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17 Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
18 REED, and COASTAL PROTECTION
RANGERS, INC.
19

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
22

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
26 California non-profit public benefit
corporation,

27 Plaintiffs,
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

**DECLARATION OF SHARLEAN
PEREZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Judge: Hon. S. James Otero
Date: February 21, 2017
Time: 10:00 a.m.
Crtrm.: 10C. 1st Street Courthouse

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v.

LUNADA BAY BOYS; THE INDIVIDUAL MEMBERS OF THE LUNADA BAY BOYS, including but not limited to SANG LEE, BRANT BLAKEMAN, ALAN JOHNSTON AKA JALIAN JOHNSTON, MICHAEL RAE PAPAYANS, ANGELO FERRARA, FRANK FERRARA, CHARLIE FERRARA, and N. F.; CITY OF PALOS VERDES ESTATES; CHIEF OF POLICE JEFF KEPLEY, in his representative capacity; and DOES 1-10,

Defendants.

Complaint Filed: March 29, 2016
Trial Date: November 7, 2017

I, Sharlean Perez, declare as follows:

1. I am a long-time resident of Southern California. I have lived in and around Gardena, California, which is about 13 miles from Lunada Bay in the City of Palos Verdes Estates, my entire life. I attended the University of California, Los Angeles (UCLA) for my undergraduate studies. I have been a paralegal for nearly 20 years, and I currently work as a paralegal for the law firm of Manatt, Phelps & Phillips. I have personal knowledge of the matters stated in this declaration and, if called as a witness, could and would testify competently as to its contents.

2. I have always been very athletic and enjoy being outdoors. Currently, I sail, scuba dive, and hike for my recreational and physical activities. Growing up, I participated in soccer, track, and cross country. As a member of my high school's cross-country team, we used to follow a course that led us to Lunada Bay Cove. The path down to the cove is

1 somewhat treacherous and the entrance can be hard to find, so it is not the
2 type of location where a lot of visitors would inadvertently stumble upon it. I
3 only knew about Lunada Bay because of training in that area with my cross-
4 country team.

5 3. In 1986, my boyfriend and I decided to stop by Lunada Bay for a
6 nature walk. We planned to walk down the trail, past the bluff that led down
7 to the ocean. We entered Lunada Bay and began heading down the trail,
8 not knowing that it was treated by some as an "exclusive" surf spot.

9 4. As we made our way down the trailhead, I heard the crash of a
10 bottle breaking. I thought that something had either fallen from the bluff
11 above, or perhaps someone had knocked something down onto the trail on
12 accident. However, I looked up to see 2-3 young men assembled at the top
13 of the hill and realized that someone had deliberately thrown the glass bottle
14 down onto our path. The bottle had shattered on the trail. I was surprised,
15 but I ignored the attack and continued following the trail down to the beach
16 so my boyfriend and I could look at the ocean.

17 5. As we made our way back up the hill later that afternoon, there
18 were 2-3 young men gathered at the top of the trail who glared at us as we
19 ascended. I believed these to be the same young men who threw the bottle
20 at us as we descended the hill. It was clear from the young men's hostile
21 behavior that we were not welcome at Lunada Bay.

22 6. I did not realize at the time that the young men's behavior was a
23 form of harassment. It was only once I got older that I understood the young
24 men's behavior was a form of intimidation, and an attempt to keep us out of
25 Lunada Bay. Before this incident, I had heard about the local surfers who
26 "protected" Lunada Bay from visitors, even though it is a public beach.
27 However, I never imagined that they would also bother someone who was
28 simply walking down the trail to look at the ocean at Lunada Bay.

1 7. I am a woman of Latin descent, and I do not know if racism
2 played a role in the men's actions. I am informed and believe, however, that
3 the young men's attitude was motivated, in part, by economics. The Lunada
4 Bay Boys did not want people to use the beach if they were not from Palos
5 Verdes Estates, and they behaved as if the entire beach belonged to them.
6 Even though I attended the same private Catholic high school in Torrance as
7 some of the Bay Boys from Palos Verdes Estates, I was still considered an
8 "outsider" because I did not live in the city of Palos Verdes Estates.

9 8. After the bottle-throwing incident, I never returned to Lunada
10 Bay. I would have liked to visit Lunada Bay more often, but I did not feel
11 safe doing so after how my boyfriend and I were treated. I would have loved
12 to bring my friends from UCLA to Lunada Bay so they could see how
13 beautiful it was—especially since I knew the area—but I was afraid to do so
14 because Lunada Bay had such a bad reputation for localism. I believed and
15 often heard from others that the men at Lunada Bay would harass visitors,
16 throw things at them, or vandalize their cars if they attempted to visit.
17 Therefore, my friends and I avoided Lunada Bay altogether.

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