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6 Attorneys for Plaintiffs,
 7 Lindi Biggi, Valerie Masi, Richard DeSantis, Paulina Kallimanis,
 8 Renee Coffey, Jackie Brazil, Lisa Labowskie, Carl Johnson,
 Linda Talley, William Schick, Lisa Jeffrey

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF RIVERSIDE**

11 LINDI BIGGI, VALERIE MASI,
 12 RICHARD DESANTIS, PAULINA
 KALLIMANIS, RENEE COFFEY, JACKIE
 13 BRAZIL, LISA LABOWSKIE, CARL
 JOHNSON, LINDA TALLEY, WILLIAM
 SCHICK, LISA JEFFREY,

14 Plaintiffs,

15 vs.

16 JEFF VAN WAGENEN, in his official
 17 capacity as County Executive Officer,
 County of Riverside; COUNTY OF
 18 RIVERSIDE; DOES 1 through 10, inclusive,

19 Defendants.

CASE NO.:

**COMPLAINT FOR INJUNCTIVE RELIEF
 AND RESTITUTION**

1. Taxpayer Suit Pursuant to Code Civ. Proc. §526a and Common Law – Hassen Contract;
2. Taxpayer Suit Pursuant to Code Civ. Proc. §526a and Common Law – Gettis Employment Contracts; and
3. Taxpayer Suit Pursuant to Code Civ. Proc. §526a and Common Law – Riverside County Department of Animal Services Employee Nepotism

20 Plaintiffs Lindi Biggi, Valerie Masi, Richard DeSantis, Paulina Kallimanis, Renee
 21 Coffey, Jackie Brazil, Lisa Labowskie, Carl Johnson, Linda Talley, William Schick and Lisa
 22 Jeffrey bring this action for injunctive relief and restitution, pursuant to Civ. Code §525 and
 23 Code Civ. Proc. §526a and the common law, and allege as follows against Defendant Jeff Van
 24 Wagenen, in his official capacity as County Executive Officer, County of Riverside (“Van
 25 Wagenen”); Defendant County of Riverside; and Does 1 through 10, inclusive, based on
 26 information and belief, unless otherwise specified.

INTRODUCTION

1 “[A] public office is a public trust. [An] officer of a [public entity] sustains the same fiduciary
2 relationship toward the citizens of his community that a trustee bears to his [beneficiary], and
3 should therefore act with the utmost good faith.”

Nussbaum v. Weeks (1989) 214 Cal.App.3d 1589, 1597

4 1. This injunctive relief action seeks to bring to public light the true facts hidden from
5 taxpayers in Riverside County relating to the useless and wasteful expenditure of taxpayer funds
6 in the Riverside County Department of Animal Services (“RCDAS”), and the fraud and
7 concealment, collusion, and *ultra vires* actions associated with such misuse of taxpayer funds in
8 non-transparent hiring decisions all orchestrated by Van Wagenen and all far afield of his
9 fiduciary duties to act in good faith consistent with the public trust inherent in his position as
10 Chief Executive Officer of Riverside County.

11 2. The recognition that government officials and employees have ethical duties to the
12 public is the foundation of the public trust. That public trust has been violated, and that duty of
13 utmost good faith ignored, by Van Wagenen time and time again. In each instance, it resulted
14 in the illegal and wasteful expenditure of public funds, in plain violation of the public trust. It
15 began with the appointment of Erin Gettis as Director of Riverside County Department of
16 Animal Services (“RCDAS”) in February 2022. Gettis had no experience or qualifications to
17 head RCDAS, let alone manage its budget of \$39,000,000. Van Wagenen knew that, yet
18 allowed cronyism and favoritism to win out over merit since Gettis’ husband was employed by
19 the County of Riverside as Chief Deputy County Counsel. The audacity and arrogance of this
20 improper and outrageous hiring is mind-boggling. Needless to say, taxpayer money was thrown
21 away—for over two and one-half years—as a result of Van Wagenen’s skirting his fiduciary
22 duties.

23 3. Two weeks after the filing of *Woodruff, et al. v. Gettis, et al.*¹ (Case No.
24 CVPS2405127) on August 20, 2024, Erin Gettis was basically fired and removed by Van
25 Wagenen from her position as Director of RCDAS, since he realized the jig was up with Gettis.

26
27 ¹ *Woodruff* is a Writ of Mandate action filed against Van Wagenen, Gettis and the County of
28 Riverside for violations of the Hayden Act—the well-established and controlling statutory
scheme regulating animal shelters, and includes taxpayer waste of public funds claims.

1 But, where to put her? Publicly, her move was spun as a “promotional opportunity” to an
2 Executive Director position—albeit a made-up one—with the Riverside University Health
3 System Medical Center. Just as Gettis had no experience in animal services before being hired
4 as Director of Riverside County Department of Animal Services, her resume is devoid of any
5 experience in health services, hospital-based clinics, medical research studies, patient care, and
6 clinical support services, though those are some of the responsibilities specified in the job
7 listing. Oddly, a degree in architecture meets the education requirements for this health
8 care/patient management position, and low and behold, that is precisely the degree that Gettis
9 has (she does not have a degree in business, nursing, healthcare, or public administration which
10 are the other degrees that, understandably, meet the education requisites for the position). *This*
11 *cavalier, and frankly corrupt, action by Defendants to force Riverside County taxpayers to*
12 *subsidize the salary for Gettis, who was yet again gifted a position she is unqualified for, plainly*
13 *contravenes Van Wagenen’s duties of public trust owed to each and every taxpayer in Riverside*
14 *County.* This conduct by Van Wagenen is far afield of the requisite fiduciary duties and good
15 faith owed to the community and taxpayers in the County of Riverside. It is yet another waste
16 of taxpayer money by Van Wagenen in attempt to “fix” the problem *he* created by hiring Gettis
17 in the first place.

18 4. As if this useless and wasteful spending over two and one-half years for the
19 RCDAS Director position, followed by a bogus “promotion” that Gettis neither deserved nor
20 was qualified for was not enough, on September 17, 2024, Van Wagenen recommended that the
21 Board of Supervisors of the County of Riverside approve a motion for a \$2,450,075 “consulting
22 contract” (with a \$245,007 aggregate contingency packed in, to boot), for a total of \$2,695,082,
23 for the fringe animal shelter consultant, Kristen Hassen. (See link here
24 (<https://cloud.wclgportal.com/s/jkRgyWiKGcDNwHA>.) The duration of the contract was 26
25 months, providing compensation to Hassen and her Texas LLC Outcome for Pets Consulting, at
26 the rate of \$94,233.65 a month (not counting the “aggregate contingency”). This is a
27 breathtaking waste of public funds, particularly given the previous hiring of Gettis by Van
28 Wagenen, despite the fact that it was recognized by Van Wagenen that she had utterly no skills

1 or experience in animal care or shelter management, yet did a favor for her husband who was
2 Chief Deputy County Counsel for the County of Riverside, when she was hired.²

3 5. Simply stated, if a qualified person had been hired by Van Wagenen in the first
4 place, Hassen would not be in the picture now and taxpayers would not be stuck with Van
5 Wagenen’s imprudent multi-million dollar folly. Spending \$2,500,000 to “fix” the very
6 problem Van Wagenen created in the first place by hiring Gettis is not a solution consistent with
7 a public officer’s fiduciary duties to taxpayers in Riverside County. *Indeed, Van Wagenen*
8 *could have saved the \$2,500,000 by simply visiting the Palm Springs Animal Shelter next door,*
9 *and learning how this clean and well-managed shelter, with 600 volunteers, became a no-kill*
10 *shelter.*

