

1 Charles S. LiMandri, SBN 110841
cslimandri@limandri.com
2 Paul M. Jonna, SBN 265389
pjonna@limandri.com
3 Robert E. Weisenburger SBN 305682
rweisenburger@limandri.com
4 LiMANDRI & JONNA LLP
P.O. Box 9120
5 Rancho Santa Fe, California, 92067
Telephone: (858) 759-9930
6 Facsimile: (858) 759-9938

Harmeet K. Dhillon (SBN: 207873)
Harmeet@dhillonlaw.com
John-Paul S. Deol (SBN: 284893)
JPDeol@dhillonlaw.com
Jesse D. Franklin-Murdock (SBN: 339034)
JFranklin-Murdock@dhillonlaw.com
DHILLON LAW GROUP INC.
177 Post Street, Suite 700
San Francisco, California 94108
Telephone: (415) 433-1700
Facsimile: (415) 520-6593

7 Mark E. Trammell*
mtrammell@libertycenter.org
8 CENTER FOR AMERICAN LIBERTY
1311 S. Main Street, Suite 207
9 Mount Airy, MD 21771
Telephone: (703) 687-6212
10 Facsimile: (517) 465-9683
*Admitted *Pro Hac Vice*

11 Attorneys for Plaintiff
12 CHLOE E. BROCKMAN

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 IN AND FOR THE COUNTY OF SAN JOAQUIN – STOCKTON BRANCH

15 CHLOE E. BROCKMAN a/k/a CHLOE
16 COLE, an individual

17 Plaintiff,

18 v.

19 KAISER FOUNDATION HOSPITALS,
20 INC., a California Corporation, THE
PERMANENTE MEDICAL GROUP, INC.,
21 a California Corporation, LISA KRISTINE
TAYLOR, M.D., an individual, HOP
22 NGUYEN LE, M.D., an individual,
SUSANNE E. WATSON, PHD., an
23 individual, LILIT ASULYAN PSYD, an
individual, and ESTER BALDWIN, LCSW,
24 PHD, an individual, and DOES 1 through 50,
25 inclusive,

26 Defendants.
27
28

Case No.: STK-CV-UMM-2023-0001612

**PLAINTIFF CHLOE E. BROCKMAN'S
NOTICE OF MOTION AND MOTION
FOR LEAVE TO AMEND COMPLAINT
TO STATE CLAIM FOR PUNITIVE
DAMAGES**

Dept.: 11B
Judge: Hon. Robert T. Waters
Assigned for All Purposes

Action Filed: February 22, 2023
Trial Date: Not Set

1 **TO: THE COURT, ALL PARTIES, AND ALL COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that on _____, 2024 at _____, or as soon thereafter
3 as the matter may be heard in Department 11B of the above-entitled Court, the Honorable Robert
4 T. Waters presiding, located at the Stockton Branch, 180 East Weber Avenue, 2nd Floor, Stockton,
5 California 95202, Plaintiff Chloe E. Brockman (“Plaintiff”) will and hereby does move the Court
6 for an order allowing her to amend her complaint so that she may seek an award of punitive damages
7 at trial against each of the Defendants in this action, pursuant to Cal. Code Civ. Proc. § 425.13(a).

8 This motion is made on the grounds Plaintiff that sought care from Defendants and was
9 referred to the gender affirming care clinic in Oakland, California, more accurately the “Diagnose-
10 Yourself-Gender-Clinic.” Defendants allowed Chloe, a 12-year-old girl with a complex history of
11 unresolved mental health issues, to self-diagnose as transgender. Chloe received Gender Deforming
12 Interventions (“GDI”) in the form of puberty blockers, testosterone, and a double mastectomy.
13 Defendants preyed upon Chloe’s delicate mental state, wrongfully validating her pre-conceived,
14 immature notions developed through social media exposure that she was a boy and needed GDI.
15 They falsely asserted that GDI was necessary to resolve Chloe’s mental health struggles and advised
16 her parents that she was at serious risk of suicide if she did not proceed. Defendant Watson, the
17 department head, met with Chloe one time and approved her for surgical removal of her healthy
18 breasts the same day.

19 Unsurprisingly, this radical sex-change experiment failed to resolve Chloe’s complex pre-
20 existing and concurrently presenting mental health issues. Instead, as the GDI progressed, Chloe’s
21 mental health problems only increased to include depression, suicidal ideation, and failing her
22 classes. Chloe realized that GDI was not the ticket out of her mental health problems that Defendants
23 promised it would be and she detransitioned. Now, in addition to having complex, unresolved
24 mental health issues, Defendants caused Chloe to suffer medical abuse trauma. This has
25 compounded her mental health problems causing her to suffer from Post-Traumatic Stress Disorder
26 that will require extensive treatment and will probably plague her for much of her adult life.

