

CITY OF EMERYVILLE  
CLAIM FORM

Please Type or Print and return to:

City Attorney's Office, City of Emeryville  
1333 Park Avenue Emeryville, Ca 94608  
Phone: 510.596.4381 Fax: 510.596.3724  
Email: city\_attorney@emeryville.org



MAY 09 2025

RECEIVED

CLAIM AGAINST City of Emeryville, Emeryville Police Department, Powell St Plaza  
(Name of Entity) et al.

Claimant's name KARLA GOTTSCHALK AKA Hieromonk Bartholomew SS# [REDACTED] why is this necessary?

Claimant's date of birth [REDACTED] Telephone # [REDACTED]

Claimant's address [REDACTED]

Address where notices about claim are to be sent, if different from above: no local address

Date of incident/accident: PG. 1 "Government Tort Claim (Govt Code 29101 et seq.)  
ATTACHED HERETO

Date injuries, damages, or losses were discovered: See Attached p. 1-2

Location of incident/accident: SEE ATTACHED incident report 2501280033

What did entity or employee do to cause this loss, damage, or injury?

SEE PAGE 1-3

(Use back of this form or separate sheet if necessary to answer this question in detail)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

See incident report attached

What specific injuries, damages, or losses did claimant receive? See pages 1-3

ADDITIONAL Burden of this form not authorized under any Cal. Stats.

(Use back of this form or separate sheet if necessary to answer this question in detail)

What amount of money is claimant seeking, or which is the appropriate court of jurisdiction [Government Code 910(f)]?

Diversity of citizenship or Settlement

How was this amount calculated (please itemize)? See attached p. 1-5 and incident report attached hereto.

(Use back of this form or separate sheet if necessary to answer this question in detail)

Date Signed: May 7, 2025

Signature: Karla Gottschalk  
Hieromonk Bartholomew

If signed by representative:

Representative's Names \_\_\_\_\_ Address \_\_\_\_\_

Telephone # \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

GOVERNMENT TORT CLAIM  
(California Government Code § 910 et seq.)

CITY OF EMERYVILLE  
CITY CLERK'S OFFICE

MAY 05 2025

VIA CERTIFIED MAIL & PERSONAL DELIVERY  
Date: May 5, 2025

RECEIVED

TO: City of Emeryville  
City Clerk's Office  
1333 Park Avenue  
Emeryville, CA 94608

CC: Emeryville Police Department  
2449 Powell Street  
Emeryville, CA 94608

CC: Powell Street Plaza  
5700 Christie Ave  
Emeryville, CA 94608-2400

RE: Notice of Claim for Damages

CLAIMANT INFORMATION:

Name: Karla Gottschalk

Phone: [REDACTED]

Email: [REDACTED]

1. DATE, TIME, AND PLACE OF INCIDENT:

Date: January 28, 2025

Time: Approximately 9:15 AM

Location: Starbucks store #5601, 5767 Christie Avenue, Emeryville, CA

2. CIRCUMSTANCES OF INCIDENT:

Officer Rodriguez #413 responded within 3 minutes to a non-emergency call, participated in discriminatory removal of claimant from public accommodation, seized private property (receipt), and imposed permanent ban without due process or documentation. Actions demonstrate coordination with private entity in civil rights violations.

3. SPECIFIC ACTIONS CAUSING INJURY:

- a) Immediate response to non-emergency (3 minutes) suggesting pre-arrangement
- b) Failure to conduct independent investigation
- c) Seizure of evidence (receipt) without documentation
- d) Imposition of permanent ban without authority
- e) Participation in discriminatory removal
- f) Failure to protect civil rights
- g) Violation of due process
- H) Filing false police report

4. PUBLIC EMPLOYEES INVOLVED:

- Officer Rodriguez #413
- Any supervising officers
- Dispatch personnel
- Other officers yet to be identified

5. DESCRIPTION OF DAMAGES/INJURIES:

- Violation of civil rights

- Denial of public accommodation
- Property seizure
- Emotional distress
- Dignitary harm
- Loss of access
- Professional impact
- Defamation : Verbal comment alleged based upon video with no audio that is not credible
- 6 SETTLEMENT DEMAND: \$7,500,000

