



Service Type:	009 - E-FILE
Caller:	AMG
Control Number:	LA32
Reference Number:	Lechmanik v. YE
Case Number:	NEW CASE
Case Name:	NICHOL LECHMANIK, vs YE (formerly known as KANYE WEST), an individual; and DOES 1 through 10, inclusive,
Court:	VENTURA COUNTY SUPERIOR COURT
Address:	800 S. VICTORIA AVE. VENTURA, CA 93009
Documents:	COMPLAINT SUMMONS CCCS
Comments:	RECEIVED BY THE COURT.
Date Completed:	5/31/2023

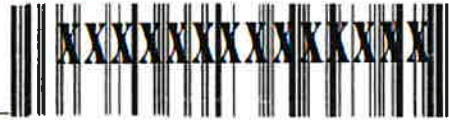


COURT INSTRUCTIONS

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5/31

****TODAY****



FIRM NAME: & ADDRESS: ALLRED MAROKO & GOLDBERG 6300 Wilshire Blvd Suite 1500 Los Angeles CA, 90048 PHONE: (323) 653-6530 FAX: CONTACT: BILLING / FILE #: Lechmanik v. YE DATE GENERATED #: 5/31/2023	CUST #: DUE DATE : 5/31/2023	COURT / DESTINATION: VENTURA COUNTY SUPERIOR COURT 800 S. VICTORIA AVE. VENTURA, CA 93009 CASE: NEW CASE CASE TITLE: NICHOL LECHMANIK, VS. YE (formerly known as KANYE WE DOCUMENTS: COMPLAINTSUMMONSCCS
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VENTURA CT || FILING (NEW COMPLAINT)

STATUTE DATE: 5/31/2023 HEARING DATE: DEPT. OUR DATE REC'D: 5/31/2023

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REPORTS / COMMENTS:

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 MAY 31 2023

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11 **Attorneys for Plaintiff, NICHOL LECHMANIK**

12 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF VENTURA

14 NICHOL LECHMANIK,

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16 Plaintiff,

17 vs.

18
19 YE (formerly known as KANYE WEST), an
20 individual; and DOES 1 through 10, inclusive,

21 Defendants.
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CASE NO:

COMPLAINT FOR DAMAGES

1. ASSAULT
2. BATTERY
3. NEGLIGENCE
4. INTERFERENCE WITH EXERCISE OF CIVIL RIGHTS (CAL. CODE § 52.1)
5. INJUNCTIVE RELIEF

JURY TRIAL DEMAND

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Plaintiff Nichol Lechmanik hereby alleges as follows:

GENERAL ALLEGATIONS

1. Plaintiff **NICHOL LECHMANIK** (“Plaintiff” or “LECHMANIK”), at all relevant times mentioned herein was, a resident of the County of Riverside, State of California.

2. Plaintiff is informed and believes, and based thereon alleges that Defendant **YE** (formerly known as **KANYE WEST** and hereinafter “Defendant” or “YE”) is an individual who at all relevant times herein was a resident of the County of Los Angeles.

3. The true names and capacities, whether individual, corporate, partnership, associate or otherwise, of Defendants sued herein as **DOES 1 through 10**, inclusive, are currently unknown to Plaintiff, who therefore sues said Defendants by such fictitious names. Plaintiff is informed and believes, and based thereon alleges, that each of the Defendants designated herein as a **DOE** is legally responsible in some manner for the events and happenings referred to herein, and caused injury and damage proximately thereby to Plaintiff as hereinafter alleged. Plaintiff will seek leave of court to amend this Complaint to show the true names and capacities of the Defendants designated herein as **DOES** when the same have been ascertained. Whenever in this complaint reference is made to “Defendants,” such allegation shall be deemed to mean the acts of Defendants acting individually, jointly, and/or severally.

4. Except as hereinafter specifically described, Defendants and each of them, are and were the agents and/or employees of the other Defendants, and in acting as described herein were acting within the scope of their authority or employment as agents and/or employees thereof, and with the permission and consent of the other Defendants.

5. At all relevant times, Ye is a world-famous musician who was accustomed to the attention of fans and media coverage in public places. Plaintiff is informed and believes, and based upon such information and belief alleges, that prior to the events complained of, Ye formed an intense dislike for photographers and a desire to impede them in the performance of their jobs. Ye has a well publicized and well documented history and pattern of physically attacking photographers, including having caused physical harm to them.

1 6. This case arises out of personal injuries suffered by Plaintiff Nichol Lechmanik
2 after she was assaulted by Defendant Ye on January 27, 2023, outside of the Sports Academy in
3 Newbury Park California (“Sports Academy”). At the time of the events complained of
4 hereinafter, Plaintiff was a professional photographer.

