

ORIGINAL

FILED
Superior Court of California
County of Los Angeles

AUG 22 2014

Sherril R. Carter, Executive Officer/Clerk
By Shaunya Bolden Deputy

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Attorneys for Plaintiff DIANNA MARSH

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

DIANNA MARSH, an individual,

Plaintiff,

v.

KAISER FOUNDATION HOSPITALS, a
business entity, exact form unknown; KAISER
PERMANENTE SOUTH BAY MEDICAL
CENTER, a business entity, exact form
unknown; and Does 1 through 100, inclusive,

Defendants.

CASE NO.: BC 555548

COMPLAINT FOR DAMAGES:

1. DISCRIMINATION BASED ON RACE/NATIONAL ORIGIN/ETHNICITY, SEXUAL ORIENTATION, AND DISABILITY IN VIOLATION OF FEHA;
2. RETALIATION IN VIOLATION OF FEHA;
3. RETALIATION/ DISCRIMINATION FOR UTILIZING CFRA IN VIOLATION OF FEHA
4. FAILURE TO PREVENT DISCRIMINATION AND RETALIATION IN VIOLATION OF FEHA;
5. TORTUOUS CONSTRUCTIVE TERMINATION IN VIOLATION OF PUBLIC POLICY
6. FAILURE TO PROVIDE MEAL AND REST PERIODS; and
7. FAILURE TO PAY ALL WAGES DUE, INCLUDING STRAIGHT TIME AND OVERTIME

DEMAND FOR JURY TRIAL

COMPLAINT FOR DAMAGES

BY FAX

CIT/CASE: EC555548
LEG/DEF#:

RECEIVED # 1465280031

DATE FILED: 8/22/14 09:52 AM

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\$10

1 Plaintiff DIANNA MARSH alleges as follows:

2 **GENERAL ALLEGATIONS**

3 1. Plaintiff DIANNA MARSH ("Marsh" or "Plaintiff") is an individual who at all times
4 pertinent to this lawsuit was a resident of the County of Los Angeles, State of California. Plaintiff
5 is entitled to the protections of the Fair Employment and Housing Act ("FEHA") because she is
6 gay [sexual orientation], suffered from a disability as alleged below, is Caucasian
7 (race/ethnicity/national origin) and was on FMLA leave all as pled below.

8 2. Plaintiff is informed and believes, and thereon alleges that the Defendant KAISER
9 FOUNDATION HOSPITALS ("KFH") is a business entity, exact form unknown, engaged in
10 engaged in providing medical services to the public.

11 3. Plaintiff is informed and believes, and thereon alleges that the Defendant KAISER
12 PERMANENTE SOUTH BAY MEDICAL CENTER ("KPSBMC") is a business entity, exact
13 form unknown, engaged in providing medical services to the public.

14 4. Plaintiff is informed and believes, and based thereon alleges, that Defendants KFH,
15 KPSBMC, and Does 1-100 are all the alter egos of each other in that there is such a unity of
16 interest between the said Defendants that to uphold the fiction of corporate separateness between
17 the said Defendants would be to sanction an injustice against the Plaintiff and others. Said
18 Defendants acted in all respects pertinent to this action as the agent of each other, and carried out a
19 joint scheme, business plan or policy in all respects pertinent hereto, and the acts of each are
20 legally attributable to the other. Alternatively, on information and belief, the said Defendants share
21 the same shareholders and directors, the same locations, the same offices, and conducting the same
22 business as each other under the same DBA, so that equity requires the said Defendants be liable
23 for the obligations of each other.

24 5. Plaintiff was at all times relevant employed by the Defendants KFH, KPSBMC and Does 1-
25 100. The Defendants KFH, KPSBMC and Does 1-100 will hereinafter be collectively referred to as
26 the "Employer Defendants" or "KAISER".

27 6. Plaintiff was at times, including at the time she was forced to resign/retire, employed by the
28

1 Employer Defendants at their location at 25975 Normandie Avenue, Harbor City, CA 90710
2 (hereinafter "the premises"). All the torts and statutory violations alleged below occurred at the
3 premises.

