

1 Alan Romero (SBN 249000)  
Edward S. Wells (SBN 321696)  
2 ROMERO LAW, APC  
80 S. Lake Avenue, Suite 880  
3 Pasadena, California 91101-2672  
Telephone: (626) 396-9900  
4 Facsimile: (626) 396-9990  
5 Email: [firm@romerolaw.com](mailto:firm@romerolaw.com)

6 Attorneys for Plaintiff  
AUSTREBERTO GONZALEZ  
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

10 AUSTREBERTO GONZALEZ, an individual;  
11  
Plaintiff,

12 vs.  
13

14 COUNTY OF LOS ANGELES, a political  
subdivision of the State of California; and DOES  
15 1-99, inclusive,  
16  
Defendants.

Case No.: 20STCV35594

**DECLARATION OF ALAN ROMERO IN  
RESPONSE TO ORDER TO SHOW CAUSE  
WHY SANCTIONS SHOULD NOT BE  
IMPOSED**

Date: October 15, 2021  
Time: 9:30 A.M.

Dept.: 69  
Judge: Hon. William F. Fahey

17  
18  
19  
20  
21  
22  
**I, ALAN ROMERO, hereby declare as follows:**

23  
24 1. I am attorney duly licensed to practice law in the State of California and am the principal  
25 of ROMERO LAW, APC. The following facts are within my own personal knowledge and if called  
26 upon as a witness, I could and would competently testify to the following of my own personal  
27 knowledge.  
28

1           2.       The Executioners is a violent, racist gang of Los Angeles County Sheriff’s Department  
2 (“LASD”) Deputies that exists at the Compton Sheriff’s Station. Over the past decade, members of The  
3 Executioners have engaged in the murder of various young men of color in and around the City of  
4 Compton. The Executioners have also been involved in violent acts and retribution against other law  
5 enforcement officers at Compton Station, with Deputy Thomas Banuelos having been violently  
6 assaulted while on duty by a member of The Executioners, and Deputy Art Gonzalez — the Plaintiff —  
7 having been targeted for violent retribution by The Executioners after graffiti appeared at the Station  
8 marking him for violence, the graffiti prominently reading: “ART IS A RAT.”

9           3.       Deputy Gonzalez was targeted by The Executioners for violent reprisal because he had  
10 reported the assault of Thomas Banuelos to a “confidential” LASD Internal Affairs (“IA”) tip line. Due  
11 to infiltration of IA by at least one, but perhaps more, members of The Executioners, Deputy Gonzalez’s  
12 identity was leaked directly to the leadership of the gang at Compton Station.

13           4.       In order to further put Deputy Gonzalez at risk, LASD sent an investigator to go speak  
14 with Deputy Gonzalez about his allegations. The investigator, retired Detective Mark Lillienfeld,  
15 arrived at Compton Station without warning Detective Gonzalez first, and requested that the Watch  
16 Deputy — an “inked,” or tattooed, member of The Executioners, page Deputy Gonzalez. Detective  
17 Lillienfeld, who was recently featured in a Los Angeles Times article<sup>1</sup> accusing Lillienfeld and Sheriff  
18 Alex Villanueva of potentially illegal intimidation tactics against witnesses, is believed to have openly  
19 visited “confidential” whistleblower Deputy Gonzalez in order to expose his identity to members of The  
20 Executioners. Detective Lillienfeld, who had previously been caught illegally trespassing into the Los  
21 Angeles County Men’s Central Jail (“MCJ”), is an experienced homicide investigator who has extensive  
22 experience working with confidential witnesses. This good judgment towards protecting witness  
23 sources was proven by the fact that Detective Lillienfeld has gone so far as to don a disguise and commit  
24 illegal trespassing at MCJ in order to protect a source.<sup>2</sup> Detective Lillienfeld intentionally called out  
25 Deputy Gonzalez at Compton Station in order to put him in danger.

26 \_\_\_\_\_  
27 <sup>1</sup> “L.A. County sheriff’s unit accused of targeting political enemies, vocal critics,” Los Angeles Times,  
28 September 23, 2021

<sup>2</sup> See: “Sheriff rehires corruption investigator accused of posing as deputy in bizarre jail incident,”  
Los Angeles Times, October 23, 2019.

1           5.       In an unprecedented act of retaliation by a sitting Sheriff against a Deputy who was guilty  
2 of nothing worse than reporting workplace violence by The Executioners, Sheriff Villanueva went on  
3 television to state that Deputy Gonzalez was not a whistleblower: “[w]hen you say they’re  
4 whistleblowers, no...”

