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3 IN THE CIRCUIT COURT FOR THE STATE OF OREGON
4 FOR MULTNOMAH COUNTY
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8 **LANORA VASQUEZ**

9 Plaintiff

10 vs

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12 **CITY OF PORTLAND**

13 Defendant
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Case No.

**CIVIL RIGHTS
COMPLAINT**

Nuisance; Negligence;
Declaratory Relief

Amount in Controversy: \$10,000
Filing Fee Authority: ORS 21.160(1)(a)
Not Subject to Mandatory Arbitration

Jury Trial Requested

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18 **FACTUAL ALLEGATIONS**

19 Tear gas is a chemical weapon of war known to cause pain and discomfort and
20 distress. People exposed to tear gas experience burning of the eyes and skin and
21 throat. People exposed to tear gas become more susceptible to viruses and
22 respiratory illnesses. Women exposed to tear gas experience abnormal menstrual
23 cycles including periods that last for weeks and unusual spotting and cramping.
24 Transgender men exposed to tear gas experience periods, despite taking hormones
25 intended to limit menstruation. Scientists are still researching the long-term effects
26 of tear gas on fertility.
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3 Beginning around June 24, 2020, Ms. Vasquez began noticing significant
4 changes in her menstrual cycle. Around that same time, the City of Portland had
5 been regularly firing off tear gas canisters outside Ms. Vasquez's residence at 1205
6 SE Morrison Street. The City of Portland's tear gas caused Ms. Vasquez injury
7 including pain and severe spotting and cramps and discomfort and distress and
8 interference with her life activities. Based on the severity of these issues, Ms.
9 Vasquez was forced to move from her home.
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13 **CLAIMS FOR RELIEF**

14 **Claim One – Nuisance**

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16 Tear gas is a chemical weapon of war. By regularly firing off tear gas canisters
17 in Ms. Vasquez's highly populated residential area, the City of Portland engaged in
18 an abnormally dangerous activity, creating a nuisance, and interfering with Ms.
19 Vasquez's ability to safely use and enjoy her home, and causing her special damage
20 over and above the ordinary damage caused to the public at large, including pain
21 and severe spotting and cramps and discomfort and distress and interference with
22 her life activities. Accordingly, Ms. Vasquez seeks fair compensation for her harm in
23 an amount determined by the jury to be reasonable, from \$1.00 up to \$10,000.00.
24 Ms. Vasquez also requests costs and disbursements, and maximum interest, and
25 attorney fees under ORS 20.080.
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3 **Claim Two – Negligence**

4 By regularly firing off tear gas canisters in Ms. Vasquez’s highly populated
5 residential area, the City of Portland created an unnecessary and unreasonable risk
6 of harm to Ms. Vasquez, and to other people who had homes in the area. It was
7 foreseeable that Ms. Vasquez would be injured in the way that she alleges in this
8 complaint. Despite knowledge of the risk of injury, and the foreseeability of the
9 injury, the City of Portland breached its duty owed to Ms. Vasquez, causing her pain
10 and severe spotting and cramps and discomfort and distress and interference with
11 her life activities. Accordingly, Ms. Vasquez seeks fair compensation for her harm in
12 an amount determined by the jury to be reasonable, from \$1.00 up to \$10,000.00.
13 Ms. Vasquez also requests a judgment that the City of Portland was negligent as
14 alleged in this complaint in one or more regards, costs and disbursements, and
15 maximum interest, and attorney fees under ORS 20.080.
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21 Ms. Vasquez provided the City of Portland a written demand for the payment
22 of this claim not less than 30 days before filing this case and otherwise complied with
23 ORS 20.080. Prior to filing this case, Ms. Vasquez provided timely notice of her claim
24 to the City of Portland under ORS 30.275.
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27 **REQUEST FOR JURY TRIAL**

28 Ms. Vasquez respectfully requests a trial by a jury.

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PRAYER FOR RELIEF

Ms. Vasquez respectfully requests relief as sought in this complaint, and any other relief the Court may deem appropriate.

December 4, 2021

RESPECTFULLY FILED,

/s/ Michael Fuller

Michael Fuller, OSB No. 09357

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