11 6. The Board of Supervisors, being the elected body to oversee the business of the
12 County of Riverside, and safeguard taxpayer funds, had a fiduciary responsibility to check for
13 themselves that the information provided by Van Wagenen was correct and accurate.
14 Shockingly, the Board of Supervisors—after a vapid eight-minute discussion (a minute and a
15 half of which were devoted to a sophomoric rant on media coverage on this important issue)
16 devoid of any substantive value, other than Supervisor Kevin Jeffries rightly noting that the
17 contract amount was “very, very significant”—approved this boondoggle. (See link here
18 (https://youtu.be/u4Gm_iP1zo4.) The Supervisors were evidently too skittish of Van Wagenen
19 to ask: (1) why was Hassen selected? (2) why was no one else considered? (3) what is Hassen’s
20 background and how is she viewed in the animal shelter area? (4) what warrants such an
21 astronomically large contract? (5) was Hassen involved in any litigation? (6) what negotiations
22 took place on the contract amount? (7) why is the County hiring a “consultant” before it hires a
23 Director to replace Gettis? and (8) why is the County not consulting with the nearby and well-
24 respected no-kill shelter in Palm Springs, or Nathan Winograd, the definitive expert in no-kill

25 _____
26 ² Depending on the degree of participation by Aaron Gettis in the making of his spouse’s
27 contract to serve as Director of RCDAS, this pleading may be amended to add a violation of
28 Govt. Code §1090 which prohibits a public official from participating in making a contract in
the Gettis contract because he is married to Erin Gettis and had a financial interest in his
spouse’s salary and benefits.

1 shelters and a participant in the drafting of the Hayden Act, rather than spending \$2.45 million
2 on a fringe person?

3 7. To be fair, Van Wagenen’s executive summary (link below) was woefully
4 inadequate, and indeed, misrepresented and concealed relevant portions of Hassen’s checkered
5 career, *never mentioning her well known atavistic philosophy that animals should be kept out of*
6 *shelters as much as possible and left to fend for themselves on the streets, the devastation she*
7 *has caused in communities from her approach which is more concerned with calculating*
8 *numbers at her desk than caring for animals in a shelter, and resultant litigation.*

9 (<https://cloud.wclgportal.com/s/yBR9esFBxipQdp7;>

10 [https://cloud.wclgportal.com/s/KiP5Y9ZttKMHFbq.](https://cloud.wclgportal.com/s/KiP5Y9ZttKMHFbq))

11 Though Van Wagenen indicated this was a “sole source” contract³, and no Request for
12 Proposals were made by Van Wagenen, despite the astronomical amount of taxpayer money
13 involved, none of the supporting materials in the above links provide any insight into why
14 Hassen was the only person in the world who could fulfill the contract’s requirements. And,
15 needless to add, she most certainly was not.

16 8. As Nathan Winograd, who helped draft the Hayden Act and is the Executive
17 Director of the No Kill Advocacy Center, stated:

18 *“This begs the question for Riverside County officials: Instead of hiring a “shelter”*
19 *director who doesn’t know what they are doing [Gettis] and then spending millions*
20 *more on a consultant, why not hire a director who is passionate about saving lives, has*
21 *the skill set to do so, and is willing to spend the money the taxpayers allotted for its*
22 *intended purpose: to care for animals?”* Nathan Winograd, @NathanWinograd.com,
23 September 20, 2024.

24 9. Indeed, at the next Board meeting on October 8, 2024, Supervisor Karen Spiegel,
25
26

27 ³ A sole source contract is awarded without the usual competitive bidding process when only
28 one business can fulfill the contract’s requirements. Of course, that is demonstrably false with
respect to this contract, and further evidence of blatant collusion and corruption.

1 who was not present at the previous meeting raised concerns about the “sole source” contract
2 without consideration of any other options and noted the “serious concerns brought up” at the
3 previous meeting about the contract. (<https://youtu.be/ejhujHD1i9s>.) When Supervisor Spiegel
4 asked for an explanation as to the process for cancellation of the contract, Van Wagenen
5 initially went mute and Supervisor Perez chimed in that the inquiry by Supervisor Spiegel was a
6 “non-agenda item.” Plainly, Van Wagenen and Perez had no desire for transparency and
7 preferred to squelch discussion. Ultimately, a County representative explained that the Hassen
8 contract could be cancelled at any time with 30-days notice. And, that is precisely what needs
9 to happen.

10 10. In sum, this taxpayer suit claims arise out of 1) Van Wagenen’s hiring of Gettis,
11 with no qualifications or experience to serve as Director of RCDAS as a favor to her spouse, 2)
12 Van Wagenen’s clandestine removal but public “promotion” of Gettis to a position which she
13 has no qualifications or experience for, 3) Van Wagenen’s recommendation for the useless,
14 unnecessary, excessive and financially imprudent Hassen deal for \$2,450,007, that he asked the
15 Board of Supervisors to approve, and 4) rampant nepotism in RCDAS which negatively affects
16 the workplace in countless ways and also results in the waste of taxpayer funds.

17 11. The Hassen contract, devoid of any public benefit, should be cancelled
18 immediately. The \$2.5 million in the Hassen contract could go a long way to improving the
19 lives of animals at the shelter, rather than enriching someone whose approach to shelter
20 management is nothing more than a house of cards—based on keeping intake numbers down by
21 keeping dogs and cats out of the shelter and left to roam on their own in the community—is an
22 approach more akin to the 1800’s, and has been a disaster in every community that has followed
23 the inhumane Hassen approach, including Tucson, Arizona, Austin, Texas, and El Paso, Texas
24 For instance, simply expanding the space available to kennels would save so many dogs and
25 cats from being killed by RCDAS. The money saved could also be used for spay/neuter
26 services in the shelters or in the community so that people who cannot afford to sterilize a pet
27 will have a way to do so, which will go a long way towards reducing the overpopulation
28 problem.

1 12. *Government service is a public trust; it is not an opportunity for those in power to*
2 *reward others, including family, friends, co-workers, or others, with employment opportunities*
3 *which they are woefully unqualified for or financial windfalls which provide no public benefit*
4 *and waste taxpayer money.*

5 13. Needless to say, this waste of public funds by Van Wagenen has had a devastating
6 impact on the dogs and cats in the shelters in Riverside County. The disturbing photographs
7 below, and those throughout this pleading, taken by a community member visiting RCDAS
8 facilities, put this waste of public funds in perspective. What she saw was appalling—the dog
9 in the picture on the left had been dead for some period of time and the dog pictured on right
10 was laying on an excrement-covered floor with more excrement on the dog’s body. How long
11 the dogs were left in these inhumane conditions is unknown. These disturbing photographs of
12 animal cruelty are emblematic of the fundamental failings and pervasive deficiencies, the inertia
13 and inaction, of RCDAS and its former Director, Gettis. RCDAS under the direction of Gettis
14 was plagued with lack of leadership, mismanagement, budget opacity, disdain for the health and
15 safety of animals in its custody, disinterest in working with the community and rescue
16 organizations to place animals in homes, inertia in moving to adopt no kill policies, and a focus
17 on killing, rather than saving, dogs and cats.



