

D33 Charles Palmer

**PETERS LAW GROUP, APC**

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Attorneys for Plaintiff

SENTHIL NADARAJAH

**FILED**  
Los Angeles Superior Court

OCT 25 2012

John A. Clarke, Executive Officer/Clerk  
By SHAUNYA WESLEY, Deputy

6037  
9002

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

**BC 494573**

SENTHIL NADARAJAH, an individual,

CASE NO.

Plaintiff,

**COMPLAINT FOR DAMAGES FOR:**

vs.

SOUTHERN CALIFORNIA  
PERMANENTE MEDICAL GROUP, a  
California partnership; KAISER  
FOUNDATION HEALTH PLAN, INC.,  
a California corporation; KAISER  
FOUNDATION HOSPITALS, a  
California corporation; and DOES 1  
through 20, inclusive,

Defendants.

1. Violation of California Business and Professions Code § 2056;
2. Violation of California Labor Code § 6310;
3. Violation of California Labor Code § 232.5;
4. Wrongful Termination;
5. Unpaid Wages;
6. Unfair Business Practices; and
7. Civil Penalties under the Private Attorney General Act.

**JURY TRIAL DEMANDED**

Plaintiff, Senthil Nadarajah ("Plaintiff") complains and alleges as follows:

**PRELIMINARY ALLEGATIONS**

1. The amount in controversy exceeds the sum of twenty-five thousand dollars (\$25,000), exclusive of interest and costs.
2. Plaintiff at all relevant times mentioned herein was a California resident residing in Los Angeles County.

CIT/CASE: HC494573 LEA/TEFN:  
RECEIPT #: CCH665980011  
DATE PAID: 10/26/12 08:47:39 AM  
PAYMENT: \$435.00  
RECEIVED:  
CHECK: 435.00  
CASH:  
CHANGE:  
CARD:

1           3.     Plaintiff is informed, believes, and thereon alleges, that Defendant Southern  
2 California Permanente Group ("SCPMG") is a California partnership headquartered and  
3 operating in the state of California, County of Los Angeles.

4           4.     Plaintiff is informed, believes, and thereon alleges, that Defendants Kaiser  
5 Foundation Health Plan, Inc. and Kaiser Foundation Hospitals are California corporations  
6 headquartered and operating in the state of California, County of Los Angeles.

7           5.     Plaintiff is informed, believes, and thereon alleges, that Defendants, and each and  
8 all of them, at all relevant times hereinafter mentioned were the agents, employees, servants, joint  
9 venturers, parent companies, successor companies, directors, fiduciaries, representatives, and/or  
10 co-conspirators of each of the remaining defendants (collectively, "Defendants"). Defendants, in  
11 doing the things hereinafter alleged, were acting within the course and scope of such relationship  
12 (unless otherwise alleged) and were responsible in some manner for the occurrences herein  
13 alleged and, are a proximate cause of Plaintiff's damages as herein alleged.

14           6.     The true names and capacities of DOES 1 through 20 inclusive, whether  
15 individual, corporate, associate are otherwise unknown to Plaintiff who therefore sues such  
16 defendants by such fictitious names pursuant to California Code of Civil Procedure section 474.  
17 Plaintiff is informed and believes, and thereon alleges that the DOE Defendants are California  
18 residents. Plaintiff will amend this complaint to show their true names and capacities when they  
19 have been ascertained.

20           7.     Plaintiff is informed and believes, and thereon alleges, that each of the defendants  
21 designated herein by a fictitious name is negligently, intentionally, or otherwise responsible in  
22 some manner for the events and happenings herein referred to, and negligently, intentionally, or  
23 otherwise caused the injuries and damages to Plaintiff as hereinafter alleged.

24                               **GENERAL ALLEGATIONS**

25           8.     Plaintiff worked for Defendant for approximately four years as a physician before  
26 being terminated in May 2012.

27           9.     Plaintiff was repeatedly recognized as being an excellent medical practitioner and  
28 commended on his work performance throughout his employment.

10. During the his employment, Plaintiff made several complaints about the care being given at his hospital, including many mistakes made by other physicians that caused injuries and even death to patients where the physicians who made the mistakes were not counseled or reprimanded in any way for their actions.

11. Plaintiff feared for the safety of patients who came to his hospital for treatment and demanded that something be done about the repeated negligence of some of the physicians.