4 7. The Employer Defendants are California employers who employ more than five people,
5 and are accordingly subject to the provisions of FEHA.

6 8. Defendants Does 1 through 100 are sued under fictitious names pursuant to California Code
7 of Civil Procedure section 474. Plaintiff is informed and believes, and on that basis alleges, that
8 each defendant sued under such fictitious names is in some manner responsible for the wrongs and
9 damages as alleged below, and in so acting was functioning as the agent, servant, manager,
10 supervisor, and/or employee of the Employer Defendants, and in doing the actions mentioned
11 below was acting within the course and scope of his or her authority as such agent, servant.

12 9. Plaintiff was hired by the Employer Defendants in approximately 1998 as a Hospice case
13 manager/nurse. She retained that position until she was forced to quit/retire in September 2013.

14 10. Plaintiff suffered from a physical disability as defined by the Fair Employment and
15 Housing Act ("FEHA") because she had been previously diagnosed with Multiple Sclerosis
16 ("MS"). Plaintiff was diagnosed with MS in 2000. This diagnosis interfered with Plaintiff's major
17 life activities, including but not limited to taking care of herself, engaging in social activities,
18 walking, and working. Plaintiff had a drop foot, secondary to this diagnosis and disability, and was
19 required to wear a special brace.

20 11. Plaintiff would occasionally miss work as a result of the said diagnoses and disability.
21 Plaintiff would take this time as intermittent leave under the California Family Rights Act
22 ("CFRA"). Plaintiff would also periodically receive limitations of not working on call in the
23 evenings or working on weekends. Plaintiff was accommodated until she was moved to the
24 premises in approximately 2010.

25 12. In approximately 2010, Plaintiff was told by Dr. Hayes-Reams that she did not belong at
26 the premises and needed to go back to Downey/Bellflower, that she "did not fit", and that she was
27 not a "team player".

1 13. Commencing in approximately December 2010, Plaintiff was told she would no longer be
2 accommodated and that unless her restrictions or limitations were lifted, she would no longer be
3 employed by the Employer Defendants. As a result, Plaintiff had her doctors lift her restrictions on
4 a trial basis.

5 14. In approximately July 2012, Plaintiff filed a written complaint, alleging race, disability and
6 sexual orientation discrimination, to the Employer Defendants (hereinafter "the 2012 complaint").
7 This was a protected activity.

8 15. Plaintiff, after she engaged in this protected activity, was subjected to retaliation by being
9 suspended for pre textual reasons in January 2013.

10 16. Plaintiff also protested wage and hour violations being engaged in by the Employer
11 Defendants, this was also protected activity. This included, but was not limited to, in July 2013,
12 protesting the fact that employees were being told not to take legally mandated breaks.

13 17. Plaintiff is informed and believes and thereon alleges that this conduct was also undertaken
14 due to Plaintiff's race, disability, and sexual orientation, and for protesting the Employer
15 Defendants' illegal wage policies.

16 18. Plaintiff returned from suspension in approximately February 2013. She was then
17 subjected to further retaliation (for filing the 2012 complaint) and discrimination, by being
18 micromanaged, criticized, written up, suspended again, coerced into dropping her discrimination
19 complaint, being given poor assignments, being given poor geographic assignments, and eventually
20 being forced to quit/retire.

21 19. Plaintiff is informed and believes and thereon alleges that this conduct was also undertaken
22 due to Plaintiff's race, disability, and sexual orientation, and for protesting the Employer
23 Defendants' illegal wage policies.

24 20. Plaintiff then went on a protected leave under the CFRA in March 2013 and she returned in
25 June 2013.

26 21. Plaintiff, when she returned, was subjected to further retaliation and discrimination by
27 being micromanaged, being given geographically undesirable assignments, being unfairly
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1 criticized, being suspended again, and eventually being forced to quit/retire.