14. *Animals in the custody of RCDAS deserve to go out front door to a new*
beginning, and not have that front door closed to reduce intake numbers under the cruel and

1 ***inhuman Hassen viewpoint.*** Gettis’ employment was a shocking waste of public funds, and it
2 was all the result of a decision by one person—Van Wageningen—who wrongly allowed
3 favoritism to trump merit. The result was a waste of hundreds of thousands of dollars for the
4 employment and faux “promotion” of Gettis, and millions of dollars for the boondoggle Hassen
5 contract—a profound violation of the public trust, and with animals in the care of Riverside



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14 County facilities no better off after two and half years of mismanagement.

15 **THE PARTIES**

16 15. Plaintiff Lindi Biggi is an individual, and resident and taxpayer of the City of
17 Palm Desert, County of Riverside, State of California, and has paid, or is liable to pay, to the
18 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

19 16. Plaintiff Valerie Masi is an individual, and resident and taxpayer of the City of
20 Indio, County of Riverside, State of California, and has paid, or is liable to pay, to the County of
21 Riverside a tax assessed on Plaintiff by the County of Riverside.

22 17. Plaintiff Richard DeSantis is an individual, and resident and taxpayer of the City
23 of Palm Desert, County of Riverside, State of California, and has paid, or is liable to pay, to the
24 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

25 18. Plaintiff Paulina Kallimanis is an individual, and resident and taxpayer of the
26 City of La Quinta, County of Riverside, State of California, and has paid, or is liable to pay, to
27 the County of Riverside a tax assessed on Plaintiff by the County of Riverside.

1 19. Plaintiff Renee Coffey is an individual, and resident and taxpayer of the City of
2 Indio, County of Riverside, State of California, and has paid, or is liable to pay, to the County of
3 Riverside a tax assessed on Plaintiff by the County of Riverside.

4 20. Plaintiff Jackie Brazil is an individual, and resident and taxpayer of the City of
5 Jurupa Valley, County of Riverside, State of California, and has paid, or is liable to pay, to the
6 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

7 21. Plaintiff Lisa Labowskie is an individual and resident and taxpayer of the City of
8 Palm Desert, County of Riverside, State of California, and has paid, or is liable to pay, to the
9 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

10 22. Plaintiff Carl Johnson is an individual, and resident and taxpayer of the City of
11 Palm Springs, County of Riverside, State of California, and has paid, or is liable to pay, to the
12 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

13 23. Plaintiff Linda Talley is an individual and resident and taxpayer of the City of
14 Rancho Mirage, County of Riverside, State of California, and has paid, or is liable to pay, to the
15 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

16 24. Plaintiff William Schick is an individual and resident and taxpayer of the City of
17 La Quinta, County of Riverside, State of California, and has paid, or is liable to pay, to the
18 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

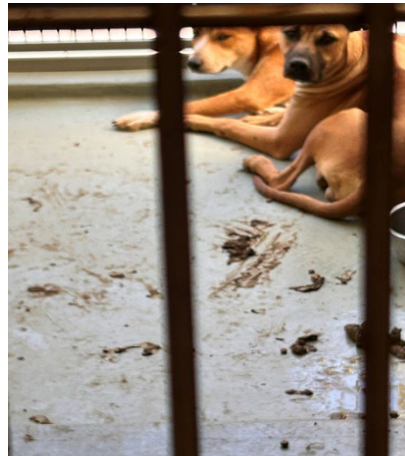
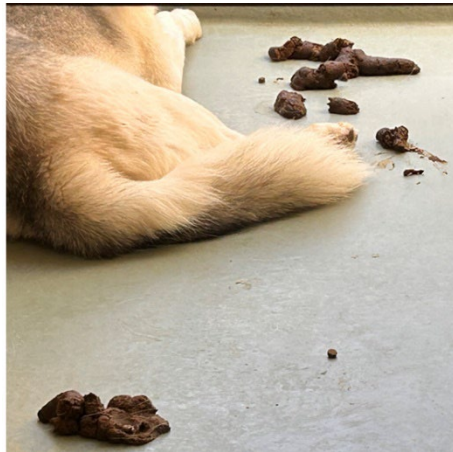
19 25. Plaintiff Lisa Jeffrey is an individual and resident and taxpayer of the City of
20 La Quinta, County of Riverside, State of California, and has paid, or is liable to pay, to the
21 County of Riverside a tax assessed on Plaintiff by the County of Riverside.

22 26. Defendant Jeff Van Wagenen is, and at all times relevant hereto has been, the
23 County Executive Officer of the County of Riverside, State of California.

24 27. Defendant County of Riverside is a political and geographic subdivision of the
25 State of California established and operating under the laws of the State of California and
26 created for the provision of government services. Defendant County of Riverside owns,
27 operates, manages, directs and controls the Riverside County Department of Animal Services
28 and the Riverside University Health System.

1 28. The true names or capacities, whether individual, corporate, partnership, joint
2 venture, or otherwise of Defendants DOES 1 through 10, inclusive, are unknown to Plaintiffs,
3 who therefore sue these Defendants by such fictitious names. Each of the fictitiously named
4 Defendants is responsible in some manner for the occurrences and violations herein alleged.
5 Plaintiffs will amend this Complaint to allege the true names and capacities of Does 1 through
6 10 when ascertained.

7 29. At all times herein mentioned, each Defendant was acting as the agent, servant,
8 representative, partner, employee, joint venturer and/or co-conspirator of each remaining
9 Defendant. Each Defendant was acting in concert with each of the remaining Defendants in all
10 matters herein alleged. At all times herein mentioned, each of the Defendants was acting within
11 the course and scope of such agency, employment, representation, partnership, joint venture,
12 conspiracy, and/or concert of action, with the advance knowledge, permission, acquiescence,
13 authorization, direction, or subsequent ratification of each and every remaining Defendant.



JURISDICTION AND VENUE

1
2 30. This Court has jurisdiction under and Civil Code §525, *et seq.* and Code Civ.
3 Proc. §526a. The County of Riverside is the proper venue for this Complaint since the fraud,
4 collusion and *ultra vires* conduct by Defendants, as well as the illegal expenditure and waste of
5 taxpayer funds by the Defendants, as set forth herein, took place and continues to take place in
6 the County of Riverside. Further, the impact of Defendants’ decisions, policies, acts, and
7 failures to act have had and will continue to have severe adverse impact upon Plaintiffs, the
8 County of Riverside, and the taxpayers in the County of Riverside, as more fully set forth
9 herein.



FIRST CAUSE OF ACTION

20 **Taxpayer Suit pursuant to Code Civ. Proc. §526a and Common Law – Hassen Contract**
21 **(Against all Defendants)**

22 31. Plaintiffs reallege and incorporate all allegations herein as if fully set forth in this
23 cause of action.

24 32. “It is settled that a taxpayer can bring suit against governmental bodies in
25 California under either of two theories, one statutory, the other based upon the common law.
26 [citing Code Civ. Proc. §526a]. This provision is to be compared to and contrasted with the
27 common law authority for taxpayer suits [citation omitted] that a ‘taxpayer in his representative
28 capacity can sue a municipality only in cases involving fraud, collusion, ultra vires, or a failure

1 on the part of the governmental body to perform a duty specifically enjoined.” *Los Altos*
2 *Property Owners Assn. v. Hutcheon* (1977) 69 Cal.App.3d 22, 26.

