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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **FOR THE COUNTY OF LOS ANGELES**  
16 **CENTRAL DIVISION**

17 INGO RADEMACHER, an individual,  
18 Plaintiff,

19 vs.

20 AMERICAN BROADCASTING  
21 COMPANIES, INC., a Delaware  
22 corporation; and DOES 1 through 10,  
23 inclusive,

24 Defendants.

**COMPLAINT FOR VIOLATION OF CIVIL  
RIGHTS**

**JURY TRIAL REQUESTED**

1 Plaintiff Ingo Rademacher alleges as follows:

2 **INTRODUCTION**

3 1. In early 2020, the world discovered a novel coronavirus, Covid-19. Governments  
4 responded with the most draconian restrictions in modern history. They closed schools and shut  
5 down industries. They banned travel and prosecuted churches. They decided which activities were  
6 “essential” and which weren’t.

7 2. Over time, life started returning to normal, as everybody expected. In the meantime,  
8 several experimental shots were developed to help limit the effects of Covid-19. The shots,  
9 developed under the Trump Administration, were so controversial that many Democratic politicians  
10 would not commit to taking them. They also promised not to force them on the American people.  
11 That was no surprise, as America has not seen broad vaccine mandates for adults since the early  
12 twentieth century, when infectious diseases were the world’s leading cause of death.

13 3. But the vaccine debate became increasingly politicized during 2021. Although it was  
14 never clear that the shots were doing anything—federal officials admitted that vaccinated people  
15 could still contract and transmit Covid-19—some politicians decided that the pandemic would not  
16 end until every American got the shot. To that end, new president Joe Biden expressed frustration  
17 that more people were not getting the shots and many large corporations, wishing to please the  
18 administration, decided to start forcing the shots on their workers.

19 4. The media has been among the most aggressive in mandating the Covid-19 shots for  
20 its employees. To that end, during the summer of 2021, Defendant American Broadcasting  
21 Companies, Inc. (“ABC”), a wholly owned subsidiary of The Walt Disney Company, ordered that  
22 anybody working on a television show it produced would have to get the Covid-19 shot (the “Covid  
23 Vaccine Mandate”).

24 5. Mr. Rademacher is an actor. He has been part of the cast of the ABC-produced soap  
25 opera *General Hospital* for 25 years. He requested a religious exemption to the Covid Vaccine  
26 Mandate. Although ABC said it would grant exemptions for sincerely held religious objections to  
27 the Covid-19 shots, it refused to accept Mr. Rademacher’s request. It subjected him to half an hour  
28 of cross-examination about his religious beliefs and then denied his exemption request, without

1 explanation.

2 6. ABC's actions are blatantly unlawful. ABC does not have the authority to force a  
3 medical treatment on its employees against their will. Even if it did, it must offer religious  
4 exemptions to the forced treatment to anybody who requests one. It cannot discriminate among  
5 religions and cannot second-guess the sincerity of one's religious beliefs. Those actions constitute  
6 religious discrimination and violate Mr. Rademacher's rights under state and federal law.

7 7. Furthermore, like all Californians, Mr. Rademacher has a right to bodily integrity and  
8 a right to refuse medical treatment, both of which the Covid Vaccine Mandate violates. He also has a  
9 right to informational privacy. ABC violated those rights by forcing Mr. Rademacher to disclose his  
10 personal medical information to continue working on *General Hospital*.

11 8. Mr. Rademacher brings this action to hold ABC accountable for its unlawful  
12 discrimination and invasion of Mr. Rademacher's privacy rights.

13 **PARTIES, JURISDICTION AND VENUE**

14 9. Plaintiff Ingo Rademacher is an individual who resides in Los Angeles County.

15 10. Defendant ABC is a corporation formed under the laws of the State of Delaware. Its  
16 principal place of business is in Burbank, within Los Angeles County.

17 11. Defendant DOES 1 through 10 are individuals who at all relevant times were  
18 officials, agents or employees of ABC and who bear some responsibility for the actions alleged in  
19 this Complaint. Their identities are not yet known and thus they are sued fictitiously but Mr.  
20 Rademacher will amend the Complaint after he discovers them.

21 12. Venue exists in Los Angeles County under sections 393(b) and 394(a) of the Code of  
22 Civil Procedure because the parties both reside here and because the mandate's effects will be felt  
23 here.

24 **FACTUAL ALLEGATIONS**

25 13. In early 2020, health officials discovered a novel coronavirus circulating in Wuhan,  
26 China. They named the virus "Covid-19."

27 14. Though nobody knew it at the time, the Covid-19 pandemic would lead to the greatest  
28 restrictions on liberty in American history. Many of the restrictions started in California, including

1 the first statewide “lockdown” and unprecedented mass closures of businesses and criminalization of  
2 ordinary activities that unelected health officials deemed too dangerous.

