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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BRAD DACUS,

Plaintiff,

v.

SOUTHWEST AIRLINES COMPANY;
DOES 1-10, INCLUSIVE,

Defendants.

Case No. 8:26-cv-00478-MRA-DFM

**VERIFIED THIRD AMENDED CIVIL
RIGHTS COMPLAINT FOR DAMAGES
(CAL. CIV. CODE § 51)**

DEMAND FOR JURY TRIAL

THIRD AMENDED COMPLAINT

1. The Plaintiff, Brad Dacus, brings this action against the Southwest Airlines Company (hereinafter referred to as “Southwest”), or “Defendant.” On June 3, 2025, Mr. Dacus sought assistance with printing his boarding pass in order to board Flight No. 3070. Southwest, however, refused to assist Mr. Dacus with obtaining his flight boarding pass because of his religion. Mr. Dacus brings this lawsuit under the Unruh Civil Rights Act. Mr. Dacus seeks declaratory relief, statutory and actual damages, and injunctive relief to prevent future illegal discrimination by Southwest.

INTRODUCTION

2. California's Unruh Civil Rights Act law prohibits businesses from discriminating against anyone because of a protected characteristic, such as disability, national origin, race, religion, or sex. This means businesses cannot, because of someone's protected characteristic, treat that person worse, such as by providing inferior service. If a business is "generally open to the public," it is a business establishment covered by the Unruh Act. "Full and equal access" means a business must make sure everyone has an equal opportunity to use and access its services and facilities.

3. California's Unruh Civil Rights Act law prohibits discrimination that is based on someone's actual protected characteristic, their perceived protected characteristic, or their association with someone with a protected characteristic. Cal. Civ. Code § 51(e)(7).

4. Plaintiff, Brad Dacus is a well-known Christian, the founder of a ministry designed to fight legal battles that ensure Religious Liberty, Parental Rights, and Pro-Life causes throughout America. He has made numerous appearances on a variety of platforms, including FOX News, The Epoch Times, Good Morning America, and Tucker Carlson Tonight. With a reach spanning over 1,000 radio stations, Brad is a regular voice on the "Dacus Report," and delivers a succinct legal commentary, "The Legal Edge"; broadcasted on more than 800 radio stations weekly.

5. Plaintiff, Brad Dacus is a Companion level flier with Southwest airlines, owing to his frequent travel on the airline. He has developed a positive rapport with many Southwest Airlines personnel throughout the country.

6. Mr. Dacus takes a well-known exception to the so-called "PRIDE" celebrations because he believes that they exclude all other groups apart from celebrating "PRIDE" with respect to the LGBTQ agenda. Because of his religious beliefs Mr. Dacus believes that the LGBTQ agenda is sinful and not to be celebrated. Furthermore, Mr. Dacus relies on the Holy Bible for his position on the sinfulness of the LGBTQ beliefs regarding sexuality. He believes that

1 (at a minimum) all persons should be celebrated, without reference to the LGBTQ community. Mr.
2 Dacus seeks, as part of his faith, to communicate his beliefs where ever he goes.

3 7. On June 3, 2025, Mr. Dacus sought assistance with printing his boarding pass in order
4 to board Flight No. 3070. Upon approaching the check-in counter for assistance with printing his
5 boarding pass, Mr. Dacus noticed Southwest's large sign with colorful lettering stating,
6 "Everyone is Welcome Here," alongside a "PRIDE" display. Guided by his sincerely held
7 religious beliefs, as set forth in paragraph 6, and hoping to have a meaningful discussion about his
8 religious beliefs, Mr. Dacus asked the Southwest ticket agent what exactly does the word 'pride'
9 mean and include. To his dismay, the Southwest ticket agent immediately became hostile and
10 refused to print Mr. Dacus's boarding pass. He made a comment to the effect of, "we know who
11 you are...", a reference to the fact that Mr. Dacus is a well-known Christian. When Mr. Dacus
12 requested the assistance of a Southwest manager, he was told by the ticket agent that the manager
13 had refused to assist. After the manager refused, Mr. Dacus asked 4 other Southwest ticket agents
14 to help, but the original ticket agent told them to deny Mr. Dacus help, to which they complied.
15 Ultimately, Southwest refused to assist Mr. Dacus with boarding his flight because of his religion.

16 8. Indeed, one of the 4 other Southwest employees who was told not to assist Mr.
17 Dacus, Nataliya Shirer, had previously welcomed Mr. Dacus, telling him she appreciated what he
18 was doing for the country and giving him a hug. On the day of the incident, prior to the refusal to
19 issue a boarding pass, Ms. Shirer came around the counter to where Mr. Dacus was, hugged him
20 and thanked him for what he does for the country, in front of the ticket agent who then refused to
21 issue Plaintiff a boarding pass. Plaintiff is informed and thereupon believes that Ms. Shirer had
22 previously discussed Mr. Dacus' Christian ministry with the agent herein mentioned as having
23 discriminated against Plaintiff.