2 22. Plaintiff is informed and believes and thereon alleges that this conduct was also undertaken
3 due to Plaintiff's race, disability, and sexual orientation, in retaliation for discrimination for
4 accessing CFRA rights, and for protesting the Employer Defendants' illegal wage policies.

5 23. Plaintiff, in her capacity as a registered nurse, was at all times a nonexempt employee as
6 defined by California law, and the California Labor Code. Plaintiff, as a nonexempt employee,
7 was entitled to all the protections of the Labor Code, including being afforded rest breaks, meal
8 breaks, and being paid overtime when she worked overtime hours.

9 24. Plaintiff, during her employment, was required to work "off the clock" and was not paid
10 either straight time or overtime for this off the clock work. The fact that Plaintiff and others were
11 working off the clock was known to the Employer Defendants. Plaintiff was also not paid
12 overtime for all the hours she worked. Plaintiff was also denied legally required rest breaks.

13 25. Plaintiff has duly and timely exhausted her Administrative Remedies by filing charges with
14 the DFEH and receiving Right to Sue Notice.

15 **FIRST CAUSE OF ACTION**

16 **DISCRIMINATION BASED ON RACE/NATIONAL ORIGIN/ETHNICITY,**

17 **SEXUAL ORIENTATION AND DISABILITY IN VIOLATION OF FEHA**

18 **(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

19 26. Plaintiff incorporates by reference, as though set forth in full herein, each and every
20 allegation contained in Paragraphs 1 through 25, inclusive above.

21 27. Plaintiff is entitled to the protections of the FEHA because she is gay [sexual orientation],
22 suffered from a disability (MS), and is Caucasian [race/ethnicity/national origin].

23 28. Plaintiff is informed and believes that she was repeatedly suspended, was micromanaged,
24 unfairly criticized, written up, suspended again, coerced into dropping her discrimination
25 complaint, given poor assignments, given poor geographic assignments, eventually was forced to
26 quit/retire, and other adverse employment actions taken due to her sexual orientation, disability,
27 and race/ethnicity/national origin.

1 29. Plaintiff is informed and believes and thereon alleges that her sexual orientation, disability,
2 and race/ethnicity/national origin were all substantial motivating factors in the Employer
3 Defendants said adverse employment actions against her.

4 30. The foregoing conduct by the Employer Defendants and each of them constitutes
5 discrimination in violation of Government Code Section 12940(a) and other provisions of FEHA,
6 which preclude an employer from taking adverse employment actions against an employee due to
7 the employee's sexual orientation, disability, and/or their race/ethnicity/national origin.

8 31. As a proximate result of the said discrimination, Plaintiff has suffered mental anguish and
9 emotional suffering past and future in an amount in excess of the minimum jurisdiction of this
10 Court and according to proof.

11 32. As a further proximate result of the said discrimination as afore pled, Plaintiff has suffered
12 a loss of tangible employment benefits past and future including lost wages and fringe benefits in
13 an amount in excess of the minimum jurisdiction of this Court and according to proof.

14 33. As a further and proximate result of the said discrimination as afore pled, Plaintiff was
15 required to and did seek medical attention, and will need medical attention in the future, all to
16 Plaintiff's damages in a sum according to proof.

17 34. As a further proximate result of the Defendant Employers' discrimination as afore pled,
18 Plaintiff was forced to and did retain attorneys, and is accordingly entitled to an award of
19 attorneys' fees and costs according to proof at the time of trial.

20 35. The afore pled conduct constitutes oppression, fraud, and malice thereby entitling Plaintiff
21 to an award of punitive damages. Plaintiff is further informed and believes that the Employer
22 Defendants ratified or authorized the said conduct. Plaintiff is further informed and believes and
23 thereon alleges that said act of oppression, fraud, or malice or act of, ratification or authorization
24 were on the part of a managing agent or owner acting on behalf of the Employer Defendants.

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1 **SECOND CAUSE OF ACTION**

2 **RETALIATION IN VIOLATION OF FEHA**

3 **(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

4 36. Plaintiff incorporates by reference, as though set forth in full herein, each and every
5 allegation contained in Paragraphs 1 through 35, inclusive above.