5 7. At approximately 2:00 to 3:00 p.m. on January 27, 2023, Plaintiff was in the
6 vicinity of the Sports Academy in Newbury Park California. She had filmed Kim Kardashian
7 going into the Sports Academy and plaintiff was driving her car while taking a break during the
8 interval of time before Kardashian emerged after the sporting event she was attending. The
9 Plaintiff, lawfully engaged in her vocation, was among other professional photographers outside
10 the Sports Academy filming Ms. Kardashian.

11 8. As she was driving, Plaintiff noticed an interaction between Defendant Ye and
12 another photographer on a street near the Sports Academy. Both had exited their vehicles and Ye
13 was angrily confronting the photographer. Given Defendant Ye’s reputation for violence against
14 photographers, his history of physically harming them, and based on his threatening body
15 language, Plaintiff became fearful for the photographer’s safety. Defendant Ye went through his
16 pockets, and Plaintiff thought that he might have a weapon.

17 9. From her car, Plaintiff began filming the incident on her cell phone, with her hand
18 extended outside the driver-side window. Plaintiff remained in the driver’s seat as she was
19 filming. She did not want to get out of her car because she was afraid of Defendant Ye.

20 10. As Defendant Ye began walking towards Plaintiff’s car. Plaintiff’s nervousness
21 increased. When Defendant Ye came near her car, Plaintiff pulled the camera, which she had
22 been holding out of the window, into her car, and froze. Defendant Ye, speaking aggressively,
23 said, “You all ain’t gonna run up on me like that.” Plaintiff replied that she was not running up
24 on him. Defendant Ye continued, “If I say stop . . . stop with your cameras.” Defendant Ye had
25 not previously told Plaintiff to stop filming.

26 11. Defendant Ye was enraged. He reached into Plaintiff’s car and ripped her phone
27 out of her hands. As he did so, Plaintiff was fearful Defendant Ye had a weapon or would strike
28 her. Defendant Ye then threw her phone onto the street towards oncoming traffic.

1 12. Next, Defendant Ye walked to the other side of her car where Plaintiff's business
2 partner was also filming from the passenger seat. Plaintiff's business partner was likewise
3 terrified. He locked the door and rolled his window up. As Defendant Ye arrived at the passenger
4 side of the car, Plaintiff remained fearful as to what was going to happen next. Defendant Ye
5 gave them a "death stare" before finally turning and walking away.

6 13. As a proximate result of Ye's conduct as alleged hereinabove, Plaintiff sustained
7 great mental, and emotional pain and suffering. In addition, Plaintiff anticipates incurring
8 medical and related expenses, the full amount of which is not known at this time. As a further
9 proximate result of Ye's conduct, Plaintiff has been prevented from attending to her usual
10 occupation as a photographer and has suffered, and will suffer, lost earnings. The amount of
11 Plaintiff's damages exceeds the jurisdictional minimum of the Superior Court.

12 14. The aforementioned conduct by Ye was willful, wanton, and malicious. At all
13 relevant times, Ye acted with conscious disregard of the Plaintiff's rights. Ye acted with the
14 knowledge of or with reckless disregard that his conduct was certain to cause injury and/or
15 humiliation to the Plaintiff. Plaintiff is further informed and believes that Ye intended to cause
16 fear, physical injury and/or pain and suffering to the Plaintiff. By virtue of the foregoing, the
17 Plaintiff is entitled to recover punitive and exemplary damages from Ye according to proof.

18 **FIRST CAUSE OF ACTION**

19 **(Assault Against All Defendants)**

20 15. Plaintiff repeats and realleges by reference each and every allegation contained
21 hereinabove and incorporates the same herein as though fully set forth herein.

22 16. When Ye approached Plaintiff's car, reached into her car, ripped the phone out of
23 her hand, and stalked around her vehicle, Ye intended to cause the Plaintiff apprehension of an
24 imminent harmful and offensive contact with her person.

25 17. As a result of Defendants' acts, Plaintiff was in fact, placed in great apprehension
26 of imminent harmful and offensive contact with her person.

27 18. In performing the acts alleged hereinabove, Ye acted with the intent of making
28 contact with Plaintiff's person.

1 19. At no time did Plaintiff consent to any of the acts by Ye alleged hereinabove.

2 20. Defendants' conduct as described above, caused Plaintiff to be apprehensive that
3 Defendant would subject her to further intentional invasions of her right to be free from
4 offensive and harmful contact and demonstrated that at all times material herein, Defendant had
5 a present ability to subject her to an intentional offensive and harmful touching.

