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Superior Court of California,
County of Los Angeles
3/25/2026 8:54 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By J. Martinez, Deputy Clerk

8 **ATTORNEYS FOR PLAINTIFF,**
9 **MADISON ATIABI**

10 **SUPERIOR COURT OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

12)
13) **Case No.: 26SMCV01587**
14)
15) **ORIGINAL COMPLAINT FOR**
16) **DAMAGES:**
17)
18) **1. GENDER VIOLENCE**
19) **(Civil Code § 52.4)**
20) **2. ASSAULT and BATTERY (Common**
21) **Law)**
22) **3. NEGLIGENCE**
23)
24) **DEMAND FOR JURY TRIAL**
25)
26)
27)
28)

29 **TO THE HONORABLE COURT, ALL INTERESTED PARTIES, AND THEIR**
30 **ATTORNEYS OF RECORD:**

31 COMES NOW, Plaintiff MADISON ATIABI ("Plaintiff") alleges as follows:

32 **PARTIES**

- 33 1. Plaintiff Madison Atiabi is an adult individual over the age of eighteen (18) residing in
34 Los Angeles County, California.
35 2. Defendant Makea "Puka" Nacua is an individual over the age of eighteen (18) and who,
36 upon information and belief, resides in Los Angeles County, California.
37
38

1 11. Shortly thereafter, Defendant turned to Plaintiff and, without provocation, consent, or
2 warning, forcibly bit Plaintiff's left shoulder, leaving a circular imprint of his teeth on her body
3 and injuring and harming Plaintiff. Plaintiff screamed in pain and tried to push Defendant off of
4 her.

5 **FIRST CAUSE OF ACTION**

6 (Violation of Civil Code § 52.4)

7 (Against All Defendants)

8 12. Plaintiff incorporates by reference all preceding paragraphs as though set forth fully
9 herein without duplication.

10 13. California Civil Code § 52.4 creates a civil cause of action for gender violence.
11 "Gender violence" includes: (a) a physical intrusion or physical invasion of a sexual nature under
12 coercive conditions; and (b) any crime of violence committed because of the gender of the victim.

13 14. Defendant's conduct constitutes gender violence within the meaning of Civil Code §
14 52.4 on each of the following independent grounds:

15 a. Crime of violence because of gender. Defendant committed battery against
16 Plaintiff, a woman, because of her gender. Defendant first bit Plaintiff's female
17 companion, then turned and bit Plaintiff. Defendant acted erratically at dinner
18 toward women and thereafter targeting Plaintiff and her female companion.

19 b. Physical invasion of a sexual nature under coercive conditions. Defendant's
20 attack was preceded immediately by his placing his head in a woman's lap and
21 crotch area and biting her thumb. Defendant then turned and put his mouth and lips
22 on Plaintiff's body and bit her without consent.

23 15. As a direct and proximate result of Defendant's gender violence, Plaintiff has suffered
24 actual damages, including physical injury, pain and suffering, medical expenses, and severe
25 emotional distress, in an amount to be proven at trial.

26 16. Pursuant to Civil Code § 52.4, Plaintiff is entitled to recover: (a) actual damages; (b)
27 punitive damages; (c) civil penalties not to exceed \$25,000; and (d) reasonable attorney's fees and
28 costs.