6 37. In approximately July 2012, Plaintiff filed a written complaint (the 2012 complaint)
7 alleging race, disability and sexual orientation discrimination to the Employer Defendants. This
8 was a protected activity as defined by the FEHA.

9 38. Plaintiff is informed and believes that after she engaged in said protected activity, and
10 others, she was repeatedly suspended, micromanaged, unfairly criticized, written up, suspended
11 again, coerced into dropping her discrimination complaint, given poor assignments, given poor
12 geographic assignments, eventually was forced to quit/retire, and other adverse employment
13 actions in retaliation for engaging in said protected activities.

14 39. The foregoing conduct by the Employer Defendants, and each of them, was in retaliation
15 for Plaintiff protesting violations of the FEHA, and is accordingly a violation of Government Code
16 § 12940(h), and other provisions of the FEHA, which preclude an employer from retaliating
17 against an employee for opposing any practices forbidden under the FEHA.

18 40. As a proximate result of the said violation of FEHA, Plaintiff has suffered mental anguish
19 and emotional suffering in an amount in excess of the minimum jurisdiction of this Court and
20 according to proof.

21 41. As a further proximate result of the said violation of FEHA as afore pled, Plaintiff has
22 suffered a loss of tangible employment benefits including lost wages and fringe benefits in an
23 amount in excess of the minimum jurisdiction of this Court and according to proof.

24 42. As a further and proximate result of the said violation of FEHA as afore pled, Plaintiff was
25 required to and did seek medical attention, and will need medical attention in the future, all to
26 Plaintiff's damages in a sum according to proof.

27 43. As a further proximate result of the Employer Defendants' violation of FEHA as afore pled,
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1 Plaintiff was forced to and did retain attorneys, and is accordingly entitled to an award of
2 attorneys' fees and costs according to proof at the time of trial.

3 44. The afore pled conduct constitutes oppression, fraud, and malice, thereby entitling Plaintiff
4 to an award of punitive damages. Plaintiff is informed and believes and thereon alleges that such
5 conduct was taken by an owner, officer or managing agent of the Employer Defendants, or
6 alternatively, authorized, ratified or approved by an owner, officer or managing agent of the
7 Employer Defendants.

8 **THIRD CAUSE OF ACTION**

9 **RETALIATION/DISCRIMINATION FOR UTILIZING CFRA IN VIOLATION OF FEHA**

10 **(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

11 45. Plaintiff incorporates by reference, as though set forth in full herein, each and every
12 allegation contained in Paragraphs 1 through 44, inclusive above.

13 46. Plaintiff suffered from a physical disability as defined by the FEHA because she had been
14 previously diagnosed with MS. Plaintiff was diagnosed with MS in 2000. This diagnosis
15 interfered with Plaintiff's major life activities, including, but not limited to, taking care of herself,
16 engaging in social activities, walking, and working. Plaintiff had a drop foot, secondary to this
17 diagnosis and disability, and was required to wear a special brace.

18 47. Plaintiff would occasionally miss work as a result of the said diagnoses and disability.
19 Plaintiff would take this time as intermittent leave under the CFRA.

20 48. Plaintiff also went on a protected leave under the CFRA in March 2013 and she returned in
21 June 2013.

22 49. An employer may not retaliate or discriminate against an employee for exercising any right
23 under the CFRA. (Gov.C. §§ 12940(h), 12945.2(l).)

24 50. Plaintiff, when she returned from her CFRA leave, was subjected to retaliation and
25 discrimination for accessing her CFRA rights by being micromanaged, being given geographically
26 undesirable assignments, being unfairly criticized, being suspended again, and eventually being
27 forced to quit/retire.

1 51. Said conduct violates Government Code sections 12940(h) and 12945.2(l) and other
2 provisions of the FEHA.

