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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

MARCUS SIMPSON,

Plaintiff,

v.

(1) CAL POLY POMA, (2) THE TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY, (3) SORAYA COLEY, INDIVIDUALLY (4) CHRISTINA GONZALES, INDIVIDUALLY (5) JOSEPH CASTRO, INDIVIDUALLY, (6) SCOTT VANSKOY, INDIVIDUALLY (7) YSABEL D. TRINIDAD, INDIVIDUALLY, AND (8) DOES 1-10,

Defendants.

Case No. 2:23-cv-02842-AB-PVC

**[PROPOSED] JUDGMENT RE: DEFENDANTS THE BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY, SORAYA COLEY, CHRISTINA GONZALES, JOSEPH CASTRO, SCOTT VANSKOY, AND YSABEL D. TRINIDAD**

Judge: Hon. André Birotte, Jr.  
Crtrm: 7B

Trial Date: January 27, 2025

1 On September 27, 2024, the Court heard oral argument on the Motion for  
2 Summary Judgment, or in the alternative, Partial Summary Judgment, filed by  
3 Defendant The Board of Trustees of the California State University, which is the State  
4 of California Acting in its Higher Education Capacity [*erroneously sued as Cal Poly*  
5 *Pomona and The Trustees of the California State University*], and Defendants Soraya  
6 Coley, Christina Gonzales, Joseph Castro, Scott VanScoy, and Ysabel D. Trinidad  
7 (collectively, “Defendants”).

8 The Court having read and duly considered the moving, opposing, and reply  
9 documents, and having duly considered all evidence presented in connection  
10 therewith, enters the following Judgment:

11 1. Defendants are entitled to summary judgment on Plaintiff’s First Cause  
12 of Action for Retaliation in Violation of California Labor Code section 1102.5.

13 2. Defendants are entitled to summary judgment on Plaintiff’s Second  
14 Cause of Action for Retaliation in Violation of 42 U.S.C. section 1983.

15 3. Defendants are entitled to summary judgment on Plaintiff’s Third  
16 Cause of Action for Retaliation in Violation of California Government Code section  
17 3571, Higher Education Employer-Employee Relations Act (“HEERA”).

18  
19 Having now granted the Motion for Summary Judgment in favor of all  
20 Defendants, finding that there is no triable issue as to any material fact and that  
21 Defendants are entitled to judgment as a matter of law as to the entirety of Plaintiff’s  
22 First Amended Complaint, the Court is now prepared to enter judgment.

23  
24 **IT IS HEREBY ORDERED, DECREED, AND ADJUDGED THAT:**

25 Judgment be entered in favor of Defendants and against Plaintiff, as follows:


26 1. That judgment shall be in favor of Defendant The Board of Trustees of  
27 the California State University, which is the State of California Acting in its Higher  
28 Education Capacity [*erroneously sued as Cal Poly Pomona and The Trustees of the*

1 *California State University*], and Defendants Soraya Coley, Christina Gonzales,  
2 Joseph Castro, Scott VanScoy, and Ysabel D. Trinidad and against Plaintiff Marcus  
3 Simpson.

4 2. That Plaintiff shall take nothing by way of his First Amended Complaint,  
5 nor any claims and causes of action asserted by Plaintiff therein, as against  
6 Defendants.

7 3. That reasonable costs shall be awarded to Defendants pursuant to Federal  
8 Rule of Civil Procedure 54.

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10 DATED: October 25, 2024

  
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HONORABLE ANDRÉ BIROTTE, JR.  
UNITED STATES DISTRICT COURT

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