UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 14-9385 PA (SHx)	Date	December 11, 2014
Title	L.G., et al. v. City of Los Angeles, et al.		

Present: The Honorable	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE	
Julieta Lozano	None	N/A
Deputy Clerk	Court Reporter	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
None	None

Proceedings: ORDER TO SHOW CAUSE

The Court has reviewed the Complaint filed by plaintiffs Lanaisha Green ("Green"), Sumaiyah Mitchell ("Mitchell"), Jayvon Murray, Bronz Jackson, Elijah Jackson, Tatiana Murray, and Jasmean Murray (the "Murrays and Jacksons") (collectively "Plaintiffs") against the City of Los Angeles, Enrique Anzaldo, Christopher DeLaTorre, Ernest Haleck, Joseph Hiltner, and Freddy Lilomaiava (collectively "Defendants"). Plaintiffs bring the following claims against Defendants: (1) a 42 U.S.C. § 1983 claim based on unlawful search and seizure without legal justification; (2) a 42 U.S.C. § 1985(3) claim based on conspiracy to violate civil rights; (3) a 42 U.S.C. § 1983 claim based on unlawful search and seizure in objectively unreasonable manner; (4) violation of Art. 1, § 13 of the California Constitution; (5) violation of Art. 1, § 7 of the California Constitution; (6) violation of the Bane Act, California Civil Code § 52.1; (7) violation of the Ralph Act, California Civil Code § 51.7; (8) false imprisonment; and (9) conspiracy.

Plaintiffs' claims are based on a series of early-morning raids carried out by the Los Angeles Police Department on February 19, 2008. Plaintiffs were sleeping in three separate homes at which officers executed search warrants: Green was in her grandmother's house in Santa Monica, California; Mitchell was in her foster mother's home (location undisclosed); and the Murrays and Jacksons were in the home of a relative in Venice, California. Plaintiffs allege that searches carried out at each of the three homes were improper. First, the warrant executed at the home of Green's grandmother was based on stale evidence given that the target, Green's father, was not at the home and had registered a different address with his probation officer. Second, the search of Mitchell's foster mother's home was not performed pursuant to a warrant and not justified by exigent circumstances. Third, the target of the search of the home in which the Murrays and Jacksons were staying was already in custody when the warrant was executed.

The adult caretakers with whom Plaintiffs were staying during the raids were representatives in a putative class action filed in 2010, Winifred Webster, et al. v. City of Los Angeles, No. 2:10-cv-01182-ABC-E. Plaintiffs in the present action would have been members of the damages class in that action, had the class been certified. (See Notice of Related Case, Docket No. 5.) Denying class certification, the Court noted in Webster that all of the plaintiffs' claims "stem[med] from the same underlying event—the February 19 operation," but went on to find that "it does not appear that any

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major liability issues can be determined on a class-wide basis." (No. 2:10-cv-01182-ABC-E, Docket No. 63.)

It appears that Plaintiffs may not be properly joined in this action. Federal Rule of Civil Procedure 20(a)(1), which allows for permissive joinder, provides that:

> Persons . . . may be joined in one action as plaintiffs if:
>
> (A) they assert any right to relief jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and
> (B) any question of law or fact common to all plaintiffs will arise in the action.

See also League to Save Lake Tahoe v. Tahoe Regional Planning Agency, 558 F.2d 914, 917 (9th Cir. 1977). "The first prong, the 'same transaction' requirement, refers to similarity in the factual background of a claim." Coughlin v. Rogers, 130 F.3d 1348, 1350 (9th Cir. 1997). With respect to the second prong, "the mere fact that all Plaintiffs' claims arise under the same general law does not necessarily establish a common question of law or fact." Id. at 1351.

Based on the factual allegations in the Complaint, it is not clear that Plaintiffs' claims against Defendants raise a common question of law or fact. The Court therefore orders Plaintiffs to show cause in writing, no later than December 24, 2014, why one or more plaintiffs should not be dropped from this case for improper joinder. See Fed. R. Civ. P. 18, 20, 21; see also Coughlin,130 F.3d at 1351 (finding misjoinder where "[e]ach claim raises potentially different issues, and must be viewed in a separate and individual light by the Court"). Plaintiffs shall serve this Order on Defendants, along with their response, no later than December 31, 2014.

In response to this Order to Show Cause, Plaintiffs may, if they so choose, file separate actions against Defendants, with new complaints and filing fees.

IT IS SO ORDERED.