3 52. As a proximate result of the said violation of CFRA, Plaintiff has suffered mental anguish
4 and emotional suffering in an amount in excess of the minimum jurisdiction of this Court and
5 according to proof.

6 53. As a further proximate result of the said violation of CFRA as afore pled, Plaintiff has
7 suffered a loss of tangible employment benefits including lost wages and fringe benefits in an
8 amount in excess of the minimum jurisdiction of this Court and according to proof.

9 54. As a further and proximate result of the said violation of CFRA as afore pled, Plaintiff was
10 required to and did seek medical attention, and will need medical attention in the future, all to
11 Plaintiff's damages in a sum according to proof.

12 55. As a further proximate result of the Employer Defendants' violation of CFRA as afore pled,
13 Plaintiff was forced to and did retain attorneys, and is accordingly entitled to an award of
14 attorneys' fees and costs according to proof at the time of trial.

15 56. The afore pled conduct constitutes oppression, fraud, and malice, thereby entitling Plaintiff
16 to an award of punitive damages. Plaintiff is informed and believes and thereon alleges that such
17 conduct was taken by an owner, officer or managing agent of the Employer Defendants, or
18 alternatively, authorized, ratified or approved by an owner, officer or managing agent of the
19 Employer Defendants.

20 **FOURTH CAUSE OF ACTION**

21 **FAILURE TO PREVENT DISCRIMINATION AND RETALIATION**

22 **IN VIOLATION OF FEHA**

23 **(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

24 57. Plaintiff incorporates by reference, as though set forth in full herein, each and every
25 allegation contained in Paragraphs 1 through 58, inclusive above.

26 58. Plaintiff is informed and believes that the Employer Defendants failed to take all steps
27 reasonably necessary to prevent discrimination and retaliation from occurring as required by
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1 Government Code §12940(k). Such conduct violated Government Code §12940(k), and allowed
2 Plaintiff to be discriminated and retaliated against, all as afore pled.

3 59. As a proximate result of the said violation of FEHA, Plaintiff has suffered mental anguish
4 and emotional suffering past and future in an amount in excess of the minimum jurisdiction of this
5 Court and according to proof.

6 60. As a further proximate result of the said violation of FEHA as afore pled, Plaintiff has
7 suffered a loss of tangible employment benefits past and future including lost wages and fringe
8 benefits in an amount in excess of the minimum jurisdiction of this Court and according to proof.

9 61. As a further and proximate result of the said violation of FEHA as afore pled, Plaintiff was
10 required to and did seek medical attention, and will need medical attention in the future, all to
11 Plaintiff's damages in a sum according to proof.

12 62. As a further proximate result of the Employers Defendants' violation of FEHA as afore
13 pled, Plaintiff was forced to and did retain attorneys, and is accordingly entitled to an award of
14 attorneys' fees and costs according to proof at the time of trial.

15 63. The afore pled conduct constitutes oppression, fraud, and malice thereby entitling Plaintiff
16 to an award of punitive damages. Plaintiff is further informed and believes that the Employer
17 Defendants ratified or authorized the said conduct. Plaintiff is further informed and believes and
18 thereon alleges that said act of oppression, fraud, or malice or act of, ratification or authorization
19 were on the part of a managing agent or owner acting on behalf of the Employer Defendants.

20 **FIFTH CAUSE OF ACTION**

21 **TORTUOUS CONSTRUCTIVE TERMINATION IN VIOLATION OF PUBLIC POLICY**

22 **(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

23 64. Plaintiff incorporates by reference, as though set forth in full herein, each and every
24 allegation contained in Paragraphs 1 through 63, inclusive above.

25 65. It is the Public Policy of the State of California, as expressed in the FEHA that an
26 employer cannot discriminate against an employee based on their race, their disability, or their
27 sexual orientation.

1 66. It is the Public Policy of the State of California, as expressed in the FEHA that an
2 employer may not retaliate against an employee for protesting violations of the FEHA.

3 67. It is the Public Policy of the State of California, as expressed in the FEHA that an
4 employer may not discriminate or retaliate against an employee for exercising any right under the
5 CFRA. (Gov.C. §§ 12940(h), 12945.2(l).)