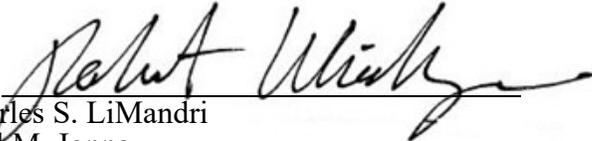
27 As discussed below, Defendants performed these acts with a deliberate and willful disregard
28 for the existing medical research, demonstrating that GDI should never be performed on minors,

1 particularly, those in Chloe’s situation with a complex mental health presentation. Additionally,
2 Defendants induced Chloe and her parents to proceed by fraudulently representing false facts
3 regarding desistence rates, regret, suicide risk, and the claimed necessity of this treatment. They
4 also concealed critical facts that they should have disclosed relating to the many risks, including,
5 among others, continued increased psychiatric morbidity and suicidality after GDI, the option and
6 effectiveness of psychotherapy, the long-term implications of needing a hysterectomy at some point,
7 and having a masculine appearance but atrophied female reproductive organs.

8 Plaintiff must obtain leave of court before seeking punitive damages by substantiating a
9 legally sufficient punitive damages claim.

10 LiMANDRI & JONNA, LLP
11 DHILLON LAW GROUP INC.
12 CENTER FOR AMERICAN LIBERTY

13 Dated: April 18, 2024

14 By: 
15 Charles S. LiMandri
16 Paul M. Jonna
17 Robert E. Weisenburger
18 Harmeet K. Dhillon
19 John-Paul S. Deol
20 Jesse D. Franklin-Murdock
21 Mark E. Trammell

22 *Attorneys for Plaintiff*
23 *Chloe E. Brockman*

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| COURT OF THE STATE OF CALIFORNIA SAN JOAQUIN SUPERIOR COURT – STOCKTON BRANCH | | FOR COURT USE ONLY |
| TITLE OF CASE (Abbreviated) Chloe E. Brockman v. Kaiser Foundation Hospitals, Inc., et al. | | |
| ATTORNEY(S) NAME AND ADDRESS Charles S. LiMandri, Esq; Paul M. Jonna, Esq. Robert E. Weisenburger, Esq. LiMANDRI & JONNA LLP P.O. Box 9120 Rancho Santa Fe, California 92067 Tele: (858) 759-9930; Fax: (858) 759-9938 | | |
| ATTORNEY(S) FOR: Plaintiff Chloe E. Brockman | Dept. 11B | CASE NO.: STK-CV-UMM-2023-0001612 |

PROOF OF SERVICE

I, Rebecca M. Oakley, declare that: I am over the age of 18 years and not a party to the action; I am employed in, or am a resident of the County of San Diego, California, and my business address is P.O. Box 9120, Rancho Santa Fe, CA 92067, Telephone number (858) 759-9930; Facsimile number (858) 759-9938. I further declare that I served the following document(s) on the parties in this action:

Motion for Leave to Amend

1. **PLAINTIFF CHLOE E. BROCKMAN’S NOTICE OF MOTION AND MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
2. **PLAINTIFF CHLOE E. BROCKMAN’S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
3. **PLAINTIFF CHLOE E. BROCKMAN’S NOTICE OF LODGMENT OF CONFIDENTIALLY MARKED DOCUMENTS IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
4. **DECLARATION OF CHLOE E. BROCKMAN;**
5. **DECLARATION OF CHARLES S. LIMANDRI IN SUPPORT OF PLAINTIFF CHLOE E. BROCKMAN’S MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;**
6. **DECLARATION OF JOCELYN T. BROCKMAN;**
7. **DECLARATION OF ROBIN A. DEA, M.D.;**
8. **DECLARATION OF NATHAN SZAJNBERG, M.D.;**
9. **DECLARATION OF MICHAEL LAIDLAW, M.D.;**
10. **DECLARATION OF JOHN PERROTTI, M.D.;**
11. **DECLARATION OF STEPHEN B. LEVINE, M.D.;**
12. **DECLARATION OF TIM CROSBY, LMFT;**
13. **DECLARATION OF KAYLA LOVDAHL;**
14. **DECLARATION OF ELISABETH “BETH” BOURNE;**
15. **DECLARATION OF LAUREN WOHL-SANCHEZ; and**
16. **[Proposed] ORDER In SUPPORT OF PLAINTIFF CHLOE E. BROCKMAN’S MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES.**

Motion to Seal

1. **PLAINTIFF CHLOE E. BROCKMAN’S NOTICE OF MOTION AND MOTION TO SEAL DOCUMENTS LODGED IN SUPPORT OF MOTION FOR LEAVE TO AMEND**

COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES;

- 2. PLAINTIFF CHLOE E. BROCKMAN'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO SEAL DOCUMENTS LODGED IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES; and**
- 3. [Proposed] ORDER In SUPPORT OF PLAINTIFF CHLOE E. BROCKMAN'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO SEAL DOCUMENTS LODGED IN SUPPORT OF MOTION FOR LEAVE TO AMEND COMPLAINT TO STATE CLAIM FOR PUNITIVE DAMAGES**

by one or more of the following methods of service to:

****SEE ATTACHED SERVICE LIST**

 (BY U.S. MAIL) I caused such document(s) to be sealed in envelopes, and with the correct postage thereon fully prepaid, either deposited in the United States Postal Service or placed for collection and mailing following ordinary business practices.