5           6.       On August 11, 2020, Deputy Gonzalez gave a videotaped deposition in the case of  
6 *Sheldon Locket v. County of Los Angeles* (Central District of California Case No. 18-CV-5838-PJW).  
7 In his deposition, Deputy Gonzalez made a series of allegations against LASD and in particular,  
8 members of The Executioners. Most importantly, Deputy Gonzalez alleged that membership in The  
9 Executioners was limited to non-African-American males. Further, Deputy Gonzalez alleged that there  
10 was a selection system for membership which encouraged unlawful use of force, to include deadly  
11 shootings and beatings. Deputy Gonzalez alleged that numerous illegal uses of force were caused by  
12 gang “prospects” attempting to impress the “shotcaller” — or gang leader — of The Executioners,  
13 Deputy Jaime Juarez, a process that Compton Station Deputies referred to pejoratively as “chasing ink.”  
14 Further, Deputy Gonzalez exposed the fact that LASD command had not only facilitated the growth of  
15 the gang, but had violated its own policies in order to allow shot-caller Deputy Jaime Juarez to return to  
16 Compton Station after he had been punitively transferred due to his implementation of an illegal work  
17 slowdown at Compton Station. These allegations, and the video of Deputy Gonzalez providing this  
18 testimony, were the subject of international news coverage.

19           7.       On August 18, 2020, members of The Executioners are believed to have left a dead rat  
20 as a violent death threat at the home of Deputy Banuelos, the victim whose assault caused Deputy  
21 Gonzalez to initially contact IA.

22           8.       On September 3, 2020, due to Deputy Gonzalez’s whistleblowing against The  
23 Executioners, Congressmen Jimmy Gomez and Jamie Raskin requested that the United States  
24 Department of Justice investigate unconstitutional policing by the LASD, in particular, violence against  
25 persons of color.

26           9.       On January 22, 2021, California Attorney General Xavier Becerra launched a civil  
27 rights investigation into the LASD, in part due to the allegations that Deputy Gonzalez has made  
28 against The Executioners.

1           10.     On July 21, 2021, Congresswoman Maxine Waters requested that the United States  
2 Department of Justice investigate Deputy Gonzalez’s allegations of violence against members of the  
3 public by The Executioners.

4           11.     On August 11, 2021, this office took the videotaped deposition of the leader of The  
5 Executioners, Deputy Jaime Juarez. Deputy Jaime Juarez, and his attorney Mira Hashmall of Miller  
6 Barondess, LLP, refused to answer *thirty-six questions*, almost consecutively. Attorney Hashmall spoke  
7 almost nonstop through the deposition in order to derail it, and Deputy Juarez refused to answer  
8 questions as simple as, “how did you meet your supervisor at Compton?” This was the most egregious  
9 evasion of a witness’ obligations under the Discovery Act that the undersigned has ever experienced,  
10 and good lawyering dictated that court intervention be sought in order to force the leader of The  
11 Executioners to answer basic questions.

12           12.     In the interim, Miller Barondess served insufficient responses to discovery which  
13 consisted of mostly useless documents that were publicly available on the internet. Defendant LASD  
14 did not provide *one single page of internal communications* relating to this case, despite targeted  
15 discovery seeking these documents. Due to these facts, Plaintiff and his attorneys simply had no  
16 meaningful discovery to use at the court’s ordered September 8, 2021 mediation completion date.  
17 Accordingly, any reasonable lawyer would have concluded that on the basis of the refusal to answer  
18 questions at deposition and LASD’s refusal to provide even a single page of internal correspondence  
19 relating to The Executioners or Deputy Gonzalez’s case, that the court would entertain a continuance of  
20 the mediation completion date in order to permit Plaintiff to obtain *any* meaningful discovery.

21           13.     On August 30, 2021, the undersigned appeared *ex parte* before this court in order to  
22 continue the imminent trial and Motion for Summary Judgment dates due to Miller Barondess and  
23 LASD providing close to *zero meaningful discovery responses* and Executioners shot-caller Deputy  
24 Juarez providing *zero meaningful responses* at his deposition. The undersigned also sought to continue  
25 the mediation completion date in order to have time to file discovery motions to obtain *any* meaningful  
26 discovery in the action.