3 33. Section 526a provides in part that “an action to obtain a judgment, restraining
4 and preventing any illegal expenditure of, waste of, or injury to, the ...funds ... of a local
5 agency, may be maintained against any officer thereof, or any agent, or other person, acting in
6 its behalf” by a resident taxpayer, as defined in the statute. This is commonly recognized as a
7 taxpayer suit and it has a strong public policy behind it since the enactment of the statute in
8 1909. The primary purpose of the statute is to “enable a large body of the citizenry to challenge
9 governmental action which would otherwise go unchallenged in the courts because of the
10 standing requirement.” *Id.* at 27, internal citation omitted. The statute is liberally construed to
11 achieve its remedial purpose. *Los Altos Property Owners Assn. v. Hutcheon* (1977) 69
12 Cal.App.3d 22, 27.

13 34. “The essence of a taxpayer action is an illegal or wasteful expenditure of public
14 funds” *McGee v. Torrance Unified School District* (2020) 49 Cal.App.5th 814, 825. As
15 stated in *Ceres v. City of Modesto* (1969) 274 Cal.App.2d 545, 555, “a court must not close its
16 eyes to wasteful, improvident and completely unnecessary public spending, merely because it is
17 done in the exercise of a lawful power.” A claim for taxpayer waste of public funds may also
18 be found where the expenditures provide (1) “no public benefit” or (2) are “totally unnecessary
19 or useless” or (3) “for a plan costing much more than any alternative plans considered, without a
20 finding of any additional public benefit.” *Mohler v. County of Santa Clara* (2023) 92
21 Cal.App.5th 418, 425; *Trim, Inc. v. County of Monterey* (1978) 86 Cal.App.3d 539, 543, citing
22 *Los Altos Property Owners Assn. v. Hutcheon* (1977) 69 Cal.App.3d 22, 30.

23 35. Moreover, “disgorgement of public funds is a remedy available ... in a
24 taxpayer’s action.” *Davis v. Fresno Unified School District* (2020) 57 Cal.App.5th 911, 942.
25 Indeed, almost a century ago, in *Osburn v. Stone* (1915) 170 Cal.480, 482, the California
26 Supreme Court held that section 526a “does not, in letter or in spirit, forbid a taxpayer from
27 seeking to recover, on behalf of his municipality, ...moneys if illegally expended.” *See also*
28 *Blair v. Pitchess* (1971) 5 Cal.3d 258, 268 (citing *Osburn*); *Stanson v. Mott* (1976) 17 Cal.3d

1 206, 210 (liberal expansion of restitution remedy, holding state employee “may be held
2 personally liable to repay expended funds” if he failed to exercise due care in authorizing the
3 expenditure of the funds); *Harman v. City and County of San Francisco* (1972) 7 Cal.3d 150,
4 160 (holding that taxpayer may seek “damages in behalf of the city” for the difference between
5 actual value and sale price of the sale of public property);

6 36. As set forth herein, Van Wagenen recommended that the Riverside County
7 Board of Supervisors approve the Hassen consulting contract on September 17, 2024. The
8 Board of Supervisors did so. Notably, just weeks before, at a Board of Supervisors meeting on
9 August 27, 2024, Board members were clamoring that the cities in the Coachella Valley should
10 build their own animal shelters. *Suddenly, the focus shifted, with Van Wagenen’s engineering,*
11 *that the Board reward Hassen with a multi-million-dollar contract, which, of course, would*
12 *have been completely unnecessary had Van Wagenen not hired Gettis in the first place. The*
13 *Hassen contract is an utter waste of taxpayer funds. As set forth below, Hassen’s animal*
14 *shelter philosophy is more suited for the 19th century than today.*

15 37. The goal of Hassen is to leave animals on the streets to fend for themselves and
16 die, to take away the ability of the citizens in a community to take the animals to the designated
17 shelter, and to force the community to do the job Animal Services is budgeted to do. Across
18 multiple communities and organizations, Hassen has built a troubling track record of failure,
19 masked by intentional manipulation and self-serving strategies. While she presents herself as a
20 leading figure in the world of animal welfare, her actual influence has left every organization
21 and community she has touched worse off than before, with her pockets full of money intended
22 to help animals and support the people working to protect them. Rather than helping, she has
23 left behind a legacy of harm and despair.

24 38. As Nathan Winograd notes:
25 “At Austin Pets Alive, Hassen was one of the chief architects and promoters
26 of Human Animal Support Services (HASS), urging “shelters” to make
27 pandemic-era closures permanent by turning away stray animals. She also
28 sat on the National Animal Control Association board, which encouraged

1 shelters to re-abandon animals people found on the streets. These policies
2 manipulate intake and placement rates by abandoning the fundamental
3 purpose—indeed the *very* definition—of a shelter; to provide a safety net
4 of care for lost, homeless, and unwanted animals. Under HASS, “Intakes
5 of healthy strays and owner surrenders doesn’t exist anymore,” and there
6 is “No kennel space for rehoming, stray hold or intake.” Instead, the
7 community—whose taxes and donations already pay for shelters—is
8 expected to pick up the slack (hence the euphemism “community sheltering”).”

9 39. Hassen’s time as Austin Pets Alive serves as a prime example of how her
10 influence can dismantle an entire system. Under her leadership, animals were left on the streets
11 and public safety was severely compromised. To the casual observer, it might have seemed like
12 she was delivering results. However, a deeper look reveals that her “success” was nothing more
13 than a clever manipulation of statistics. She deliberately misled the community to make it
14 appear as though her policies were working when, in reality, they were a disaster. The City of
15 Austin is still dealing with the aftermath of her leadership, forced to clean up the mess she left
16 behind.

17 40. Unfortunately, this was not an isolated incident. Her time at Pima County in
18 Tucson, Arizona, followed the same damaging pattern. Although she touted favorable numbers
19 and promoted her supposed successes, those who looked closer saw a different reality. Shelters
20 were in disarray, animals roamed the streets as strays, and the community faced increased
21 challenges. Her strategies were not about solving problems, but creating the illusion of
22 improvement. She knowingly pushed animals out of shelters and into the community,
23 preferring to reduce shelter numbers at any cost—even if that cost mean sacrificing the welfare
24 of the animals and the safety of the public. These decisions were not mistakes; they were
25 intentional moves to boost her personal reputation, while the community suffered in the long
26 term.

27 41. The Hassen approach predictably leads to litigation which highlights the
28 fundamental danger of her atavistic approach to animal care and safety. In *Bortugno et al., v.*

1 *Pima Animal Care Center, Kristen Auerbach⁴, et al.* (Case No. S1100CV201900097) (see link
2 here <https://cloud.wclgportal.com/s/zLMxbBWRBx9Jp2x>), the plaintiffs in the case adopted a
3 Rottweiler named Clarke. Hassen wanted Clarke out of the shelter in order to reduce the intake
4 numbers. Hassen knew Clarke was an aggressive dog since he bit a staff person when being
5 examined. Nonetheless, Hassen wanted to reduce the numbers at the shelter, and agreed to let
6 Clarke be adopted, despite an animal shelter control officer's concern that Clarke was not
7 adoptable because he was aggressive. Two days after his adoption, Clarke bit the plaintiff
8 husband on the face. Two weeks later, Clarke bit the plaintiff wife on the face. This lawsuit
9 was the result.