3 15. During 2020, at the urging of then President Donald Trump, several pharmaceutical  
4 companies began developing experimental treatments to mitigate the effects of Covid-19 and,  
5 potentially, reduce its spread. Although these treatments were called “vaccines” they do not meet the  
6 definition of a vaccine under federal law. They are experimental gene modification therapies,  
7 something more akin to a medical treatment than a vaccine.

8 16. The Covid-19 shots were so controversial that then presidential candidate Joe Biden  
9 would not commit to receiving one. Then vice presidential candidate Kamala Harris said she would  
10 not take them. Governor Gavin Newsom also questioned the treatments, saying he did not trust the  
11 Trump Administration and would review the treatments independently.

12 17. Then Mr. Biden won the presidency and the tune changed. Still, President-elect Biden  
13 said he would not mandate that Americans get the Covid shots, three of which—developed by  
14 Pfizer, Moderna and Johnson & Johnson—had been approved for emergency use by the FDA.

15 18. By the summer of 2021, tens of millions of Americans had chosen to take the Covid-  
16 19 therapies, including more than half of adults in California. They did so by choice not by coercion.  
17 But Covid-19 had not disappeared. That should not have surprised anyone. Public health officials  
18 have repeatedly said that eliminating a respiratory virus is impossible once it begins spreading in the  
19 community. According to one prominent epidemiologist, speaking to *Nature* magazine: “Eradicating  
20 this virus right now from the world is a lot like trying to plan the construction of a stepping-stone  
21 pathway to the Moon. It’s unrealistic.”

22 19. Thus, anyone can still contract and spread the Covid-19 virus. Like the flu, Covid-19  
23 is becoming endemic. The world will have to learn to live with it—as we live with many other  
24 pathogens.

25 20. That includes people who have received one of the Covid-19 shots. Although the  
26 shots have been declared a miracle by many, the Department of Health and Human Services’ Centers  
27 for Medicare and Medicaid Services recently admitted that “the duration of vaccine effectiveness in  
28 preventing COVID-19, reducing disease severity, reducing the risk of death, and the effectiveness of

1 the vaccine to prevent disease transmission by those vaccinated are not currently known.”

2 21. Despite this evidence, many American politicians and business leaders have decided  
3 that injecting everybody with one of the Covid-19 shots is the only way to end the pandemic.

4 22. To that end, during the summer of 2021, ABC decided that anybody who works on a  
5 television show it produces would have to get one of the Covid-19 shots or would be fired. The  
6 mandate was unprecedented. ABC has never required that actors get a vaccine to shoot a tv show. It  
7 never even inquired about such private medical information, believing (correctly) that California  
8 prohibits employers from conditioning employment on medical conformity.

9 23. ABC said it would respect an individual’s sincere religious objection to the Covid  
10 Vaccine Mandate. Therefore, on October 11, 2021, Mr. Rademacher submitted a written request for  
11 a religious exemption. A true and correct copy of it is attached hereto as **Exhibit “A.”**

12 24. Rather than accept Mr. Rademacher’s request for a religious exemption, ABC  
13 scheduled an interview between Mr. Rademacher and an ABC employee to discuss his request.  
14 Although ABC described the interview as an “interactive process” and denied Mr. Rademacher’s  
15 request to have an attorney attend the meeting, the interview was conducted by a lawyer who works  
16 for Disney/ABC human relations and was more akin to cross-examination designed to elicit  
17 information that ABC could use to deny the request for an exemption.

18 25. On November 5, ABC officially denied Mr. Rademacher’s request for a religious  
19 exemption and terminated his contract to perform on *General Hospital*.

20 26. These actions were unlawful. Once ABC decided to recognize exemptions to its  
21 vaccine mandate, it had to honor all of them. Questioning the sincerity of one’s religious beliefs in  
22 order to deny a request for an exemption to the Covid Vaccine Mandate constitutes religious  
23 discrimination and violates federal and state civil rights laws.

24 27. This should not be a political issue. There is no need for everybody to get the Covid-  
25 19 shot, even if the President demands it. Furthermore, Mr. Rademacher has a right to privacy and a  
26 right to object to compulsory medical treatment based on his sincere religious beliefs. Lawsuits  
27 decided a hundred years ago do not change that.

28 28. It is time for a court to apply the law evenhandedly, to recognize that human rights

1 have evolved since the early twentieth century and that medicine has improved so much that forced  
2 medical treatments are no longer necessary or appropriate to protect public health. Moreover, the  
3 government should not be in the business of cross-examining people about their religious beliefs.  
4 ABC should know that. It could have refused all requests for religious or medical exemptions. It  
5 declined. Having chosen to recognize some exemptions, ABC must recognize any good faith request  
6 for an exemption.

