

FRIDAY

TUESDAY

WEDNESDAY

THURSDAY

TODAY

## VERDICTS &amp; SETTLEMENTS

[Search >>](#)[Previous](#)[Next](#)[Bookmark](#)

Gender Discrimination B \$160,253

For the plaintiff:  
Alfred G. Rava Rava  
For the defendant:  
Steven L. MartinL.A. Superior Central  
West  
Hon. Anthony J. Mohr**RESULT DATE:** Oct. 13, 2010

Marc Angelucci, Elton Campbell, and Edgar Pacas v. Century Supper Club, LP (BC278640) 11-JV\_38

**FURTHER DESCRIPTION:** Unruh Civil Rights Act**BENCH DECISION:** \$160,253**ATTORNEY:** Plaintiff - Alfred G. Rava Rava (The Rava Law Firm, San Diego). Defendant - Steven L. Martin (Law Offices of Steven L. Martin, Los Angeles).**FACTS:** Defendant Century Supper Club, located at 10131 Constellation Blvd. in Los Angeles, charged patrons different prices to be admitted into the supper club based solely on the patrons' sex. Specifically, Century Supper Club charged male patrons more than female patrons.

On June 14, 2002, Century Supper Club charged plaintiffs Marc Angelucci, Edgar Pacas, and Elton Campbell, and other male patrons, \$20 each to enter the supper club, but charged female patrons only \$15 to be admitted. On June 16, 2002, Century Supper Club charged plaintiffs and other male patrons \$20 for admittance into the supper club, but allowed female patrons to enter the club for free. On five other nights in 2002, Century Supper Club charged plaintiff Elton Campbell \$20 to be admitted into the supper club, but allowed female patrons to enter the club for free.

The trial court Judge Joseph R. Kalin granted defendant's motion for judgment on the pleadings. The Court of Appeal unanimously affirmed the trial court's ruling. On May 31, 2007, the California Supreme Court unanimously reversed the lower courts and used words like "startling" and "absurd" to describe defendant's contention that discrimination victims had to first assert their right to equal treatment to the offending business in order to have standing for Unruh Civil Rights Act and Gender Tax Repeal Act claims. Accordingly, the California Supreme Court reversed the Court of Appeal and the case was remanded.

**CONTENTIONS:** PLAINTIFFS' CONTENTIONS: Plaintiffs contended that defendant violated California's Unruh Civil Rights Act (Civil Code section 51) and Gender Tax Repeal Act of 1995 (Civil Code section 51.6) by charging plaintiffs and other male patrons higher admission prices than defendant charged female patrons, all based solely on the patrons' sex and as prohibited by Civil Code sections 51 and 51.6.

DEFENDANT'S CONTENTIONS: Defendant argued that in order to have standing for Unruh Civil Rights Act and Gender Tax Repeal Act claims, discrimination victims, such as plaintiffs, are required to first affirmatively ask the discriminating business for non-discriminatory treatment and be refused. Defendant further argued that plaintiffs did not affirmatively assert their right for equal treatment and therefore lacked standing.

**RESULT:** Upon remand, the case was tried before Judge Anthony J. Mohr on July 6, 2010. On October 13, 2010, the court entered judgment for plaintiffs as follows: statutory damages (pursuant to Civil Code section 52 of \$4,000 per offense) of \$16,000 for Marc Angelucci, \$16,000 for Edgar Pacas, and \$56,000 for Elton Campbell, and plaintiffs' attorney fees – also pursuant to Civil Code section 52 – for \$64,750.

Total judgment: \$160,253.05 (\$88,000 statutory damages; \$64,750 attorney fees; \$4,128.05 costs; and \$3,375 sanctions).

The judgment also includes findings that (1) the following businesses and individuals are alter egos of Century Supper Club, LP: Century Supper Club, Inc.; Con-Tec Entertainment; Tatou Supper Club, LLC; Mark Fleischman; Ka Wai Kwan; and Daniel Scott Fitzgerald, and (2) plaintiffs were acting as civil rights testers at all times relative to the acts complained of in this lawsuit.

**OTHER INFORMATION:** FILING DATE: June 30, 2002.