Justification for Enhanced Demand:

1. Original Violations

- Civil rights
  - Public accommodation
  - Property rights
  - Due process
- Subtotal: \$1,750,000

2. Defamation Damages

- False accusations
  - Professional impact
  - Reputational harm
  - Emotional distress
- Subtotal: \$2,000,000

3. Conspiracy Evidence

- Coordinated action
  - Malicious intent
  - Evidence manipulation
  - Pattern conduct
- Subtotal: \$1,750,000

4. Punitive Elements

- Willful misconduct
  - Malicious defamation
  - Pattern of behavior
  - Public deterrence
- Subtotal: \$2,000,000

# SPECIFIC CONSPIRACY EVIDENCE

1. Timeline Evidence

- Patron warning of pre-planned removal
- 3-minute police response
- Immediate permanent ban
- Receipt confiscation
- Post-hoc racism claim
- Attempt to gather supporting statements

2. Document Trail

- Original trespass claim
- Changed justification
- Missing body cam footage
- Selective video preservation
- Post-incident statements



3. Coordination Evidence
  - Pre-incident communications
  - Rapid police response
  - Joint action on removal
  - Evidence handling
  - Post-incident coordination

4. Pattern Evidence
  - Similar incidents
  - Policy implementation
  - Training records
  - Response protocols
  - Documentation practices

5. Malicious Intent
  - Pre-planned removal
  - False accusations
  - Evidence manipulation
  - Reputation damage
  - Ongoing harm

The enhanced demands reflect:

1. New evidence of conspiracy
2. Malicious defamation
3. Pattern of misconduct
4. Punitive elements
5. Interest considerations

#### IMMEDIATE EVIDENCE PRESERVATION DEMAND

You are hereby notified to preserve ALL evidence related to the January 28, 2025 incident and subsequent actions, including but not limited to:

1. Video Evidence
  - ALL surveillance footage (24 hours surrounding incident)
  - Body camera footage
  - External security cameras
  - Metadata and timestamps
  - Original format files
2. Audio Evidence
  - 911 calls
  - Police radio traffic
  - Internal communications
  - Dispatch recordings
  - Store audio systems
3. Electronic Communications
  - Emails regarding incident
  - Text messages
  - Internal messaging
  - Management communications
  - Post-incident discussions
4. Documents
  - Original incident reports

- Subsequent statements
- Internal memoranda
- Personnel files
- Training records
- Policy documents

5. Post-Incident Evidence
- All statements gathered
  - Investigation notes
  - Interview records
  - Internal reviews
  - Policy discussions

WARNING: Destruction of evidence after this notice will result in immediate legal action for spoliation.

DEMAND:

Claimant demands:

1. Full compensation as stated above
2. Policy reforms
3. Training implementation
4. Oversight mechanisms
5. Documentation requirements

STATUTORY NOTICE AND TIMELINE:

This claim is filed pursuant to California Government Code § 910 et seq., specifically:

1. This claim is timely filed within the 100-day claim presentation requirement under Government Code § 911.2(a) for personal injury and personal property claims:
  - Incident Date: January 28, 2025
  - Filing Date: May 5, 2025
  - Days Elapsed: 98
  - Days Remaining: 2
2. The public entity must act on a claim within 45 days after receipt (Gov. Code § 912.4):
  - Claim Receipt Date: May 5, 2025
  - Response Due Date: [45 days from filing]
3. If the claim is rejected, claimant has six months from the date of written rejection notice to file suit (Gov. Code § 945.6)
4. If no written rejection is received, claimant has two years from the accrual of the cause of action to file suit (Gov. Code § 945.6)

RESERVATION OF RIGHTS:

This claim includes all currently known damages. Claimant expressly reserves the right to:

- Amend this claim upon discovery of new facts
- Supplement damages as they develop
- Add additional claims as discovered
- Name additional responsible parties
- File additional claims as needed

Respectfully submitted,

Karla Gottschalk  
 Attorney (retired Cal Bar #91651)