7 29. Mr. Rademacher brings this action to protect those rights and to seek damages for  
8 ABC's unlawful discrimination against his religious beliefs. He applied for right to sue letters from  
9 the federal and state governments and will amend this Complaint to allege workplace discrimination  
10 claims once he obtains permission to bring those claims.

11 **FIRST CAUSE OF ACTION**

12 **(Violation of Article I Section 1 of the Cal. Constitution against all Defendants)**

13 30. Mr. Rademacher incorporates the preceding paragraphs of this Complaint as though  
14 set forth fully herein.

15 31. Mr. Rademacher has a contract with ABC and thus is subject to the Covid Vaccine  
16 Mandate. Mr. Rademacher objects to the forced medical treatment and objects to being compelled to  
17 turn over his private medical information to ABC as a condition of his employment.

18 32. Individuals have a right to privacy under the California Constitution. This state law  
19 privacy right, which was added by voters in 1972, is far broader than the right to privacy that exists  
20 under the federal Constitution. It is the broadest privacy right in America and has been interpreted by  
21 the California Supreme Court to protect both an individual's right to informational privacy and an  
22 individual's right to bodily integrity.

23 33. The California Supreme Court has confirmed that this state constitutional right to  
24 privacy can be enforced both against the government and against private parties like ABC.

25 34. Mr. Rademacher has a legally protected privacy interest in his bodily integrity and  
26 private medical information. His expectation of privacy is reasonable. Although ABC is a private  
27 party, it employed Mr. Rademacher for nearly 25 years. And it is not the only entertainment  
28 company that has adopted a Covid vaccine mandate. Like many companies, ABC instituted the

1 mandate because the government said it wants universal (or close to universal) vaccination. Thus,  
2 Mr. Rademacher's most effective remedy is to bring this action.

3 35. ABC's Covid-19 vaccine mandate constitutes a serious invasion of those privacy  
4 rights, as alleged above.

5 36. Although ABC may argue that the vaccine mandate serves a compelling interest,  
6 there are feasible and effective alternatives that have a lesser impact on privacy interests. Indeed, the  
7 mandate is irrational, as there is no evidence that the Covid-19 shot prevents people from contracting  
8 or transmitting the virus, period, much less on a television set where the risk of transmission can be  
9 controlled (and, indeed, has been controlled during the past year and a half).

10 37. As a result of ABC's actions, Mr. Rademacher's contract was terminated, as alleged  
11 above. He has suffered damages to be proven at trial but which exceed \$25,000.

12 38. This action serves the public interest, justifying an award of attorneys' fees under  
13 section 1021.5 of the California Code of Civil Procedure.

14 **PRAYER FOR RELIEF**

15 Wherefore, Mr. Rademacher prays for relief as follows:

- 16 1. For an order declaring ABC's Covid-19 vaccine mandate unconstitutional;  
17 2. For compensatory damages in an amount to be proven at trial;  
18 3. For costs and attorneys' fees under section 1021.5 of the California Code of Civil  
19 Procedure; and  
20 4. For such other relief that the Court determines is just and proper.

21 Dated: December 13, 2021

JW HOWARD/ ATTORNEYS, LTD.

22 By:

23 

24 John W. Howard  
25 Scott J. Street  
26 Attorneys for Plaintiff Ingo Rademacher

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**JURY TRIAL DEMAND**

Mr. Rademacher demands a trial by jury on all claims for which it is available.

Dated: December 13, 2021

JW HOWARD/ ATTORNEYS, LTD.

By:



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John W. Howard  
Scott J. Street  
Attorneys for Plaintiff Ingo Rademacher



UPD Deadline

**EXHIBIT “A”**

From: Ingo Rademacher <falko1@mac.com>  
Subject: Religious exemption from COVID-19 vaccination  
Date: October 11, 2021 at 9:14:17 AM PDT  
To: DGE.Employee.Accommodation.Requests@disney.com

To whom it may concern,

My name is Ingo Rademacher and I am a contract player/Actor on the ABC daytime drama series "General Hospital" portraying the character of Jasper Jacks "Jax"

I am entitled to a religious exemption against mandatory vaccination for Covid-19 on the basis of my deeply and sincerely held moral belief that my body is endowed by my creator with natural processes to protect me and that its natural integrity cannot ethically be violated by the administration of artificially created copies of genetic material, foreign to nature and experimental. This moral objection is in keeping with my rights of conscience articulated by the United States Supreme Court in *Welsh v. U.S.* (1970) 398 U.S. 333, 339–340.

Discrimination against me on the basis of my religious values and rights of conscience is contrary to law and the Civil Rights Act. Disparate treatment of me on this basis is not permitted under State and federal law.

Kind Regards,

Ingo Rademacher

Please confirm receipt of this email.