27           14.     Judge William Fahey took the bench, and the undersigned began an argument about the  
28 “fundamental fairness” of permitting Plaintiff sufficient access to discovery, especially given the fact

1 that the case had only been at issue for four months. Judge Fahey then warned the undersigned as  
2 follows: “[l]et me just advise you, Mr. Romero, because while I believe in broad discovery, I am not  
3 persuaded by your passing comment that you’re entitled to go on some sort of a far-ranging fishing  
4 expedition especially in aid of other cases. The court has, and I’ll repeat myself, very much limited the  
5 scope of this case, and so your discovery will be directed towards your client for the several months that  
6 are at issue, his reporting of the hearsay incident, and whether, if at all, he was retaliated against.  
7 Those are the only issues in this case. So don’t waste your time, don’t waste opposing counsel’s time,  
8 and certainly do not waste this court’s time by going way behind what the issues in this case are. So  
9 I’m going to leave it at that.” With respect to Executioners shot-caller Deputy Jaime Juarez refusing to  
10 answer almost every question at his deposition, Judge Fahey continued: “[t]hank you for providing a  
11 portion of the transcript of the Jamie Jaurez (phonetic spelling) transcript where it’s clear that you are  
12 seeking to go beyond the narrow issues in this case... You’re not going to be using a narrow case to  
13 conduct a broad range of discovery as to alleged events in the Sheriff’s Department.”<sup>3</sup>

14 15. On September 21, 2021, this office brought a Motion to Compel Further Responses to  
15 sixty-one (61) special interrogatories. Judge Fahey refused to order Miller Barondess and LASD to  
16 provide any meaningful discovery to Plaintiff, denying sixty (60) of the requests, only granting one,  
17 which called for the chain of custody of a piece of evidence.

18 16. Also on September 21, 2021, Judge Fahey denied a *Pitchess* Motion brought by Plaintiff,  
19 despite uncontroverted law permitting the discovery of such documents, especially in a case involving  
20 a violent gang of police officers who targeted Plaintiff and other Deputies for violence. There was no  
21 meaningful basis in California law for this denial. Judge Fahey went so far as to deny the *Pitchess*  
22 Motion as to documents that the Defendant did not oppose! Specifically, Plaintiff needed to obtain a  
23 “Coveted Testing List” for the Watch Deputy Position that Deputy Gonzalez was denied in favor of a  
24 member of The Executioners. Again, LASD did not oppose the production of these documents, but  
25 Judge Fahey went above and beyond what was asked of him to block the production of these documents  
26 that were entirely relevant and critical to Plaintiff’s theory of the case.

27  
28 <sup>3</sup> Transcript of Proceedings of 8/30/21 at 10:19-11:6.”

1           17.     Despite the fact that Judge Fahey improperly advised the undersigned how he would rule  
2 on Plaintiff’s discovery motions prior to them being filed or reading the papers (“*certainly don’t waste*  
3 *this court’s time...*”) good lawyering required that our office attempt to preserve Plaintiff’s rights by  
4 bringing the above discovery motions, and an additional Motion to Compel Responses at Deposition of  
5 Jaime Juarez which this office filed on September 21, 2021, set to be heard on October 14, 2021.

6           18.     I have often wondered if I would have the strength of character to stand up, like so many  
7 of my whistleblowers have, at great personal risk... to stand up against inequity. Would I have the  
8 courage to stand and speak truth to power?

9           19.     I stand up.

10          20.     Judge Fahey’s management of this case has crossed the line from the impartial  
11 administration of justice contemplated by the California Canons of Judicial Conduct and has crossed a  
12 clear line into partiality and further retaliation against Deputy Gonzalez for his decision to stand up  
13 against a Deputy gang that has repeatedly murdered young men of color in Compton. Not only in  
14 Compton, but violent Deputy gangs within this Department have murdered God-knows how many  
15 young men across Los Angeles County since the explosion of Deputy gangs in the LASD starting in the  
16 1970’s. Almost all of these victims, who died because violent Deputies were “chasing ink” — or seeking  
17 admission to a violent Deputy gang such as The Executioners — were young men of color, poor, and  
18 whose deaths never resulted in meaningful exposure in the courts or in the halls of public discourse. I  
19 — a man of color — went to law school and have engaged in the practice of law to speak up for these  
20 young men of color, most of whom are long forgotten to all except a few shattered mothers, fathers,  
21 brothers, sisters, sons, and daughters.

