5, 1995. However, plaintiff walked out of NARCONON due to the  
19 incident of June 27, 1995 in which plaintiff was assaulted and battered by defendant PHIL  
20 ARMOUR with the remaining defendants not firing nor restricting defendant PHIL ARMOUR  
21 despite those incidents and prior incidents.

22 25. Defendants NARCONON and DOES 1-10 would not let plaintiff return to work at  
23 NARCONON after that date. Plaintiff is informed and believes and thereon alleges that such  
24 conduct was due to the incident of June 27, 1995 and due to plaintiff being previously told to not  
25 report to authorities a prior incident where a staff member at NARCONON injected heroin into  
26 a minor girl at NARCONON and had sex with her and another incident where a staff member at  
27 NARCONON had sex with a minor girl at NARCONON. The law in California then required  
28 defendants to have reported such incidents to the legal authorities upon their occurrence.



1 plaintiff to not report to the legal authorities that a staff member at NARCONON had injected  
2 heroin into a minor girl who was residing at NARCONON and then had sex with her, and that a  
3 staff member at NARCONON had sex with a minor girl who was residing at NARCONON.

4 32. As a direct and legal result of the aforementioned wrongful conduct of defendants,  
5 and each of them, plaintiff has suffered and will continue to suffer in the future, damages under  
6 his employment contract, plus legal interest, in a sum according to proof at the time of trial.

7 33. As a further direct and proximate result of the aforementioned wrongful conduct  
8 of defendants, and each of them, plaintiff has suffered anxiety, worry, mental and emotional  
9 distress, nightmares and other incidental damages and out-of-pocket expenses, all to plaintiff's  
10 general damage in a sum according to proof at the time of trial.

11 34. As a further direct and proximate result of the aforementioned wrongful conduct  
12 of defendants, and each of them, plaintiff has incurred medical bills, and will continue to incur  
13 medical bills in the future, in a sum according to proof at the time of trial.

14 35. As a further direct and proximate result of the aforementioned wrongful conduct  
15 of defendants, and each of them, plaintiff lost income, and will continue to lose income in the  
16 future. Part of this claim for loss of past income was previously resolved by defendants.

17 36. The wrongful conduct of defendants was authorized, ratified or performed by an  
18 officer, director or managing agent of defendants. It was defendant JEANNE TRAHANT,  
19 NARCONON's executive director, who asked plaintiff to not report the illegal conduct which  
20 occurred at the NARCONON premises to the legal authorities. It was upon Ms. Trahant's  
21 instructions that plaintiff was told that he could not return to work at NARCONON.

22 37. The aforementioned conduct was despicable conduct carried on by defendants with  
23 a willful and conscious disregard of plaintiff's rights thereby subjecting plaintiff to cruel and  
24 unjust hardship and conscious disregard of plaintiff's rights, and was intentional conduct known  
25 by the defendants, and each of them, with the intent to deprive plaintiff of peace of mind, and to  
26 otherwise cause injury to plaintiff. Plaintiff is entitled to punitive damages under Civil Code  
27 section 3294 in an amount appropriate to punish or set an example of defendants, and each of  
28 them, in a sum according to proof at the time of trial.



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FOR ALL CAUSES OF ACTION

14. For costs of suit incurred herein.

15. For such other and further relief if the Court deems just and proper.

DATED: June 26, 1996

LAW FIRM OF KAISER, DeBIASO,  
ANDREW AND SWINDELLS ^



BY: ERIC C. DEMLER  
Attorney for Plaintiff  
MARK CHIMBLO