 X **(BY E-MAIL/ELECTRONIC MAIL)** I caused a copy of the foregoing document(s) to be sent to the persons at the e-mail addresses listed above, this date via internet/electronic mail.

 X **(BY ELECTRONIC FILING/SERVICE)** I caused such document(s) to be Electronically Filed and/or Service through OneLegal.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 18, 2024



Rebecca M. Oakley

COURT OF THE STATE OF CALIFORNIA
SAN JOAQUIN SUPERIOR COURT – STOCKTON BRANCH

Chloe E. Brockman v. Kaiser Foundation Hospitals, Inc., et al.
CASE NO.: STK-CV-UMM-2023-0001612

SERVICE LIST

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| <p>Jason J. Curliano Ondrej Likar Vladimir Andrich J. Harvey Buty & Curliano LLP 516 - 16th Street Oakland, CA 94612 Tel: (510) 267-3000; Fax: (510) 267-0117 E-Mail: jcurliano@butycurliano.com E-Mail: olikar@butycurliano.com E-Mail: vandrich@butycurliano.com E-Mail: jharvey@butycurliano.com E-Mail: gcheng@butycurliano.com E-Mail: calendar@butycurliano.com E-Mail: service@butycurliano.com</p> | <p>Attorneys for Defendants <i>Kaiser Foundation Hospitals, The Permanente Medical Group, Inc., Lisa Kristine Taylor, M.D., Hop Nguyen Le, M.D., Susanne E. Watson, PhD, Lilit Asulyan, PsyD, and Ester Baldwin, LCSW, PhD</i></p> |
| <p>Kathleen R. Hartnett Zoe Helstrom Reece Trevor Jessica Taylor Hannah Pollack COOLEY LLP 3 Embarcadero Center, Floor 20 San Francisco, CA 94111 Tel: (415) 693-2000 E-Mail: khartnett@cooley.com E-Mail: zhelstrom@cooley.com E-Mail: rtrevor@cooley.com E-Mail: hpollack@cooley.com E-Mail: jtaylor@cooley.com E-Mail: mnarvaez@cooley.com E-Mail: emartin@cooley.com</p> | <p>Attorneys for Defendants <i>Kaiser Foundation Hospitals, The Permanente Medical Group, Inc., Lisa Kristine Taylor, M.D., Hop Nguyen Le, M.D., Susanne E. Watson, PhD, Lilit Asulyan, PsyD, and Ester Baldwin, LCSW, PhD</i></p> |
| <p>Yvonne M. Pierrou Caitlin Thompson Mark Palley MARION'S INN LLP 436 - 14th Street, Suite 1107 Oakland, CA 94612 Tel: (510) 451-6770 E-Mail: ymp@marionsinn.com E-Mail: caitlin@marionsinn.com E-Mail: mp@marionsinn.com</p> | <p>Attorneys for Defendants <i>Kaiser Foundation Hospitals, The Permanente Medical Group, Inc., Lisa Kristine Taylor, M.D., Hop Nguyen Le, M.D., Susanne E. Watson, PhD, Lilit Asulyan, PsyD, and Ester Baldwin, LCSW, PhD</i></p> |
| <p>Harmeet K. Dhillon John-Paul S. Deol Jesse Franklin-Murdock Rania Fahim Dhillon Law Group Inc. 177 Post Street, Suite 700 San Francisco, CA 94108 Tel: (415) 830-7400; Fax: (415) 520-6593 E-Mail: harmeet@dhillonlaw.com E-Mail: JPDeol@dhillonlaw.com E-Mail: JFM@dhillonlaw.com E-Mail: MHoesly@dhillonlaw.com</p> | <p>Co-Counsel for Plaintiff <i>Chloe E. Brockman</i></p> |

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| E-Mail: rfahim@dhillonlaw.com | |
| Mark Trammell, Executive Director & General Counsel Center for American Liberty PO Box 200942 Pittsburgh, PA 15251-0942 Tel: (703) 687-6212 E-Mail: MTrammell@libertycenter.org E-Mail: jdixon@libertycenter.org | Co-Counsel for Plaintiff <i>Chloe E. Brockman</i> |