22          21.     I refuse to sit idly by as these violent murders are covered up by this court. I refuse to  
23 stand by when a decorated Deputy and Marine combat veteran, Deputy Art Gonzalez (another young  
24 man of color) is further victimized in this Department by having his rights further stripped from him in  
25 what Judge Fahey has, in his own words, characterized as a “strong”<sup>4</sup> approach to Plaintiff’s case.

26          22.     Deputy Gonzalez was the first Deputy in the history of the LASD to publicly testify about  
27 the scope and extent of violent Deputy gangs within the LASD, and this court has denied him his

28 \_\_\_\_\_  
<sup>4</sup> Transcript of Proceedings of 8/30/21 at 3:23.

1 fundamental rights as a litigant in this litigation, a fact that is incontrovertible given the record of these  
2 proceedings.

3 23. To further Judge Fahey's "strong" approach to Plaintiff and his counsel, he has now set  
4 the Order to Show Cause RE Sanctions which is set to be heard on October 15, 2021. In the avoidance  
5 of doubt, I do not consent to be sanctioned, nor do I consent to Deputy Gonzalez being sanctioned, for  
6 circumstances created by this court, in abrogation of Deputy Gonzalez's due process rights in this  
7 litigation. Judge Fahey intends Deputy Gonzalez to go to trial with no usable, relevant evidence, and  
8 this is an act unparalleled in modern legal history of this country. Criminal investigations into the  
9 murders and violence committed by The Executioners are underway in Washington, D.C., Sacramento,  
10 and likely in Los Angeles County... yet the Deputy who blew the whistle and set all these investigations  
11 in motion is being denied his basic discovery rights as a civil litigant. Just as The Executioners have  
12 committed violence against young men of color in Compton, this court does violence to the rights of  
13 Deputy Gonzalez though this wholesale cover-up of the violent criminality of The Executioners and  
14 other criminal organizations like it within the Los Angeles County Sheriff's Department.

15 24. Just as Deputy Gonzalez stood up to speak truth to power, he inspired me to do the same.  
16 While this court has already made clear that Deputy Gonzalez will not be permitted any meaningful  
17 discovery in this case, I will stand up and protest this injustice. For how could I ever live with myself  
18 if I did not, given this opportunity?

19 25. I declare under penalty of perjury under the laws of the State of California that the  
20 foregoing is true and correct. Executed on the date set forth below at Pasadena, California.

21  
22  
23 **ROMERO LAW, APC**

24  
25 

26 **Date: October 5, 2021**

27 **ALAN ROMERO (SBN 249000)**  
28 **ATTORNEY-DECLARANT**

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:**

I am a resident of the United States and employed in the County of Los Angeles, State of California, over the age of 18 and not a party to the within action or proceedings; my business address is 80 S. Lake Avenue, Suite 880, Pasadena, CA 91101, on October 5, 2021 I served the following document(s) described as: **DECLARATION OF ATTORNEY ALAN ROMERO IN RESPONSE TO ORDER TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED** on the interested parties and/or through their attorneys of record by depositing the original or true copy thereof as designated below, at Pasadena, California, addressed to the following as follows:

Mira Hashmall, Esquire [mhashmall@millerbarondess.com](mailto:mhashmall@millerbarondess.com)  
Emily Sanchirico, Esquire [esanchirico@millerbarondess.com](mailto:esanchirico@millerbarondess.com)  
MILLER BARONDESS LLP [aransom@millerbarondess.com](mailto:aransom@millerbarondess.com)  
1999 Avenue of the Stars, Suite 1000  
Los Angeles, CA 90067

- HAND DELIVERY/PERSONAL SERVICE (C.C.P. §§1011, et seq.):** I caused said document(s) to be personally served on the addressee listed above.
- MAIL (C.C.P. §1013(a)):** I caused said document(s) to be deposited in the United States Mail in a sealed envelope with postage fully prepaid at Pasadena, California, following the ordinary practice at my place of business of collection and processing mail.
- FACSIMILE (C.C.P. §§1012.5, et seq.):** I caused said document(s) to be transmitted to the party or parties listed above at the facsimile number listed above.
- EXPRESS MAIL (C.C.P. §§1013(c)(d), et seq.):** I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.
- ELECTRONIC MAIL (C.C.P §§1010.6(a)(6)):** I caused said document(s) to be mailed electronically to the party or parties listed above at the email address listed above.
- (STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- (FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 5, 2021 at Pasadena, California.

  
Jennifer Sandoval