

1 F. Lee Fletcher (134734)
Attorney at Law
2 3183 Wilshire Blvd., No. 196-K-8
Los Angeles, California 90010
3 (310) 487-4706
4 e-mail: fleefletcher@gmail.com
5 Attorney for Plaintiff

6
7
8 **SUPERIOR COURT, STATE OF CALIFORNIA**
COUNTY OF LOS ANGELES

9 **JAMES HUNTER,**

10 Plaintiff,

11
12 vs.

13
14 **MIA GOTH, TI WEST, A24 FILMS**
15 **LLC, AND DOES 1-20,**

16 Defendants.
17
18

No.

COMPLAINT

1. Battery

2. Wrongful Termination

19 COMES Plaintiff, JAMES HUNTER, who alleges the following:

20 **PARTIES**

21 1. Plaintiff James Hunter is, and at all relevant times was, domiciled in
22 the State of California in the County of Los Angeles.

23 2. Defendant Mia Goth ("Goth") is, and at all relevant times, was
24 domiciled in the State of California and residing in the County of Los Angeles.

25 3. Defendant Ti West ("West") is, and at all relevant times was, domiciled
26 in the State of California and residing in the County of Los Angeles.

4. Defendant A24 Films LLC (“A24 Films LLC”) is a film production company doing business in the State of California with offices at 750 San Vicente Blvd., West Hollywood, California 90069.

5. Plaintiff is unaware of the true identity and capacity of each Doe Defendant, and, therefore, brings this action against those persons under fictitious names. Plaintiff will amend the complaint to reveal the true names and capacity of each Doe Defendant when ascertained. DOES 1-20 have engaged in the act or omissions stated herein that caused the Plaintiff harm.

FACTS

6. Defendant A24 Films LLC hired Plaintiff through Jeff Olan Casting to perform for three days as a background actor to play the part of "Dead Parishioner" in a feature film titled "Maxxxine" (hereinafter the "MOVIE").

7. Defendants A24 Films LLC and Goth produced the MOVIE.

8. Defendant West directed the MOVIE.

9. Defendant Goth starred in the title role of Maxine.

10. On Friday, April 21, 2023, Plaintiff reported at 7:00 P.M. for the shoot. Plaintiff was outfitted with a robe. White make-up and face paint was applied to Plaintiff. Then, Plaintiff was covered with fake blood from head to toe. Filming continued past midnight and into the morning of Saturday, April 22, 2023.

11. During the scene in which Plaintiff was to perform, the director, Defendant West, ordered Plaintiff to lay down in the dirt and play dead, without first asking for a stunt pad for the Plaintiff to lay on.

12. Plaintiff did as ordered and laid in the dirt for several hours, enduring ants and mosquitoes.

13. The fake blood permeated Plaintiff's robe. It dried and caked, and

1 stuck to Plaintiff's skin and the hairs on Plaintiff's body.

2 14. In the scene, Defendant Goth was to run past Plaintiff lying on the
3 ground; and, in some instances, step over him, look down at him, and continue
4 to run.

5 15. In or around the fourth take, Defendant Goth nearly stepped on
6 Plaintiff.

7 16. Plaintiff informed the 2nd Assistant Director, John Hall, that
8 Defendant Goth nearly stepped on him.

9 17. Defendant Goth was warned to be careful regarding how she stepped.

10 18. In the following take, Defendant Goth intentionally kicked Plaintiff
11 in his head with her boot.

12 19. The kick in the head caused plaintiff to immediately experience
13 headache and stiffness in his neck.

14 20. Plaintiff reported the injury to 2nd Assistant Director John Hall.
15 John Hall notified Defendants Goth and West.

16 21. No one offered medical assistance to Plaintiff, and no medical
17 assistance was provided.

18 22. Defendant West ordered the filming to continue. After a handful of
19 takes, the scene was completed.

20 23. After intentionally kicking Plaintiff in the head, Defendant Goth
21 invaded Plaintiff's privacy in a bathroom; laughed at Plaintiff; taunted,
22 mocked, and belittled Plaintiff; and dared Plaintiff to do anything about it.

23 24. When filming wrapped, Plaintiff was made to remove the
24 bloodstained robe himself and without assistance. Because the fake blood had
25 stuck to plaintiff's skin and body hair and dried, removing the blood stained
26 robe required it to be torn away, causing Plaintiff severe pain.

25. On the subsequent drive home, Plaintiff experienced light headedness and nearly passed out twice, causing him to pull over on two separate occasions.

26. The following morning, Plaintiff was informed via email and phone by Jeff Olan Casting that he had been taken off the production for the remaining two days of filming; and that no reason was given.

27. Jeff Olan Casting stated: "Whatever happened, production does not want you back."

28. Plaintiff was banned from the film set.

29. Over the next 48 hours, Plaintiff continued to experience head trauma symptoms including loss of memory, confusion, and disorientation.

30. On April 25, 2023, Plaintiff sought emergency treatment at
Placentia-Linda hospital. At the direction of Brian Doyle, M.D., several clinical
tests were performed, and the physician concluded that Plaintiff had suffered a
concussion from having been kicked in the head by Defendant Goth.