12. Plaintiff also complained about having to work extremely long shifts overnight, warning them that he feared for the quality of care he himself and others were delivering due to their fatigue and exhaustion.

13. Instead of thanking Plaintiff for bringing the matters to their attention, management reprimanded Plaintiff for his complaints.

14. In his last performance review, Plaintiff received a perfect score, but his supervisor concluded the review by stating “Dr. Nadarajah is a very strong clinician. Due to a multitude of issues not related to the quality of his medical care, he will not be brought forward to partnership with SCPMG”.

15. The only notable criticism Plaintiff ever received during his employment from Defendant was in retaliation for making the very same complaints about patient care outlined herein.

16. Defendant refused to make Plaintiff a partner and terminated Plaintiff's employment in May 2012.

### FIRST CAUSE OF ACTION

***Violation of California Business and Professions Code § 2056***

(California Business and Professions Code § 2056)

[As Against All Defendants]

17. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1-16, inclusive, and incorporates the same by reference as though fully set forth herein.

18. The complaints Plaintiff made regarding patient care were protected under California Business and Professions Code § 2056.

19. Plaintiff is informed, believes, and thereon alleges that he was terminated, at least

1 in part, in retaliation for having made his protected complaints.

2 20. As a proximate result of Defendants' actions, Plaintiff has suffered, and continues  
3 to suffer losses of earnings, and other benefits of employment, all to Plaintiff's damage in an  
4 amount according to proof at trial.

5 21. As a further, proximate result of Defendants' actions, Plaintiff has suffered, and  
6 continues to suffer, severe emotional distress and lasting humiliation, embarrassment, and mental  
7 anguish, and other incidental and consequential damages and expenses, all to Plaintiff's damage  
8 in an amount according to proof at trial.

9 22. Plaintiff is informed and believes, and thereon alleges, that Defendants committed  
10 the acts described herein deliberately, callously, maliciously, fraudulently and in an oppressive  
11 manner intended to injure Plaintiff, with an improper and evil motive amounting to malice and  
12 spite caused by Defendants' animosity, bias, and hatred of Plaintiff, and was done in conscious  
13 disregard of Plaintiff's rights.

14 **SECOND CAUSE OF ACTION**  
15 ***Violations of California Labor Code § 6310***  
16 **(California Labor Code § 6310)**  
**[As Against All Defendants]**

17 23. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1-  
18 16, inclusive, and incorporates the same by reference as though fully set forth herein.

19 24. Plaintiff's complaints about health and safety conditions were protected under  
20 California Labor Code § 6310.

21 25. Plaintiff is informed, believes, and thereon alleges that he was terminated, at least  
22 in part, in retaliation for his protected complaints.

23 26. As a proximate result of Defendants' actions, Plaintiff has suffered, and continues  
24 to suffer losses of earnings, and other benefits of employment, all to Plaintiff's damage in an  
25 amount according to proof at trial.

26 27. As a further, proximate result of Defendants' actions, Plaintiff has suffered, and  
27 continues to suffer, severe emotional distress and lasting humiliation, embarrassment, and mental  
28 anguish, and other incidental and consequential damages and expenses, all to Plaintiff's damage

1 in an amount according to proof at trial.

2 28. Plaintiff is informed and believes, and thereon alleges, that Defendants committed  
3 the acts described herein deliberately, callously, maliciously, fraudulently and in an oppressive  
4 manner intended to injure Plaintiff, with an improper and evil motive amounting to malice and  
5 spite caused by Defendants' animosity, bias, and hatred of Plaintiff, and was done in conscious  
6 disregard of Plaintiff's rights.

7  
8 **THIRD CAUSE OF ACTION**  
9 ***Violations of California Labor Code § 232.5***  
10 **(California Labor Code § 232.5)**  
11 **[As Against All Defendants]**

12 29. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1-  
13 16, inclusive, and incorporates the same by reference as though fully set forth herein.

14 30. Plaintiff's complaints about workplace conditions were protected under California  
15 Labor Code § 232.5.

16 31. Plaintiff is informed, believes, and thereon alleges that he was terminated, at least  
17 in part, in retaliation for his protected complaints.

18 32. As a proximate result of Defendants' actions, Plaintiff has suffered, and continues  
19 to suffer losses of earnings, and other benefits of employment, all to Plaintiff's damage in an  
20 amount according to proof at trial.