10 42. Her involvement with the Human Animal Support Services (HASS) initiative
11 during the COVID-19 pandemic further highlights her ability to manipulate a crisis for personal
12 gain. Instead of genuinely supporting municipal animal services during a critical time, she used
13 the pandemic to push her own agenda. She eroded trust in professional municipal animal
14 services, instead relying on unauditible statistics to present false narrative of success. In reality,
15 her actions left communities confused and unprepared, all the while she used the crisis to further
16 her career. This was not an accidental byproduct of her decisions—it was a calculated move to
17 once again inflate her influence and profits, using smoke and mirrors to divert attention from the
18 damage she was causing.

19 43. Similar strategies employed by a group of fringe organizations including Hassen
20 left El Paso, Texas in shambles with pets suffering without aid on the streets. Hassen finds
21 refusing to help pets suffering on the streets not only acceptable but preferred to allowing them
22 the comfort of shelter, nutrition, veterinary care and a home where they are loved. One of
23 Hassen's components of her program is called FINDER to Foster or Friendly FINDER: people who
24 find a stray can "register" the stray online with the shelter. Hassen states this is successful in
25 getting more lost animals "back home" without that animal having to come into the shelter. She
26 claimed her program had an almost "100%" success rate of registered animals being returned
27

28 ⁴ Auerbach was the surname Hassen was using at the time.

1 back to their owner/home. In 2023, 3,860 "found animals" were registered with El Paso Animal
2 Services and only 793 "registered animals" made it back home as reported by the finders, far
3 afield of her claim of being close to 100%. The status of the remaining 3,067 animals is
4 unknown. Whether they even survived is unknown since there is no follow-up done by the
5 shelter. In 2023, a total of 4,703 animals within the shelter system are missing/unaccounted
6 for.

7 44. The most disturbing element of Hassen's career is that these actions were
8 intentional. She is not someone who merely mismanaged responsibilities or failed to
9 understand the complexities of the field. Rather, she actively chose to manipulate statistics and
10 deceive communities to further her own agenda. In each case, her priorities were clear: create
11 favorable optics to advance her career and profit financially off of animals in need, regardless of
12 the harm done to the animals or the people working to help them. This has become especially
13 apparent since she founded her own consulting company, where her primary focus has been
14 personal profit, not the animals or communities she claims to serve. Simply stated, personal
15 profit extracted from taxpayer funds.

16 45. In every organization or community she has influenced, the outcomes are the
17 same. Shelters were left worse off, communities are left to struggle with increased strays, and
18 the animals themselves are left in increasingly dire situations. Her impact has been universally
19 harmful, and the damage she causes is not by accident, but rather by intention. The despair left
20 in her wake is the result of intentional manipulation, with Hassen profiting at every turn while
21 those truly dedicated to animal welfare are left to pick up the pieces.

22 46. It is essential to recognize the danger of allowing a fringe person, Hassen, and
23 her fringe organization, Outcome for Pets Consulting, LLC, to continue influencing municipal
24 animal services. Hassen's actions demonstrate a clear lack of regard for the animals and
25 communities she pretends to protect, replaced by a relentless pursuit of personal gain and
26 influence. As her track record shows, the communities that place their trust in her suffer the
27 consequences, often for years after her departure.

28

1 47. True leadership in animal welfare requires accountability, compassion, and a
2 genuine commitment to solving problems, not masking them or pretending they do not exist.
3 Hassen has proven, time and time again, that she is not interested in any of these core values.
4 Instead, she exploits systems, inflates her success, and moves on to the next opportunity—in
5 this case, Riverside County and her \$2,500,000 boondoggle—leaving behind only chaos and
6 despair. The consequences of allowing her to wreak havoc in Riverside County are as obvious
7 as they are dangerous, and the costs will be borne by the animals she falsely claims to help and
8 the communities who are forced to expand her bank account through taxpayer funds.

9 48. *Enough is enough, the Hassen contract must be cancelled and restitution to*
10 *Riverside County paid by Van Wagenen for all monies paid under the contract. The contract is*
11 *an extraordinary waste of taxpayer funds. By way of example, the Board of Animal Services*
12 *Commissioners of the City of Los Angeles sought approval to pay Hassen and her LLC \$25,000*
13 *for an assessment of animal services. Somehow, the County of Riverside thought it smart to pay*
14 *100 times what Los Angeles thought was reasonable. It boggles the mind. Further, the contract*
15 *is illegal, and the result of fraud, collusion, and/or ultra vires conduct, given its nonsensical*
16 *“sole source” claim, as well as the inaccurate and misleading presentation to the Board of*
17 *Supervisors by Van Wagenen.*

18 49. About a year and a half after Hassen’s program with the El Paso shelters, a group
19 of local rescues presented to the El Paso City Council a letter outlining many of the issues with
20 the HAAS program and noting “[i]t is time to permanently end HASS in the City of El Paso.”
21 (<https://cloud.wclgportal.com/s/4rDGArtFnJiyY2Z>.) The letter gives an example of the failings
22 in El Paso:

23 “Nesa, a rescued dog who was adopted out by one of the local rescues, was lost
24 and picked up by a good Samaritan. This individual tried to take her to Animal
25 Services. Animal Services refused to take Nesa in and instructed the individual
26 that if her could not keep the dog or hold her, then he should release her back
27 on the street. Due to his circumstances he was not able to keep her. Consequently,
28 following the instructions of Animal Services, he released Nesa. The employee at

1 Animal Services did not even both to scan Nesa for a microchip. Nesa was found
2 dead a few days later.”



12 Sadly, Nesa had a microchip, it was registered to the rescue and had the shelter called the
13 rescue, Nesa would have been picked up in less than 15 minutes and would not have taken any
14 kennel space. The good Samaritan explained to shelter staff that he was on his way to work and
15 had no means to care for Nesa. Shelter staff instructed the good Samaritan to release Nesa back
16 into the streets, and stood by and watched as Nesa was let go. Nesa’s body was found two days
17 later, she had been hit by a car and killed, just a few blocks from the shelter. *For Nesa, and*
18 *dogs like her, the Hassen approach has proved fatal. This callous and inhuman treatment of*
19 *animals is not what the County of Riverside deserves, and under no calculus is such systematic*
20 *cruelty worth taxpayer funds of two and one-half million dollars. The animals in our County,*
21 *and the taxpayers in our community, deserve much better than Hassen’s cold and cruel*
22 *response to animals in need of help, care and love.*

23 50. The common theme with municipal shelters that have used Hassen is that the
24 shelter directors have no experience and are unqualified to manage a shelter. That is precisely
25 the situation in Riverside County that Hassen seeks to profit from: Gettis had no experience in
26 animal shelter management; none whatsoever. Hassen manipulated this situation to promote her
27 failed and flawed approach. Unfortunately, municipal management and elected leaders may be
28 just as uninformed—or gullible—as those persons running a shelter. Surprisingly, the Hassen

1 contract—for the enormous sum of \$2,450,000—was given the green light with no substantive
2 discussion, in part because Van Wagenen in his summary to the Board concocted a story about
3 Hassen grounded more in fiction than fact.