31. As a result of being kicked in the head by Defendant Goth, Plaintiff suffered, and has continued to suffer, symptoms of the head trauma, including disorientation, vertigo, migraines, nightmares, and severe emotional distress.

FIRST CAUSE OF ACTION

Battery

(Against Defendant Goth)

32. Plaintiff realleges and incorporates by reference Paragraphs 1 through 31 as though fully set forth herein.

33. As alleged in the incorporated paragraphs, Defendant Goth played the lead role and was a producer of the MOVIE.

34. The 2nd assistant director, John Hall, warned Defendant Goth that she had run perilously close to Plaintiff lying on the ground in a previous take

1 and to be more careful.

2 35. In spite of the warning, and in the following take, Defendant Goth
3 intentionally and willfully assaulted Plaintiff by kicking Plaintiff on the side of
4 his head with her boot.

5 36. Defendant Goth willfully and intentionally assaulted Plaintiff by
6 kicking Plaintiff in the head to punish Plaintiff and to retaliate against Plaintiff
7 for Plaintiff reporting to the 2nd assistant director, John Hall, that Goth had
8 run perilously close to Plaintiff in a previous take.

9 37. As alleged hereinabove, after intentionally kicking Plaintiff in the
10 head, Defendant Goth invaded Plaintiff's privacy in a bathroom; laughed at,
11 taunted, mocked, and belittled Plaintiff, and dared Plaintiff to do anything
12 about it.

13 38. Defendant Goth's conduct was outrageous and calculated to cause,
14 and did cause, Plaintiff injury and severe emotional distress.

15 39. Defendant Goth did cause harmful, offensive, and violent physical
16 contact with Plaintiff.

17 40. As a direct and proximate result of the head kick inflicted by
18 Defendant Goth, Plaintiff was damaged. Plaintiff incurred medical expenses;
19 suffered a concussion, and experienced injuries and harm, all of which were
20 reasonably foreseeable, and some of which may be permanent. Plaintiff
21 suffered:

22 40.1. Bruises and red marks on his head;

23 40.2. Pain, panic, shock, discomfort, suffering, and emotional harm;

24 40.3. Inconvenience and interference with usual and everyday
25 activities.

26 41. Defendant Goth acted with malice and oppression and with a
27

conscious disregard of Plaintiff's rights, making her liable for punitive damages under California Civil Code §3294.

SECOND CAUSE OF ACTION

Wrongful Termination

(Against Defendants A24 Films LLC, Goth, and West)

42. Plaintiff realleges and incorporates by reference Paragraphs 1 through 31 as though fully set forth herein.

43. Defendants were producers of the MOVIE. Each defendant was charged with, and exercised, hiring and firing decisions, and were Plaintiff's employers.

44. Plaintiff performed every duty asked of him while on set with the utmost professionalism. Plaintiff maintained a calm and composed demeanor, even when physically assaulted and taunted by Defendant Goth, a major Hollywood actress.

45. Defendants fired Plaintiff to retaliate against Plaintiff because Plaintiff reported and complained that Defendant Goth kicked him in the head; because Plaintiff sustained an injury and reported the injury from being kicked in the head; and to hamper and/or prevent Plaintiff from filing a worker's compensation claim.

46. As alleged hereinabove, after intentionally kicking Plaintiff in the head, Defendant Goth invaded Plaintiff's privacy in a bathroom; laughed at, taunted, mocked, and belittled Plaintiff, and dared Plaintiff to do anything about it.

47. Defendant Goth's conduct was outrageous and calculated to cause, and did cause, Plaintiff severe emotional distress.

48. The other defendants affirmed and ratified the outrageous conduct by

1 Defendant Goth by joining in the firing of Plaintiff.

2 49. Defendants acted with malice and oppression and with a conscious
3 disregard of Plaintiff's rights, making them liable for punitive damages under
4 California Civil Code §3294.

5
6 **PRAYER FOR RELIEF**

7 **WHEREFORE**, Plaintiff prays for judgment against Defendants as
8 follows:

9 **ON THE FIRST CAUSE OF ACTION FOR BATTERY:**

- 10 1. For general damages exceeding \$250,000.00 or according to proof;
11 2. For special damages according to proof, including past and future
12 medical expenses, rehabilitation, and related expenses, including interests,
13 according to proof;
14 3. For punitive and/or exemplary damages in an amount appropriate to
15 punish Defendant and deter others from engaging in similar misconduct;

16 **ON THE SECOND CAUSE OF ACTION FOR WRONGFUL**
17 **TERMINATION:**

- 18 1. For general damages in an amount exceeding \$250,000.00 or according
19 to proof;
20 2. For special damages according to proof;
21 3. For punitive and/or exemplary damages in an amount appropriate to
22 punish Defendants and deter others from engaging in similar misconduct;

23 **AND ON ALL CAUSES OF ACTION:**

- 24 1. For an award of interest at the maximum allowable rate from the
25 present date to the date of entry of judgment;
26 2. For any other and further relief as the Court deems just and proper.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JURY TRIAL DEMAND

Plaintiff hereby demands a jury trial on all issues so triable.

Dated: January 8, 2024.

/s/ Freddie Fletcher
Freddie Fletcher
Attorney for Plaintiff