6 68. It is the Public Policy of the State of California as expressed in the Labor Code that an
7 employer may not retaliate against, or take adverse employment actions against an employee who
8 protests and reports violations of the Labor Code. Said public policy is expressed in *Gould v.*
9 *Maryland Sound Industries, Inc.* (1995) 31 CA4th 1137, 1147, 37 CR2d 718, 723.

10 69. These public policies were valid, fundamental, protected the public, and were binding on
11 the Employer Defendants.

12 70. The Employer Defendants repeatedly discriminated against Plaintiff in violation of the
13 FEHA all as afore pled. The Employer Defendants repeatedly retaliated against Plaintiff in
14 violation of the FEHA, all as afore pled, for protesting violations of the FEHA and for exercising
15 her rights under the CFRA. The Employer Defendants repeatedly retaliated against Plaintiff for
16 protesting and reporting violations of the Labor Code all as afore pled. This discrimination and
17 retaliation included, but was not limited to: being micromanaged, criticized, written up, repeatedly
18 suspended, coerced into dropping her discrimination complaint, being given poor assignments,
19 being given poor geographic assignments, and other conduct according to proof.

20 71. The Employer Defendants, by the acts and conduct set forth above, either intentionally
21 created or knowingly permitted working conditions that were so intolerable that a reasonable
22 employer would realize that a reasonable person in the employee's position would be compelled to
23 resign. These conditions violated both FEHA and the Public Policy of California, all as afore pled.

24 72. As a proximate result of these intolerable working conditions, Plaintiff was in fact
25 compelled to resign and was thereby constructively terminated. Plaintiff is informed and believes,
26 and thereon alleges, that at all times relevant the Employer Defendants had actual knowledge of
27 these intolerable working conditions.

28 73. As a proximate result Plaintiff suffered emotional distress damages according to proof.

1 74. As a further proximate result Plaintiff lost employment benefits, including wages and
2 fringe benefits, in an amount in excess of the minimum jurisdiction of the court and according to
3 proof.

4 75. As a further proximate result Plaintiff has needed and will need medical attention, and will
5 incur medical expenses, past and future, to her damage according to proof.

6 76. The afore pled conduct constitutes oppression, fraud, and malice thereby entitling Plaintiff
7 to an award of punitive damages. Plaintiff is further informed and believes that the Employer
8 Defendants ratified or authorized the said conduct. Plaintiff is further informed and believes and
9 thereon alleges that said act of oppression, fraud, or malice or act of ratification or authorization
10 were on the part of a managing agent or owner acting on behalf of the Employer Defendants.

11 **SIXTH CAUSE OF ACTION**

12 **FAILURE TO PROVIDE MEAL AND REST PERIODS**

13 **(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

14 77. Plaintiff incorporates by reference, as though set forth in full herein, each and every
15 allegation contained in Paragraphs 1 through 76, inclusive above.

16 78. Plaintiff was a nonexempt employee pursuant to California law, and Plaintiff was
17 accordingly, entitled to regular rest breaks and lunch breaks.

18 79. At all times relevant herein, Labor Code §512 and other provisions of the California Labor
19 Code require an employer to provide certain meal periods to nonexempt employees, and said meal
20 periods are also mandated by the applicable orders of the Industrial Welfare Commission ("IWC").
21 Furthermore, Labor Code §226.7 requires payment to the employee of one (1) additional hour of
22 pay at the employee's regular rate of compensation for each work day that the meal or rest period is
23 not provided.

24 80. At all times relevant herein, Labor Code §512 and the applicable IWC wage order
25 established meal period requirements for Plaintiff, wherein an employee working for more than
26 five (5) hours was required to receive a meal period of not less than thirty (30) minutes, and an
27 employee working for ten (10) hours was required to be given a second meal period of not less than
28 thirty (30) minutes. At all times relevant herein, IWC Wage Order No. 8-2001 and other provisions

1 of the law provide that unless the employee is relieved of all duty during the 30 minute meal
2 periods, the meal period shall be considered an "on duty" meal period and counted as time worked.