24 9. Since the incident, Mr. Dacus never knows if a flight attendant might black-ball
25 him which might lead to an unpleasant or dangerous flight. He feels as if he is no longer part of the
26 Southwest family. After this episode, when flying out of John Wayne airport, he makes a
27 deliberative effort to park 2 terminals away, (parking in section A instead of section C) to avoid
28 dealing with the counter agents. He walks the extra distance to avoid the feeling of hostility. He

1 simply does not want to endure further harassment. When he must use the Terminal C counter, he
2 is very leery to do so and checks to make sure the Southwest agent who abused him is not the only
3 person at the counter.

4 **JURISDICTION AND VENUE**

5 8. Jurisdiction is proper pursuant to 28 U.S.C. § 1332(a) which establishes diversity
6 jurisdiction in U.S. federal courts. It grants federal district courts original jurisdiction over civil
7 disputes if the amount in controversy exceeds \$75,000 (excluding interest and costs) and involves
8 parties from different states or countries. Here Defendant removed the case from California State
9 Court to Federal District Court.

10 **PARTIES**

11 **Plaintiff**

12 9. Plaintiff, Brad Dacus, is and at all times mentioned herein a resident of the County
13 of Orange, State of California. Plaintiff is a devout follower of the Christian faith.

14 **Defendants**

15 10. Upon information and belief, Defendant Southwest Airlines Co. ("Southwest") is a
16 corporation with its principal place of business at 2702 Love Field Drive, Dallas, Texas, and is
17 incorporated in Texas. Southwest engages in substantial business activities in California,
18 including by selling airline tickets to California consumers from its website, and flying in and out
19 of John Wayne Airport, located in Orange County, California.

20 11. The true names and capacities, whether individual, corporate, associate, or otherwise,
21 of DOES 1-10, inclusive are unknown to Plaintiff at the time, who therefore sues said Defendants
22 by such fictitious names. Plaintiff is informed and believes and thereon alleges that each of the
23 fictitiously named Defendants is in some way responsible for, or participated in, or contributed to,
24 the matters and things complained of herein, and is legally responsible in some manner. Plaintiff
25 will seek leave to amend the Complaint when the true names, capacities, and responsibilities have
26 been ascertained.

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STATEMENT OF FACTS

12. On June 3, 2025, Plaintiff attempted to board a flight with Southwest from Santa Ana, California.

13. Plaintiff is a frequent flyer with Southwest, having attained Companion level flier status and has been a consumer of Southwest for over forty (40) years.

14. Plaintiff required assistance with printing his boarding pass for his flight.

15. Upon approaching the Southwest check-in counter to ask for assistance with printing his boarding pass, Plaintiff noticed Southwest's large sign with colorful lettering stating, "Everyone is Welcome Here," alongside a "PRIDE" display.

16. Guided by his sincerely held religious beliefs, as set forth in paragraph 6, and hoping to have a meaningful discussion about his religious beliefs, Mr. Dacus asked the Southwest ticket agent what exactly does the word 'pride' mean and include. To Plaintiff's surprise and dismay, the Southwest ticket agent immediately became hostile and refused to print Plaintiff's boarding pass. Specifically, the ticket agent exclaimed, "I know who you are!" A reference to the fact that Mr. Dacus is a well-known Christian.

17. Shocked by the Southwest ticket agent's response, Plaintiff asked why the ticket agent refused to assist him. Plaintiff also explained to the ticket agent that he was simply inquiring about the airline's stance.

18. When the Southwest ticket agent again refused to assist Plaintiff with obtaining his boarding pass, Plaintiff asked to speak with a manager because he needed his boarding pass printed.

19. The Southwest ticket agent left briefly but returned without a manager.

20. The Southwest ticket agent again refused to provide Plaintiff his boarding pass. Moreover, when Plaintiff sought the aid of nearby ticket agents, the disrespectful agent told them that they could not help.

21. Defendant, by and through its agent, refused to provide Plaintiff his boarding pass, based solely upon Mr. Dacus' sincerely held religious beliefs.

1 22. Plaintiff observed other passengers who did not share Plaintiff's protected class
2 status receive assistance from Southwest employees with printing their boarding passes. Upon
3 information and belief, Southwest, including the ticket agent, intentionally discriminated against
4 Plaintiff by refusing to assist him with obtaining his boarding pass because of Plaintiff's
5 perceived religion and/or his association with the Christian faith.

6 23. Plaintiff is informed and thereupon believes, that the involved ticket agent knew that
7 Plaintiff was a Christian, and was therefore hostile toward him. Thus, Southwest,
8 including the ticket agent, intentionally discriminated against Plaintiff by refusing to
9 assist him with obtaining his boarding pass because of Plaintiff's perceived religion
10 and/or his association with the Christian faith.