6 21. As a proximate result of Ye's conduct as alleged hereinabove, Plaintiff sustained
7 mental, physical and emotional pain and suffering. In addition, Plaintiff has incurred and will
8 continue to incur medical and related expenses, the full amount of which is not known at this
9 time. As a further proximate result of Ye's conduct, Plaintiff has been prevented from attending
10 to her usual occupation as a photographer and has suffered, and will suffer, lost earnings. The
11 amount of Plaintiff's damages exceeds the jurisdictional minimum of the Superior Court.

12 22. The aforementioned conduct by Ye was willful, wanton, and malicious. At all
13 relevant times, Ye acted with conscious disregard of the Plaintiff's rights. Ye also acted with the
14 knowledge of or with reckless disregard for the fact that his conduct was certain to cause injury
15 and/or humiliation to the Plaintiff. Plaintiff is further informed and believes that Ye intended to
16 cause fear, physical injury and/or pain and suffering to the Plaintiff. By virtue of the foregoing,
17 the Plaintiff is entitled to recover punitive and exemplary damages from Ye according to proof.

18 **SECOND CAUSE OF ACTION**

19 **(For Battery Against All Defendants)**

20 23. Plaintiff repeats and realleges by reference each and every allegation contained
21 hereinabove and incorporates the same herein as though fully set forth herein.

22 24. In performing the acts described herein, Defendant acted with the intent to make a
23 harmful and offensive contact with Plaintiff's person.

24 25. Defendant Ye did, in fact, bring himself into offensive and unwelcome contact
25 with Plaintiff as described hereinabove.

26 26. At all relevant times, Plaintiff found the contact by Defendant to be offensive to
27 her person and dignity. At no time did Plaintiff consent to any of the acts by Ye alleged
28 hereinabove.

1 27. As a proximate result of Ye's conduct as alleged hereinabove, Plaintiff sustained
2 the above-alleged injury, causing the Plaintiff mental, physical and emotional pain and suffering.
3 In addition, Plaintiff will incur medical and related expenses, the full amount of which is not
4 known at this time. As a further proximate result of Ye's conduct, Plaintiff has been prevented
5 from attending to her usual occupation as a photographer and has suffered, and will suffer, lost
6 earnings. The amount of Plaintiff's damages exceeds the jurisdictional minimum of the Superior
7 Court.

8 28. The aforementioned conduct by Ye was willful, wanton, and malicious. At all
9 relevant times, Ye acted with conscious disregard of the Plaintiff's rights and feelings. Ye also
10 acted with the knowledge of or with reckless disregard for the fact that his conduct was certain to
11 cause injury and/or humiliation to the Plaintiff. Plaintiff is further informed and believes that Ye
12 intended to cause fear, physical injury and/or pain and suffering to the Plaintiff. By virtue of the
13 foregoing, the Plaintiff is entitled to recover punitive and exemplary damages from Ye according
14 to proof.

15 **THIRD CAUSE OF ACTION**

16 **(For Negligence Against All Defendants)**

17 29. By this reference, plaintiff incorporates the allegations of paragraphs 1 through
18 27, inclusive, hereof as though fully set forth at this point.

19 30. Plaintiff is informed and believes and based upon such information and belief
20 alleges that upon seeing Plaintiff outside the Sports Academy, Ye determined to prevent the
21 Plaintiff from taking video footage of him. Ye failed to use reasonable care in controlling his
22 own conduct while attempting to prevent the Plaintiff from filming him. In particular, Ye
23 negligently used excessive force in attempting to stop the Plaintiff from photographing him.

24 31. As a proximate result of Ye's conduct as alleged hereinabove, Plaintiff sustained
25 the above-alleged injury, causing the Plaintiff great mental, physical and nervous pain and
26 suffering. In addition, Plaintiff will incur medical and related expenses, the full amount of which
27 is not known at this time. As a further proximate result of Ye's conduct, Plaintiff was prevented
28 from attending to her usual occupation as a photographer and has suffered, and will suffer, lost

1 earnings. The amount of Plaintiff's damages exceeds the jurisdictional minimum of the Superior
2 Court.

3 **FOURTH CAUSE OF ACTION**

4 **(For Violation of California Civil Code Section 52.1)**

5 **(Interference With The Exercise Of Civil Rights Against All Defendants)**

6 32. By this reference, Plaintiff LECHMANIK incorporates the allegations of
7 paragraphs 1 through 30, inclusive, hereof as though fully set forth at this point.