3 81. At all times relevant herein, IWC Wage Order No. 8-2001 and other provisions of the law
4 required that an employer failing to provide an employee a meal period, owed the employee one
5 (1) hour of pay at the employee's regular rate of compensation for each workday that the meal
6 period was not provided. Furthermore, Labor Code §226.7 requires payment to the employee of
7 one (1) additional hour of pay at the employee's regular rate of compensation for each work day
8 that the meal or rest period is not provided.

9 82. At all times relevant herein, IWC Wage Order No. 8-2001, and other applicable California
10 law, codes, and Wage Orders established rest periods, wherein an employer was required to permit
11 all employees to take rest periods of ten (10) minutes net rest time per four (4) hours or major
12 fraction thereof.

13 83. At all times relevant herein, IWC Wage Order No. 8-2001 and other applicable California
14 law, codes, and Wage Orders required that an employer failing to provide an employee a rest
15 period, owed the employee one (1) hour of pay at the employee's regular rate of compensation for
16 each workday that the rest period was not provided.

17 84. Plaintiff was, at times, denied the right to take regular rest breaks and meal breaks during
18 her employment with the Employer Defendants as afore pled. This constitutes a violation of
19 California Wage and Hour law.

20 85. Plaintiff at no time received the requisite one (1) hour or two (2) hours of pay at the
21 Plaintiff's regular rate of compensation for each workday that the rest period or meal period were
22 not provided.

23 86. As a direct and proximate result of the conduct alleged above, Plaintiff is entitled to recover
24 all wages in lieu of meal periods denied, wages in lieu of rest periods denied, as well as interest
25 thereon, and are further entitled to all penalties and/or liquidated damages provided for, and an
26 award of attorneys' fees and costs incurred in recovering such amounts according to proof at the
27 time of trial.

1 **SEVENTH CAUSE OF ACTION**

2 **FAILURE TO PAY ALL WAGES DUE, INCLUDING**

3 **STRAIGHT TIME AND OVERTIME**

4 **(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

5 87. Plaintiff incorporates by reference, as though set forth in full herein, each and every
6 allegation contained in Paragraphs 1 through 86, inclusive above.

7 88. Plaintiff was at all times relevant a nonexempt employee covered by the wage and hour
8 laws of the California Labor Code.

9 89. The Employer Defendants failed to pay Plaintiff all wages, both straight time and overtime
10 they owed Plaintiff for her labor, in violation of California Labor Code §§200 et seq., 500 et seq.,
11 510 and §1171 et seq, all as afore pled.

12 90. Throughout the course of Plaintiff's employment the Employer Defendants required
13 Plaintiff to work overtime or shifts in excess of eight (8) hours per day or forty (40) hours in one
14 week, without compensating Plaintiff for such overtime as required by law.

15 91. The Employer Defendants also frequently required Plaintiff to work "off-the-clock",
16 without compensating Plaintiff for this work, all as afore pled. This off the clock work included
17 both straight time and overtime for which Plaintiff was not compensated or paid.

18 92. The Employer Defendants failed to pay Plaintiff all straight time and overtime wages owed
19 for Plaintiff's labor in violation of California Labor Code §§200 et seq., 500 et seq., 1171 et seq.,
20 1194 and 1198.

21 93. As a result of such violations of the California Labor Code, Plaintiff is entitled to recover
22 all compensation owed to her but not paid, as well as interest thereon (California Labor Code
23 §218.6) and are further entitled to all penalties and/or liquidated damages provided for in the above
24 referenced sections of the California Labor Code and an award of attorneys' fees and costs
25 (California Labor Code §218.5) incurred in recovering such amounts according to proof at the time
26 of trial.

