



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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Judge Finds Cheetahs Engaged in Pattern of Illegal Activity *Upholds revocation of nude club's business permit for violations of no-touching rules*

A Superior Court judge today upheld the City's revocation of the nude entertainment business permit of Cheetahs Gentlemen's Club, citing a pattern of illegal activity over many years at the Kearney Mesa strip club.

The ruling by Judge Randa Trapp sets the stage for Cheetahs going out of business once a possible appeal is resolved.

In her ruling, Judge Trapp found that Cheetahs employees engaged in "numerous and continuing violations of the six-foot, no-touch and no-fondling rules," even after Cheetahs management was aware that further violations could result in loss of the business license.

"No evidence was presented by Cheetahs that the violations did not occur," Judge Trapp noted.

Judge Trapp also found that:

- Cheetahs failed to adequately supervise and discipline its employees. "There was evidence tending to show an incentive to ignore violations as the entertainers paid a portion of their tips to the staff," Judge Trapp wrote.
- The City did not abuse its discretion in revoking the permit. "The revocation was issued after numerous notices of violations for almost two years. Any discretion used here was the discretion to hold off on the revocation for as long as respondent (the City) did, given the continuing violations," Judge Trapp wrote.
- The record contains no evidence of retaliation for a lawsuit filed against the San Diego Police Department by Cheetahs entertainers. The violations that led to the revocation were being documented, and Cheetahs had been put on notice, long before the suit was filed. Violations by Cheetahs go back a decade. Cheetahs had its license suspended twice before in, 2006 and 2012. "Other than the timing, there is no evidence to show the revocation was in retaliation of the lawsuit," Judge Trapp wrote.

City Attorney Jan Goldsmith and Police Chief Shelley Zimmerman praised the ruling.

"Judge Trapp decided this case on the law and facts, which is something judges are supposed to do," Goldsmith said. "Too many lawyers and pundits argue hype, which good judges ignore."

"This confirms our officers conducted legal, proper and justified inspections," Chief Zimmerman said. "The Police Department has a duty to inspect police regulated businesses, including Cheetahs, and to enforce the Municipal Code, and we will continue to do so for the welfare of our public. The purpose of these regulations is to prevent prostitution, lewd acts, money laundering, organized crime, and the deterioration of our neighborhoods. I am proud of the work our Police Department does every day to help keep San Diego one of the safest cities in the United States."

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