8 33. Article I, Section 1 of the California Constitution guarantees certain inalienable
9 rights to persons in this state and has been construed specifically to include the fundamental right
10 to pursue a lawful occupation.

11 34. At the time of the events alleged in this complaint, plaintiff was a professional
12 photographer employed in the State of California.

13 35. At the time of the event alleged in this complaint, Ye sought to prevent the
14 Plaintiff from pursuing her occupation as a professional photographer. Ye attempted to interfere
15 and actually interfered with the Plaintiff's exercise and enjoyment of the fundamental right
16 secured by Article I, Section 1 of the California Constitution to pursue a lawful occupation.

17 36. As a proximate result of Ye's conduct as alleged hereinabove, Plaintiff sustained
18 the above-alleged injury, causing the Plaintiff great mental, physical and nervous pain and
19 suffering. In addition, Plaintiff has incurred and will continue to incur medical and related
20 expenses, the full amount of which is not known at this time. As a further proximate result of
21 Ye's conduct, Plaintiff was prevented from attending to her usual occupation as a photographer
22 and has suffered, and will suffer, lost earnings. The amount of Plaintiff's damages exceeds the
23 jurisdictional minimum of the Superior Court.

24 37. The aforementioned conduct by Ye was willful, wanton, and malicious. At all
25 relevant times, Ye acted with conscious disregard of the Plaintiff's rights and feelings. Ye also
26 acted with the knowledge of or with reckless disregard for the fact that his conduct was certain to
27 cause injury and/or humiliation to the Plaintiff. Plaintiff is further informed and believes that Ye
28 intended to cause fear, physical injury and/or pain and suffering to the Plaintiff. By virtue of the

1 foregoing, the Plaintiff is entitled to recover punitive and exemplary damages from Ye according
2 to proof at trial.

3 38. By virtue of Ye's conduct prior to the events complained of and the nature of the
4 attack perpetrated upon the Plaintiff, there is a danger that Ye will engage in future attempts to
5 intimidate the Plaintiff in the exercise of the Plaintiff's right to pursue a lawful occupation.
6 Unless enjoined by order of the Court, conduct of the sort alleged in this complaint will cause
7 great and irreparable injury to the plaintiff in that such conduct will subject the Plaintiff to
8 serious personal injury and will prevent the Plaintiff from pursuing her lawful occupation.

9 39. Plaintiff has no adequate remedy at law for the injuries currently threatened. In
10 the absence of an injunction, Plaintiff will be forced to file lawsuits to protect her right to pursue
11 a lawful occupation.

12 40. Plaintiff has been compelled to engage legal counsel in connection with the
13 foregoing violations of the fundamental rights guaranteed to her under the California
14 Constitution. As a result, she has incurred and will continue to incur legal fees and costs in an
15 amount to be proven at trial.

16 **WHEREFORE**, Plaintiff prays judgment be entered in her favor as follows:

17 **AS TO THE FIRST CAUSE OF ACTION:**

- 18 1. For general and special damages according to proof;
- 19 2. For punitive and exemplary damages according to proof;
- 20 3. For costs of suit incurred in this action, and
- 21 4. For such other and further relief as the Court may deem just and proper.

22 **AS TO THE SECOND CAUSE OF ACTION:**

- 23 1. For general and special damages according to proof;
- 24 2. For punitive and exemplary damages according to proof;
- 25 3. For costs of suit incurred in this action, and
- 26 4. For such other and further relief as the Court may deem just and proper.

27 **AS TO THE THIRD CAUSE OF ACTION:**

- 28 1. For general and special damages according to proof;

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- 2. For costs of suit incurred in this action, and
- 3. For such other and further relief as the Court may deem just and proper.

AS TO THE FOURTH CAUSE OF ACTION:

- 1. For general and special damages according to proof;
- 2. For costs of suit incurred in this action;
- 3. For civil penalties and exemplary damages according to proof;
- 4. For attorney's fees and costs of suit incurred in this action;
- 5. For an order enjoining Ye, as well as all persons acting in concert with him or acting on his behalf, from touching, striking, annoying, contacting, molesting, attacking threatening, or otherwise interfering with, directly or indirectly, the Plaintiff and/or the right of the Plaintiff, and all persons similarly situated, to pursue the occupation of photographer.
- 6. For such other and further relief as the Court may deem just and proper.

DATED: May 31, 2023

ALLRED, MAROKO & GOLDBERG

By: 
GLORIA ALLRED
NATHAN GOLDBERG
Attorneys for Plaintiff,
NICHOL LECHMANIK