4 51. Under the Hassen approach, focused on reducing intake numbers and consulting
5 money, while leaving animals to struggle in the community to face starvation, injury or death,
6 havoc will ensue. The County of Riverside needs to recognize that if Hassen is not booted out
7 of the county, as she or her HAAS approach were in Virginia, Austin, Tucson and El Paso, the
8 community will be placed in danger and the public trust will be profoundly violated. Her
9 approach will have a ripple effect, overburdening the nearby Palm Springs Animal Shelter as
10 more strays will be taken there when refused intake at a Riverside County facility. **And, the**
11 **County of Riverside will need to get ready to defend against the inevitable onslaught of cases**
12 **that will be filed because of Hassen and her fixation on reducing intake numbers. Riverside**
13 **County is much larger than any of the communities Hassen previously damaged, and thus, there**
14 **will be many more aggressive dogs roaming around the community with the potential to injure**
15 **persons, exposing Riverside County—and its taxpayers—to liability risks.**

16 52. Plaintiffs therefore request that the Court (1) restrain and enjoin County of
17 Riverside from performing the Agreement between County of Riverside and Outcome for Pets
18 Consulting, LLC, recommended for approval by Van Wagenen on September 13, 2024, and
19 approved by the Riverside County Board of Supervisors on September 17, 2024; (2) cancel the
20 Agreement between County of Riverside and Outcome for Pets Consulting, LLC, pursuant to
21 paragraph 5.1 of the Agreement; and (3) compel restitution by Van Wagenen to Defendant
22 County of Riverside of all monies paid by County of Riverside pursuant to the Agreement
23 between County of Riverside and Outcome for Pets Consulting, LLC.

24 ///

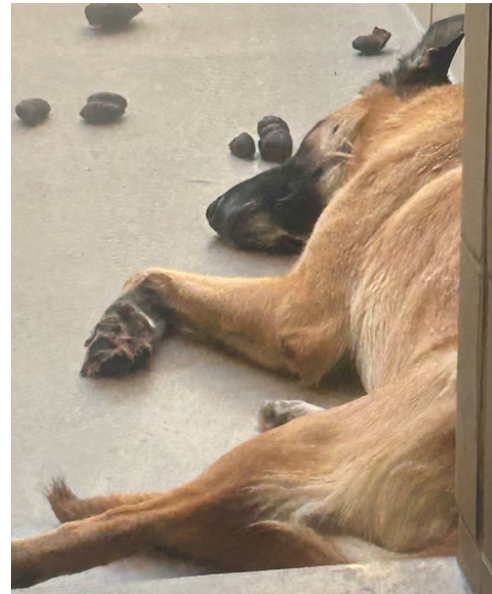
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SECOND CAUSE OF ACTION

**Taxpayer Suit pursuant to Code Civ. Proc. §526a and Common Law –
Gettis Employment Contracts**

(Against All Defendants)

53. Plaintiffs reallege and incorporate all allegations herein as if fully set forth in this cause of action.

54. Gettis had no prior education, work experience or background in animal welfare, animal behavioral science or shelter management when Van Wagenen appointed her on March 10, 2022. Gettis has a Bachelor’s degree in Architectural Studies and a Master’s degree in Architecture. Her work experience before arriving at RCDAS consisted of the following:

- * November 2003 – March 2005: Historic Preservation Manager, City of San Juan Capistrano;
- * March 2005 – January 2006 – County Historic Preservation Officer, Riverside County Regional Parks and Open-Space District;
- * January 2006 – February 2018 – City of Riverside, Division Manager- Neighborhood Engagement Division (March 2013 – February 2018), Principal Planner (March 2011 – February 2013), City Historic Preservation Officer (January 2006 – March 2011)

1 * March 2018 – March 2022 – Riverside County Regional Parks and Open-Space
2 District, Bureau Chief – Planning and Development (March 2018 – December 2019);
3 Assistant Director (December 2019 – March 2022).

4 55. In sum, Gettis’ work history is essentially Parks and Rec. That is the extent of it.
5 Before becoming Director of RCDAS in March 2022, she had absolutely no experience with
6 animal care, animal welfare, shelter management, or animal advocacy *let alone being entrusted*
7 *to run an organization with a 39-million-dollar budget.* Gettis’ lack of qualifications, training
8 and experience played an inordinate role in giving RCDAS the dubious distinction of being an
9 animal shelter with the highest kill rate among reporting shelters *in the entire United States.*

10 56. Notably, the hiring of Gettis as Director of RCDAS was, to say the least, opaque
11 and secretive. *She was not hired by the County of Riverside Board of Supervisors nor were*
12 *any public hearings held relating to her employment by the County of Riverside. Gettis was*
13 *appointed to the position of RCDAS Director by Van Wagenen. This appointment was*
14 *effective on March 10, 2022. As Van Wagenen made this appointment, there was no*
15 *associated agenda item at a Board of Supervisors meeting. Yet, Gettis was hired by Van*
16 *Wagenen, despite her lack of any requisite skills to guide RCDAS and oversee its budget.*

17 57. Interestingly, the Riverside County Board of Supervisors approved Van
18 Wagenen’s original employment contract in February 2021. (See link here
19 <https://cloud.wclgportal.com/s/fgc7HZ62ADmoc2q>.) The contract identifies essential duties
20 which, in essence, include administrative, budgetary, and planning responsibilities. While it
21 does state that the duties are not limited to those listed, *nowhere does it state in the contract that*
22 *Van Wagenen would have any responsibilities for hiring the Director of Animal Services, hiring*
23 *an Executive Director for RUHS, or indeed, any management hiring whatsoever.* Similarly, the
24 current employment contact, entered into on December 12, 2023, does not state that Van
25 Wagenen would have any responsibility for hiring an Executive Director for RUHS, promoting
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27
28

1 someone to that position, or any management hiring whatsoever.⁵ (See link here
2 <https://cloud.wclgportal.com/s/aaGs4Jw5jNmc6E2>.)

3 58. The lack of transparency in the hiring of Gettis as Director of RCDAS—for a
4 position as the head of a county department with a 39-million-dollar-budget, and given her
5 remarkable absence of any qualifications for the position—would be inexplicable except for the
6 favoritism Van Wagenen bestowed on Gettis because her husband was Chief Deputy County
7 Counsel for Riverside County. *Does it make any sense that the most qualified candidate for the*
8 *position was someone with a degree in architecture with no background in animal services and*
9 *shelter management, and no qualifications for the position?*

10 59. According to public records, for 2022, Gettis received total pay of \$202,670.34,
11 and total pay and benefits of \$255,621.29. For 2023, Gettis received total pay of \$221,867.73,
12 and total pay and benefits of \$278,216.02. In other words, in just one year, she received close to
13 a 10% increase in total pay and benefits.

