

WV-100**Petition for Workplace Violence Restraining Orders**

Read *How Do I Get an Order to Prohibit Workplace Violence* (form WV-100-INFO) before completing this form. **NOTE: Petitioner must be an employer with standing to bring this action under Code of Civil Procedure section 527.8.** Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

Clerk stamps date here when form is filed.

FILED
SAN MATEO COUNTY
 MAY 23 2022
 Clerk of the Superior Court
 By [Signature]
 DEPUTY CLERK

Fill in court name and street address:

Superior Court of California, County of San Mateo
 400 County Center
 Redwood City, CA

Court fills in case number when form is filed.

Case Number:
 22CIV02084

1 Petitioner (Employer)

a. Name: Unity Care Group

is a ☒ corporation ☐ sole proprietorship

☐ (specify):

and is filing this suit on behalf of the employee identified in item 2.

b. Lawyer for Petitioner (if any for this case)

Name: Rona P. Layton State Bar No.: 121238

Firm Name: Layton Law Firm

Petitioner's Address (If the petitioner has a lawyer, give the lawyer's information.)

c. Address: 111 N. Market Street, Suite 300

City: San Jose State: CA Zip: 95113

Telephone: 408-892-9870 Fax: 408-332-5857

E-Mail Address: rlayton@laytonlawfirm.com

2 Employee in Need of Protection

Full Name: Francesco Delgado

Sex: ☐ M ☒ F Age: 26

3 Respondent (Person From Whom Protection Is Sought)

Full Name: Geoffrey Edevane Age: 34

Address (if known): 1958 Redwood Drive

City: Martinez State: CA Zip: 94553

4 Additional Protected Persons

a. Are you asking for protection for any family or household members of the employee or for any other employees at the employee's workplace or at other workplaces of the petitioner?

☒ Yes ☐ No (If yes, list them):

Full Name	Sex	Age	Household Member?	Relationship to Employee
<u>Tina Vermeulen</u>	<u>F</u>	<u>35</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Co-worker</u>
<u></u>	<u></u>	<u></u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<u></u>
<u></u>	<u></u>	<u></u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<u></u>

☐ Additional protected persons are listed in Attachment 4a.

This is not a Court Order.



4 b. Why do these people need protection? (*Explain*):☐ Response is stated in Attachment 4b.

They are the individuals who terminated respondent's employment, and he has focused his anger on them.

5 Relationship of Employee and Respondenta. How does the employee know the respondent? (*Describe*): ☐ Response is stated in Attachment 5a.

Employee was the respondent's supervisor and the other protected person is the Human Resources Manager for Petitioner.

b. Respondent ☐ is ☒ is not a current employee of petitioner. (*Explain any decision to retain, terminate, or otherwise discipline the respondent*): ☐ Response is stated in Attachment 5b.

Respondent was terminated by the protected employees on 4/27/22 due to his continuing to use inappropriate and offensive language.

6 VenueWhy are you filing in this county? (*Check all that apply*):a. ☐ The respondent lives in this county.b. ☒ The respondent has caused physical or emotional injury to the petitioner's employee in this county.c. ☐ Other (*specify*):**7 Other Court Cases**a. Has the employee or any of the persons named in **4** been involved in another court case with the respondent?☒ No ☐ Yes *If yes, check each kind of case and indicate where and when each was filed:*

	Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1)	<input type="checkbox"/> Workplace Violence			
(2)	<input type="checkbox"/> Civil Harassment			
(3)	<input type="checkbox"/> Domestic Violence			
(4)	<input type="checkbox"/> Divorce, Nullity, Legal Separation			
(5)	<input type="checkbox"/> Paternity, Parentage, Child Support			
(6)	<input type="checkbox"/> Eviction			
(7)	<input type="checkbox"/> Guardianship			
(8)	<input type="checkbox"/> Small Claims			
(9)	<input type="checkbox"/> Postsecondary School Violence			
(10)	<input type="checkbox"/> Criminal			
(11)	<input type="checkbox"/> Other (<i>specify</i>):			

b. Are any restraining orders or criminal protective orders now in effect relating to the employee or any of the persons in **4** and the respondent? ☒ No ☐ Yes (*If yes, attach a copy if you have one.*)**This is not a Court Order.**

8) Description of Respondent's Conduct

- a. Respondent has (*check one or more*):
- (1) ☐ Assaulted, battered, or stalked the employee
 - (2) ☒ Made a credible threat of violence against the employee by making knowing or willful statements or engaging in a course of conduct that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family.
- b. One or more of these acts (*check either or both*):
- (1) ☒ Took place at the employee's workplace
 - (2) ☒ Can reasonably be construed to be carried out in the future at the employee's workplace

Address of workplace: 403 West Orange Ave., South San Francisco, CA

- c. Describe what happened. (Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses):

- ☒ Response is stated in Attachment 8c.

[illegible]

- d. Was the employee harmed or injured? ☒ Yes ☐ No (If yes, describe harm or injuries):

- ☒ Response is stated in Attachment 8d.

Not physically, but both protected employee fear violence from respondent.

- e. Did the respondent use or threaten to use a gun or any other weapon? ☒ Yes ☐ No (If yes, describe):

- ☐ Response is stated in Attachment 8e.

Respondent grabbed for a knife in his room right after the termination, and pulled out a handgun during his livestream rant against the protected employees (and said he had more guns).

This is not a Court Order.