21 33. As a further, proximate result of Defendants' actions, Plaintiff has suffered, and  
22 continues to suffer, severe emotional distress and lasting humiliation, embarrassment, and mental  
23 anguish, and other incidental and consequential damages and expenses, all to Plaintiff's damage  
24 in an amount according to proof at trial.

25 34. Plaintiff is informed and believes, and thereon alleges, that Defendants committed  
26 the acts described herein deliberately, callously, maliciously, fraudulently and in an oppressive  
27 manner intended to injure Plaintiff, with an improper and evil motive amounting to malice and  
28 spite caused by Defendants' animosity, bias, and hatred of Plaintiff, and was done in conscious  
disregard of Plaintiff's rights.

///

**FOURTH CAUSE OF ACTION**

**Wrongful Termination**

**[As Against All Defendants]**

35. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1-34, inclusive, and incorporates the same by reference as though fully set forth herein.

36. As a California employee, Plaintiff was protected by the fundamental, basic, and substantial public policies found in the California Business and Professions Code § 2056 and California Labor Code §§ 232.5 and 6310.

37. Plaintiff is informed, believes, and thereon alleges that motivating factors in Defendant's termination of Plaintiff were in violation of these enumerated public policies.

38. As a proximate result of Defendant's actions, Plaintiff has suffered, and continues to suffer losses of earnings, and other benefits of employment, all to Plaintiff's damage in an amount according to proof at trial.

39. As a further, proximate result of Defendant's actions, Plaintiff has suffered, and continues to suffer, severe emotional distress and lasting humiliation, embarrassment, and mental anguish, and other incidental and consequential damages and expenses, all to Plaintiff's damage in an amount according to proof at trial.

40. Plaintiff is informed and believes, and thereon alleges, that Defendant committed the acts described herein deliberately, callously, maliciously, fraudulently and in an oppressive manner intended to injure Plaintiff, with an improper and evil motive amounting to malice and spite caused by Defendants' animosity, bias, and hatred of Plaintiff, and was done in conscious disregard of Plaintiff's rights.

**FIFTH CAUSE OF ACTION**

**Unpaid Wages**

(California Labor Code §§ 201-203)

**[As Against All Defendants]**

41. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1-16, inclusive, and incorporates the same by reference as though fully set forth herein.

42. Plaintiff was entitled to receive 20% premium pay for all hours worked over a certain amount each week.

1 43. However, Plaintiff was not paid 20% premium pay for all hours worked over a  
2 certain amount each week.

3 44. In addition to his unpaid wages, Plaintiff is entitled to recover "waiting time"  
4 penalties under Labor Code § 203 as a penalty for Defendant's failure to pay him his earned  
5 wages immediately upon termination.

6 **SIXTH CAUSE OF ACTION**

7 **Unfair Business Practices**

8 (California Business and Professions Code § 17200, *et. al.*)

9 [As Against All Defendants]

10 45. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1-  
11 44, inclusive, and incorporates the same by reference as though fully set forth herein.

12 46. Plaintiff is informed and believes, and thereon alleges that Defendants committed  
13 acts of unfair competition, as defined by Business and Professions Code § 17200.

14 47. Defendants' conduct violates the above-cited statutes and therefore constitutes  
15 unlawful business acts or practices within the meaning of Business and Professions Code §  
16 17200.

17 48. Defendants' unlawful and fraudulent business acts and practices present a  
18 continuing threat to fair competition. Plaintiff and Defendants' competitors have no other  
19 adequate remedy in law.

20 49. These unlawful, unfair and fraudulent business practices present a continuing  
21 threat to Plaintiff's rights, as a result of Defendants' continued defiance of California law.

22 50. As a direct, foreseeable, and proximate result of Defendants' actions, Defendants  
23 received ill-gotten gains from their conduct and Plaintiff is owed wages because of Defendants'  
24 conduct. Thus, Plaintiff seeks restitution in an amount to be proven at trial.

25 **SEVENTH CAUSE OF ACTION**

26 **Civil Penalties for California Labor Code Violations**

27 (California Labor Code § 2699, *et. seq.*)

28 [As Against All Defendants]

51. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1-

1 28, inclusive, and incorporates the same by reference as though fully set forth herein.

2 52. The conduct outlined above constitute violations of California Labor Code § 6310.

3 53. Plaintiff suffered as a result of Defendant's violation of these statutes.