14 60. During this time, as set forth herein, RCDAS suffered from a lack of leadership,
15 mismanagement, budget opacity, flouting of the Hayden Act, disregard for the health and safety
16 of animals under its care, disinterest in working with the community and rescue organizations to
17 place animals in homes, lack of veterinary care for the animals under its care, killing adoptable
18 animals, or animals that could be made adoptable with reasonable efforts, in violation of the
19 Hayden Act, keeping inaccurate records that, for example, labeled animals as having
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21

22 ⁵ Paragraph 3B on the contract provides that if the County terminates the contract, Van
23 Wagenen is entitled to severance compensation “in an amount equal to one month of
24 compensation for each month remaining on the [contract],” not to exceed twelve months. The
25 contract is for three years until December 11, 2026. According to Transparentcalifornia.com,
26 Van Wagenen’s total pay and benefits for 2023 are \$468,880.02. Accordingly, in the event the
27 County of Riverside terminates the employment contract with Van Wagenen, it should ensure
28 that any severance compensation under the employment contract be reduced by the restitution
sought in this action for Van Wagenen’s waste of taxpayer funds relating to 1) the hiring of
Gettis as Director of RCDAS, 2) the promotion of Gettis as Executive Director, RUHS, 3) the
Hassen consulting contract, and 4) the rampant nepotism in RCDAS. It would be affront to the
taxpayers of Riverside County, not to mention a violation of the public trust, for taxpayers to
subsidize Van Wagenen’s financial windfall under the contract, given his profligate waste of
public funds, based on fraud, collusion and *ultra vires* acts.

1 “behavioral” problems when they did not, then using that false label as an excuse to kill them,
2 and brazen nepotism.

3 61. The secretive and transparently collusive hiring of Gettis constitutes a waste of
4 taxpayer funds since it was a useless expenditure of public funds with no public benefit. Gettis
5 had no experience or qualifications in animal control or shelter operations. Notably, the County
6 of Riverside Position Brochure for Animal Services Director for Gettis’ replacement
7 (<https://cloud.wclgportal.com/s/mg6Kczb4kDPWFQS>) makes it crystal clear what
8 qualifications are essential for this position:

9 “Bachelor’s degree from an accredited college or university, preferably with a major
10 in business or public administration, or a closely related field is required.

11 Master’s degree from an accredited college or university with a major in business of
12 public administration, or a closely related field is preferred.

13 ...

14 *Over four years of experience in a management or administrative capacity in a*
15 *public or private organization involved in animal control and shelter operations.”*

16 (Emphasis added.)

17 The Position Brochure also notes that “[r]esumes should reflect years and months of positions
18 held, as well as size of staff and budgets you have managed.” (Emphasis in the original.)

19 62. Gettis, as discussed above, lacked both the education and experience
20 qualifications set forth in the Position Brochure for her replacement. These requisite
21 qualifications, of course, were as critical in 2022 when Gettis was appointed by Van Wagenen
22 as they are now in 2024 when the County of Riverside is looking for her replacement. The
23 difference being that Gettis was appointed by Van Wagenen outside the public eye, with no
24 public vetting, and no input by the Board of Supervisors, and, coincidentally, with her spouse
25 being the Chief Deputy County Counsel for the County of Riverside at the time.

26 63. As a result of the imprudent appointment of Gettis with no public benefit, Van
27 Wagenen and the County of Riverside have wasted approximately \$500,000 in taxpayer funds
28 to pay Gettis as Director of RCDAS when she had no experience, no qualifications,

1 mismanaged RCDAS (which led to other wasted taxpayer funds, such as the cost of killing so
2 many animals), and then was removed by Van Wagenen fourteen days after the *Woodruff* action
3 was filed.

4 64. This waste of taxpayer funds was anything but a “mistake” by Van Wagenen and
5 the County of Riverside, but rather was totally unnecessary, useless and imposed significant
6 additional costs without any public benefit. *See e.g., Mohler v. County of Santa Clara (2023)*
7 *92 Cal.App.5th 418424-425*. The costs include searching for, and hiring, a new Director, and
8 pretending to “promote” Gettis to a new position in the County of Riverside when she should
9 have been terminated. In fact, this was, as in *Ceres, supra, 274 Cal.App.2d 245, 255*, classic
10 wasteful and improvident spending. Providing compensation to someone with absolutely no
11 education, experience or skills for the position, but who, nonetheless, was hired and given a
12 salary and benefits of over a quarter million dollars annually, is wasteful, unnecessary and
13 useless. Moreover, the hiring of Gettis was not only a waste of taxpayer funds, but also a result
14 of fraud, collusion, and/or ultra vires conduct, based on the undisputed lack of experience and
15 qualifications for the position, as well as the fact that the hiring of Gettis violated the County of
16 Riverside Human Resources Employee Handbook (“Handbook”) which requires that
17 appointments be based on “merit and ability.” Handbook, at p. 40.

18 65. As if the wasteful spending of taxpayer funds to hire Gettis was not enough, on
19 September 4, 2024, she announced she had received a sham “promotional opportunity” with the
20 County of Riverside. This was choreographed by Van Wagenen—who is now, once again,
21 subjecting taxpayers to the additional waste of public funds for Gettis.

22 66. That “promotional opportunity” turned out to be a position as Executive
23 Director, Riverside University Health System. It appears that this “Executive Director” position
24 was a made up one created by Van Wagenen, after the *Woodruff* case was filed calling for her
25 removal. The job description is characterized by a nebulous word salad that is difficult to
26 comprehend:

27 With support of County of Riverside's Assistant County Executive Officer (ACEO) and
28 County Administration, the Executive Director, RUHS for General Administration will

1 conduct administrative studies or research studies and recommend to the RUHS-MC
2 CEO or similar executive management, and governing boards, the formulation, revision,
3 and implementation of policies, procedures, programs and strategies to achieve effective
4 collaboration with the County's centralized procurement, human resources, and
5 legislative functions. The incumbent will further provide executive oversight in the
6 development of strategic plan, legislative analyses/proposals, procurements, research
7 and grant development, and contract monitoring. Depending on the area of oversight, the
8 Executive Director, RUHS may also serve as the department designee on a variety of
9 government relations matters, attend community and governmental events, serve on
10 various committees, and manage community engagement by developing key
11 relationships at all levels with community stakeholders and community-based
12 organizations.

13 (<https://www.governmentjobs.com/careers/riverside/classspecs/1209912?keywords=executive%20director&pagetype=classSpecifications>.)

15 3 sentences containing 140 words which do very little to explain the position.

16 67. Even more than the byzantine job description is the education requirement for
17 this health care/patient management position. The required degrees are in business, nursing,
18 healthcare, public administration—and *architecture and engineering!* It is difficult to
19 understand how a degree in architecture would be helpful in a position that “assists the RUHS-
20 MC executive management in the administration and operation of the Riverside University
21 Health System Medical Cener (RUHS-MC) and integrated ambulatory health services,
22 including the Community Health Centers (CHC’s) and hospital-based clinics; conducts
23 administrative studies or research studies and advises executive management and governing
24 boards on the formulation and revision of RUHS policies, programs and strategies” Yet,
25 there is the hook for Van Wagenen, the County of Riverside and Gettis—she has a degree in
26 architecture.

27 68. As with the Director position with RCDAS, this web of deceit was carried out
28 secretly and with no public discussion. Curiously, Gettis described it only as a “promotional

1 opportunity” when she announced it on September 4, 2024. No item was placed on the agenda
2 for discussion at a Board of Supervisors meeting nor did the Board of Supervisors address this
3 “promotional opportunity” after Gettis was essentially fired as Director of RCDAS.