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1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

- 3 1. For damages for lost employment income and benefits, past and future, according to proof;
- 4 2. For general damages for pain and suffering according to proof;
- 5 3. For damages for past and future medical expenses according to proof;
- 6 4. For attorney's fees according to proof except on the fifth cause of action;
- 7 5. For costs of suit incurred herein;
- 8 6. For punitive damages;
- 9 7. For pay at the Plaintiff's regular rate of compensation for each rest or meal period not
- 10 provided; as well as interest thereon, as well as all applicable penalties and/or liquidated
- 11 damages, and attorneys' fees and costs.
- 12 8. For all compensation and wages owed to Plaintiff but not paid, including unpaid straight
- 13 time and overtime at the appropriate rate, as well as interest thereon; as well all applicable
- 14 penalties and/or liquidated damages, and attorneys' fees and costs.
- 15 9. For all penalties and/or liquidated damages provided for in the California Labor Code; and
- 16 10. For such other and further relief as the court deems just and proper.

17 Dated: August 21, 2014

SOTTILE ■ BALTAXE

18 By 

19 **MICHAEL F. BALTAXE, ESQ.**
20 Attorneys for Plaintiff Dianna Marsh

21 **DEMAND FOR JURY TRIAL**

22 Plaintiff hereby requests a trial by jury.

23 Dated: August 21, 2014

SOTTILE ■ BALTAXE

24 By 

25 **MICHAEL F. BALTAXE, ESQ.**
26 Attorneys for Plaintiff Dianna Marsh

ORIGINAL FILED

Superior Court of California
County of Los Angeles

AUG 22 2014

Sheri R. Carter, Executive Officer/Clerk
By Shaunya Bolden Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Michael F. Baltaxe SBN: 129532
SOTTILE BALTAXE
4333 Park Terrace Drive, Suite 160, Westlake Village, CA 91361
TELEPHONE NO.: 818-889-0050 FAX NO.: 818-889-6050
ATTORNEY FOR (Name): Dianna Marsh
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
STREET ADDRESS: 111 North Hill Street
MAILING ADDRESS: 111 North Hill Street
CITY AND ZIP CODE: Los Angeles, 90012
BRANCH NAME: Stanley Mosk Courthouse on Hill St.
CASE NAME: Dianna Marsh v. Kaiser Foundation Hospitals, et al.

CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER: BC 555548 JUDGE: DEPT:
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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:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <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) Non-PI/PD/WD (Other) Tort <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) Employment <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	Contract <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) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <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)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <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) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <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): Seven
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: August 21, 2014

Michael F. Baltaxe

(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

BY FAX

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (not asbestos or toxic/environmental) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (not medical or legal)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (not unlawful detainer or wrongful eviction)
Contract/Warranty Breach—Seller
Plaintiff (not fraud or negligence)
Negligent Breach of Contract
Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (not provisionally complex) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (non-domestic relations)
Sister State Judgment
Administrative Agency Award (not unpaid taxes)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (not specified above) (42)
Declaratory Relief Only
Injunctive Relief Only (non-harassment)
Mechanics Lien
Other Commercial Complaint Case (non-tort/non-complex)
Other Civil Complaint (non-tort/non-complex)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (not specified above) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

ORIGINAL

SHORT TITLE: Marsh v. Kaiser Foundation Hospitals, et al.

CASE NUMBER: BC 555548

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 5-7 ☐ 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.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
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.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C 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)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
		<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE **Marsh v. Kaiser Foundation Hospitals, et al.**

CASE NUMBER

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 type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input checked="" 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: Marsh v. Kaiser Foundation Hospitals, et al.

CASE NUMBER

A Civil Case Cover Sheet Category No.		B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)
Judicial Review	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.
Provisionally Complex Litigation	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	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.
Miscellaneous Civil Complaints	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.
Miscellaneous Civil Petitions	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: Marsh v. Kaiser Foundation Hospitals, et al.

CASE NUMBER

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.

REASON: 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: 25975 Normandie Avenue
CITY: Harbor City	STATE: CA	ZIP CODE: 90710

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 Stanley Mosk 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: August 21, 2014

(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.