11 24. Plaintiff suffered from religious discrimination, embarrassment, and inconvenience,
12 and is concerned that Southwest will continue to engage in such discriminatory acts. Plaintiff
13 fears that he will have a similar distressing experience in the future with Southwest.

14
15 **FIRST CAUSE OF ACTION**

16 **Discrimination under the Unruh Civil Rights Act, Cal. Civ. Code § 51**

17 25. Plaintiff hereby incorporates by reference the foregoing paragraphs, as though fully set
18 forth herein.

19 26. The Unruh Civil Rights Act ("Unruh Act"), California Civil Code section 51 provides
20 that all persons within California "are free and equal, and no matter what their sex, race, color,
21 religion, ancestry, national origin, disability, medical condition, genetic information, marital
22 status, sexual orientation, citizenship, primary language, or immigration status are entitled to the
23 full and equal accommodations, advantages, facilities, privileges, or services in all business
24 establishments of every kind whatsoever."

25 27. The term "religion" includes all aspects of religious belief, observance, and
26 practice.

27 28. The Unruh Civil Rights Act prohibits discrimination that based on someone's actual
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1 protected characteristic, their perceived protected characteristic, or their association with someone
2 with a protected characteristic. Cal. Civ. Code § 51(e)(7). This means that the Act protects against
3 discrimination based on perception, and businesses cannot discriminate against someone simply
4 because he appears to be associated with a protected group.

5 29. Defendant is a “business establishment” within the terms of the Unruh Civil Rights
6 Act.

7 30. At all times relevant to the events described above, the ticket agents and managers for
8 Southwest on June 3, 2025 were employees and/or agents of Southwest.

9 31. Plaintiff was, at all times relevant herein, a devout Christian, and therefore a member
10 of a protected religious class.

11 32. The discriminatory practices described above were carried out: (a) at the direction of
12 and with the consent, encouragement, knowledge, and ratification of the Defendant; (b) under the
13 Defendant’s authority, control, and supervision; and/or (c) within the scope of the employees’
14 employment.

15 33. Defendant is liable for the actions of its agents and employees directly and under the
16 doctrine of respondeat superior.

17 34. Plaintiff has been informed that the involved ticket agent knew that Plaintiff was a
18 Christian, and therefore alleges that Defendant engaged in intentional discrimination
19 based on Plaintiff’s religion in refusing to assist him with printing his boarding pass
20 on June 3, 2025, and deprived Plaintiff of his right to free and equal accommodations,
21 advantages, facilities, privileges, and services in a business establishment regardless of
22 Plaintiff’s religion.

23 35. A substantial motivating reason for Defendant’s conduct was its perception of
24 Plaintiff’s religion.

25 36. The foregoing actions by the defendant violated the Unruh Civil Rights Act, Cal.
26 Civ. Code §51.

27 37. Through the actions described above of its employees, agents and/or representatives,
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Defendant acted intentionally, maliciously, and with willful, callous, wanton, and reckless disregard for plaintiff's statutorily protected rights.

PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF respectfully prays this Court grant relief as follows:

A. Declare that the actions of defendant described above constituted discrimination on the basis of religion in violation of the Unruh Civil Rights Act;

B. Enter a permanent injunction prohibiting the Defendant and its directors, officers, agents, and employees from engaging in the illegal discriminatory conduct described herein, and requiring defendant and its directors, officers, agents, and employees to take all steps necessary to remedy the effects of such conduct and prevent similar occurrences in the future;

C. Award Plaintiff statutory damages in an amount to be determined at trial;

D. Award Plaintiff actual damages in an amount to be determined at trial;

E. Award Plaintiff punitive damages in an amount to be determined at trial that would punish defendant for its intentional, malicious, willful, callous, wanton, and reckless disregard for Plaintiff's rights that would effectively deter Defendant from engaging in similar conduct in the future;

F. Award Plaintiff reasonable attorneys' fees and the costs incurred in this action; and

G. Grant Plaintiff such additional or alternative relief as the Court deems just and proper.

Dated: June 8, 2026

/s/ Michael J. Pepper

Michael J. Pepper

Nilab O. Sharif

Pacific Justice Institute

Attorneys for Plaintiff, Brad Dacus

DEMAND FOR JURY TRIAL

Plaintiff, BRAD DACUS, demands a jury trial on all causes of action and claims to which he has a right to a jury trial.

/s/ Michael J. Pepper
Michael J. Pepper
Pacific Justice Institute
Attorneys for Plaintiff, BRAD DACUS

VERIFICATION

I, Brad Dacus, am the Plaintiff in the above-captioned matter. I have read the VERIFIED FIRST AMENDED CIVIL RIGHTS COMPLAINT and am familiar with same. The contents are true and accurate and known to me by personal knowledge except for those matters asserted on information and belief. As to those matters, I believe them to be true. I declare under penalty of lying under oath, under the laws of the United States and the State of California, that the foregoing is true and correct. Executed this 8th day of June 2026, in the County of Orange, State of California.

/s/Brad Dacus
Brad Dacus