4 69. This is yet more wasteful, improvident and completely unnecessary public
5 spending. Wasting taxpayer money—likely as much, if not more, than what Gettis was making
6 as Director of RCDAS—on a position apparently made up by Van Wagenen specifically for
7 Gettis to move her out of RCDAS and hope that takes care of the problem, is a plain violation of
8 Code Civ. Proc. §526a. Further, based on the absence of any qualifications for the position, the
9 “promotion” was based on fraud, collusion, and/or *ultra vires* conduct. The County of
10 Riverside Human Resources Employee Handbook (“Handbook”) requires that promotions be
11 based on “merit and ability.” Handbook, at p. 40. This one plainly was not.

12 70. Plaintiffs therefore request that the Court restrain and enjoin Van Wagenen and
13 the County of Riverside from the wasteful expenditure of taxpayer funds with respect to the
14 payment of salary or other benefits to Gettis as Director of RCDAS and as Executive Director,
15 Riverside University Health System Medical Center.

16 71. Plaintiffs further request that the Court compel restitution by Van Wagenen to
17 County of Riverside of all monies paid by County of Riverside pursuant to the agreement
18 between County of Riverside and Erin Gettis for her employment as Executive Director,
19 Riverside University Health System Medical Center.

20 72. Plaintiffs further request that the Court compel restitution by Van Wagenen to
21 County of Riverside of all monies paid by County of Riverside pursuant to the agreement
22 between County of Riverside and Gettis for her employment as Director of RCDAS.



THIRD CAUSE OF ACTION
Taxpayer Suit pursuant to Code Civ. Proc. §526a and Common Law –
RCDAS Employee Nepotism
(Against All Defendants)

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4 73. Plaintiffs reallege and incorporate all allegations herein as if fully set forth in this
5 cause of action.

6 74. Nepotism is defined as an employee’s use of influence or power to hire, transfer,
7 or promote someone because of a personal relationship which may include a familial
8 relationship by (1) blood, (2) adoption, (3) marriage, whether that marriage is a current or
9 former one, (4) domestic partnership, or, (5) cohabitation. Nepotism occurs when those with
10 the power to make employment-related decisions favor their family or friends, over others,
11 without regard to merit. Nepotism is a serious issue in the workplace since it can (1) reduce
12 worker morale, (2) increase turnover, (3) decrease productivity, (4) diminish employee loyalty
13 to the employer, (4) make employees care less about the quality of their work, if personal
14 relationships govern positions, and (5) create poor management personnel.

15 75. California regulates and defines nepotism in the state civil service. Cal. Code
16 Regs. Title 2, § 87 – Anti-Nepotism provides: “Appointing powers shall hire, transfer, and
17 promote all employees on the basis of merit and fitness in accordance with civil service statutes,
18 rules and regulations. Nepotism is expressly prohibited in the state workplace because it is
19 antithetical to California’s merit based civil service system.” § 87 further provides that “[a]ll
20 appointing powers shall adopt an anti-nepotism policy that includes ...(1) A statement that the
21 appointing power is committed to merit-based hiring and that nepotism is antithetical to a merit-
22 based civil service system.”

23 76. Notably, nowhere in the 75-page County of Riverside Human Resources
24 Employee Handbook will the word “nepotism” be found. This is so despite the comment by
25 Defendant Van Wagenen that “[t]he Executive Office is the operational and administrative
26 oversight department for the County of Riverside government and seeks to provide vision,
27 leadership, and coordination for all county departments.” Handbook, at p. 2. Admittedly, the
28

1 Handbook provides that hiring and promotions be based on “merit and ability.” Handbook, at p.
2 40.

3 77. Nepotism is rampant at RCDAS. To give some examples, a lieutenant from
4 Field Services is married to the animal services manager at Coachella Valley Animal Campus,
5 the Supervising Animal Services Counselor is their nephew, and the Senior Animal Counselor
6 is their daughter-in-law. Four family members employed in the same department is, quite
7 simply, classic nepotism. This inexcusable—and legally impermissible—nepotism destroys
8 employee morale, perpetuates favoritism in the workplace, leads to overlooking of discipline
9 issues, damages employee morale and work ethic, leads to biased and meritless promotional
10 opportunities, and perhaps worst of all, is condoned by upper management who does nothing,
11 thereby sending the message to all other employees that they are, and will be, treated far
12 differently than the family “favorites.”⁶ Favoritism, cronyism, and preferential employment
13 opportunities do not belong in the workplace.

14 78. Defendant County of Riverside, as a public agency, undermines the public trust
15 and wastes taxpayer funds when it engages in nepotism, and indeed, promotes unfair hiring
16 practices, favoritism and cronyism. Further, favoritism and cronyism are grounded in
17 fraudulent actions, collusion and/or ultra vires conduct since they are not based on merit, and
18 misrepresent or conceal the nepotism between the person in power who makes the hiring
19 decision based not on merit, but on favoritism and nepotism.

20 79. Plaintiffs therefore request that the Court restrain and enjoin Van Wagenen,
21 County of Riverside and RCDAS from the wasteful expenditure of taxpayer funds with respect
22 to the payment of salary or other benefits to RCDAS employees hired through nepotism, and
23 establish an anti-nepotism policy for the County of Riverside.

24
25 _____
26 ⁶ Another example of nepotism is, of course, the hiring of Gettis as Director of RCDAS, with no
27 experience in animal services, and her “promotional opportunity” with Riverside University
28 Health System after Van Wagenen removed her from RCDAS, again with no experience in
patient or health care management, while her husband during this time frame served as Chief
Deputy County Counsel for the County of Riverside. Given the example set by County
management, it is hardly surprising to see pervasive nepotism at RCDAS.

1 between County of Riverside and Outcome for Pets Consulting, LLC, recommended for
2 approval by Defendant Van Wagenen on September 13, 2024, and approved by the Riverside
3 County Board of Supervisors on September 17, 2024;

4 (d) Restrain and enjoin Defendant County of Riverside from performing the
5 agreement between Defendant County of Riverside and Erin Gettis for her employment as
6 Executive Director, Riverside University Health System Medical Center;

7 (e) Terminate the agreement between Defendant County of Riverside and
8 Erin Gettis for her employment as Executive Director, Riverside University Health System
9 Medical Center;

10 (f) Compel restitution by Defendant Van Wagenen to Defendant County of
11 Riverside of all monies paid by Defendant County of Riverside pursuant to the agreement
12 between Defendant County of Riverside and Erin Gettis for her employment as Executive
13 Director, Riverside University Health System Medical Center;

14 (g) Compel restitution by Defendant Van Wagenen to Defendant County of
15 Riverside of all monies paid by Defendant County of Riverside pursuant to the agreement
16 between Defendant County of Riverside and Erin Gettis for her employment as Director,
17 Riverside County Department of Animal Services;

18 (h) Restrain and enjoin Defendants County of Riverside and Van Wagenen
19 from the wasteful expenditure of public funds with respect to the payment of salary or other
20 benefits to RCDAS employees hired through nepotism, and establish an anti-nepotism policy
21 for the County of Riverside;

22 (i) Compel restitution by Defendant Van Wagenen of all monies paid by
23 Defendant County of Riverside to RCDAS employees hired through nepotism;

24 2. Award Plaintiffs all costs incurred in this action;

25 3. Award Plaintiffs reasonable attorney fees, pursuant to *Code of Civil Procedure*
26 §1021.5; and

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4. Award Plaintiffs such other and further relief as the Court deems just and proper.

DATED: November 25, 2024

WALTER CLARK LEGAL GROUP

By: Dan C. Bolton
Dan C. Bolton
Attorneys for Plaintiffs