- 8 f. For any of the incidents described above, did the police come? ☐ Yes ☒ No ☐ I don't know

If yes, did the employee or the respondent receive an Emergency Protective Order?

☐ Yes ☐ No ☐ I don't know

If yes, the order protects (*check all that apply*):

☐ the employee ☐ the respondent ☐ one or more of the persons in 4.

(*Attach a copy of the order if you have one.*)

Check the orders you want ☒

- 9 ☒ **Personal Conduct Orders**

I ask the court to order the respondent **not** to do any of the following things to the employee or to any person to be protected listed in 4:

- a. ☒ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- b. ☒ Commit acts of unlawful violence on or make threats of violence to the person.
- c. ☒ Follow or stalk the person during work hours or to or from the place of work.
- d. ☒ Contact the person, either directly or indirectly, by **any** means, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- e. ☒ Enter the person's workplace.
- f. ☐ Other (*specify*):
☐ As stated in Attachment 9f.

The respondent will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

10 Stay-Away Order

a. I ask the court to order the respondent to stay at least 100 yards away from (*check all that apply*):

(1) ☒ The employee.

(8) ☒ The employee's vehicle.

(2) ☒ The other persons listed in 4.

(9) ☒ Other (*specify*):

(3) ☒ The employee's workplace.

Petitioner's administrative office at 1400 Parkmoor Ave, Suite 115, San Jose, CA 95126

(4) ☐ The employee's home.

(5) ☐ The employee's school.

(6) ☐ The school of the employee's children.

(7) ☐ The place of child care of the employee's children.

This is not a Court Order.

- 10 b. If the court orders the respondent to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☒ Yes ☐ No (If no, explain):
☐ Response is stated on Attachment 10b.

11 **Guns or Other Firearms and Ammunition**

Does the respondent own or possess any guns or other firearms? ☒ Yes ☐ No ☐ I don't know

If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.

12 ☒ **Temporary Restraining Order**

I request that a Temporary Restraining Order (TRO) be issued against the Respondent to last until the hearing. I am presenting form WV-110, *Temporary Restraining Order*, for the court's signature together with this Petition.

Has the Respondent been told that you were going to go to court to seek a TRO against him/her?

☐ Yes ☒ No (If you answered no, explain why below):

☐ Reasons are stated in Attachment 12.

Respondent has been very erratic, angry, and threatening towards the protected employees, and they fear what he might do if he is told about the TRO before it is granted.

13 ☐ **Request for Less Than Five Days' Notice of Hearing**

You must have your papers personally served on the respondent at least five days before the hearing, unless the court orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form WV-200, Proof of Personal Service, may be used to show the court that the papers have been served.)

If you want there to be fewer than five days between service and the hearing, explain why:

☐ Reasons are stated in Attachment 13.

14 ☒ **No Fee for Filing**

I ask that there be no filing fee because the respondent has threatened violence against the employee, or stalked the employee, or acted or spoken in a manner that has placed the employee in reasonable fear of violence.

This is not a Court Order.

15 ☒ **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve the respondent with the others for free because this request for orders is based on a credible threat of violence or stalking.

16 ☐ **Court Costs**

I ask the court to order the respondent to pay my court costs.

17 ☐ **Additional Orders Requested**

I ask the court to make the following additional orders (*specify*):

☐ Additional orders requested are stated in Attachment 17.

18 Number of pages attached to this form, if any: 1

Date: May 23, 2022

Rona P. Layton

Lawyer's name (if any)

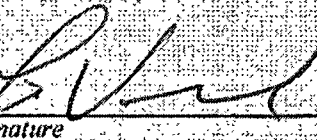

Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: 5-23-22

Tina Vermeulen

Name of petitioner


Signature

Human Resources Manager for Unity Care Group

Title

This is not a Court Order.

SHORT TITLE:

Unity Care Group v. Edevane

CASE NUMBER:

22CIV02084

ATTACHMENT (Number): 8c

(This Attachment may be used with any Judicial Council form.)

Respondent was a Residential Advisor at one of petitioner's homes for transitional age youth. He was terminated on 4/27/22 by the protected employees after repeatedly using inappropriate and offensive language. During the termination meeting, he became enraged and kept yelling and swearing at them. When all three were in respondent's room, he grabbed for a large knife that was on the night stand and put it in his bag. Ms. Vermeulen asked if the knife was illegal, and when he grabbed it, she said "I think it's time we call 911". This enraged him more, and he screamed various obscenities, such as "fuck you, you fat bitch. I knew from the moment I saw you, you were a pig and a whore!" He also said he had other knives. He continued to spew obscenities at the protected employees. In his room, they found alcohol, vape cartridges, marijuana containers and other drug paraphernalia.

On 4/28, he texted Mr. Delgado, "Get fucked with the longest knife possible...Trust me. You don't want me to have to come get my shit."

At some point after the termination respondent did a livestream on youtube about his termination and the protected employees. He wished death on Mr. Delgado, pulled out a handgun, said he had several more and claimed that it was the "last fucking thing you would see" (people who crossed him). He also said "I could go back there and do some stupid shit, put them in the morgue and myself in prison, but fuck that I'll talk about these two wokists on the kill stream. He also said "I literally contemplated blood atoning the dude [his manager] with that pistol".

When another person on the stream suggested respondent take his gun and hold people hostage, respondent said that he would not take hostages - if it went that far he would just shoot them.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

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(Add pages as required)