4 54. Plaintiff seeks to recover civil penalties for all California Labor Code violations in  
5 an amount to be determined at trial.

6 55. Plaintiff also seeks to recover costs and reasonable attorney's fees incurred while  
7 prosecuting this action.

8 56. On July 19, 2012, Plaintiff's counsel sent a letter via certified mail to the Labor  
9 and Workforce Development Agency, notifying them of the above violations pursuant to Labor  
10 Code § 2699.3(a)(1).

11 57. More than 33 calendar days have passed since notice was sent to the Labor and  
12 Workforce Development Agency and Plaintiff has not received any notice that the agency intends  
13 to investigate these violations.

14 58. Plaintiff has exhausted the required administrative remedies under Labor Code §  
15 2699.3(a) to proceed with a claim for civil penalties under the Labor Code Private Attorneys  
16 General Act of 2004.

17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiff demands judgment against Defendants as follows:

19 1. For actual damages, including loss of past and future earnings, bonuses, deferred  
20 compensation, and other employment benefits, in an amount according to proof at trial;

21 2. For consequential and incidental damages and expenses in an amount according to  
22 proof at trial;

23 3. For pre-judgment and post-judgment interest, all at the legal prevailing rate;

24 4. For general and special damages, including but not limited to, emotional distress,  
25 loss of reputation, and medical expenses in an amount according to proof at trial;

26 5. For penalties under California Labor Code § 203;

27 6. For civil penalties pursuant to California Labor Code § 2699, *et. seq.*;

28 7. For punitive damages, in an amount according to proof at trial;



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8. For attorney's fees and costs of suit; and
9. For such other and further relief as the Court may deem just, proper, and equitable.

DATED: October 23, 2012

**PETERS LAW GROUP, APC**

By: 

JAMES J. PETERS  
Attorneys for Plaintiff  
SENTHIL NADARAJAH

Courthouse News Service

1  
2 **JURY TRIAL DEMAND**

3 Plaintiff hereby demands his constitutional right to trial by jury for all triable issues in the  
4 above-entitled action.

5 DATED: October 23, 2012

**PETERS LAW GROUP, APC**

6  
7 By: 

JAMES J. PETERS  
Attorneys for Plaintiff  
SENTHIL NADARAJAH

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): James J. Peters SBN 227842 PO Box 7797 Ventura, CA 93006-7797 TELEPHONE NO.: (805)275-4501 FAX NO.: (866) 483-3326 ATTORNEY FOR (Name): Senthil Nadarajah		FOR COURT USE ONLY <b>FILED</b> Los Angeles Superior Court  OCT 25 2012  John A. Clarke, Executive Officer/Clerk By <u>SHAUNNA WESLEY</u> Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Central			
CASE NAME: Nadarajah v. Southern California Permanente Medical Group			
<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)		<b>Complex Case Designation</b> <input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b> Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: <b>BC494573</b>  JUDGE: DEPT:	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 7
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: October 23, 2012

James J. Peters

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

#### NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

SHORT TITLE:

Nadarajah v. Southern California Permanente Medical Group

CASE NUMBER

BC494573

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 7 ☐ HOURS/ ☒ DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |  |  |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in central (other county, or no bodily injury/property damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.   | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 10. Location of Labor Commissioner Office.                 |

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE:

Nadarajah v. Southern California Permanente Medical Group

CASE NUMBER

BC494573

**CIVIL CASE COVER SHEET-ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 7 ☐ HOURS/ ☒ DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |  |  |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in central (other county, or no bodily injury/property damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.   | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 10. Location of Labor Commissioner Office                  |

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

Auto Tort  
Other Personal Injury/Property Damage/Wrongful Death Tort

<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1., 2., 4.
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: <b>Nadarajah v. Southern California Permanente Medical Group</b>	CASE NUMBER:
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Non-Personal Injury/Property  
Damage/Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input checked="" type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach-Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:

Nadarajah v. Southern California Permanente Medical Group

CASE NUMBER

## Judicial Review

## Provisionally Complex Litigation

## Enforcement of Judgment

## Miscellaneous Civil Complaints

## Miscellaneous Civil Petitions

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: Nadarajah v. Southern California Permanente Medical Group	CASE NUMBER
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**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

<b>REASON:</b> Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.  <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.			ADDRESS: 111 North Hill Street
CITY: Los Angeles	STATE: CA	ZIP CODE: 90012	

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the County courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: October 23, 2012

(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.