

Superior Court of California

County of Orange



Case Number : 30-2015-00791360-CU-PN-CJC

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County of Orange
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By Kosal Thach, Deputy Clerk

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF ORANGE

Judge John Gastelum

11 Jyoti N. Shah,

12 Plaintiff,

13 vs.

14 Kaiser Permanente Medical Group,
15 Kaiser Foundation Health Plan,
16 Inc., Kaiser Foundation Hospital,
17 Southern California Permanente
18 Medical Group and Does 1 to 100,
19 Defendants

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COMPLAINT FOR DAMAGES

20 Plaintiff alleges:

21 1. Plaintiff is ignorant of the true names and capacities of defendants sued herein as
22 Does 1 to 100, inclusive, and therefore sues these defendants by such fictitious names.
23 Plaintiff will amend this complaint when their true names and capacities are ascertained.
24 Plaintiff is informed and believes, and based thereon allege, that each of the fictitiously
25 named defendants is responsible for the errors and omissions and other acts in some
26 manner for the occurrences herein alleged, and that Plaintiff's injuries were proximately
27 caused by the negligence of each of these defendants.
28

1 2. At all times herein mentioned, defendants, and each of them, were physicians and
2 surgeons licensed to practice medicine and perform surgery under the laws of the State
3 of California and were engaged in the practice of medicine in the State of California.

4 3. At all times herein mentioned, defendants and each of them, were the agents and
5 employees of the other named defendants and in doing the things hereinafter alleged,
6 were acting in the scope of their agency and employment and with the permission and
7 consent of each of the other defendants.

8 4. Venue is proper in the above reference court as all events described herein took
9 place within the jurisdictional boundaries of this court.

10 **FIRST CAUSE OF ACTION – Professional Negligence**

11 5. Plaintiff incorporate the allegations in paragraphs 1 to 4, inclusive as though fully set
12 forth hereat.

13 6. On or about June 2014, and continuing thereafter, plaintiff JYOTI N. SHAH, employed
14 defendants to diagnose and treat a medical complaint relating to complaints of chest
15 pain then being suffered by plaintiff. Pursuant to this employment, defendants rendered
16 professional services in the diagnosis, care and treatment of plaintiff for her condition.

17 7. From and after the time of employment, defendants and each of them, so negligently
18 failed to exercise the proper degree of knowledge and skill in examining, diagnosing,
19 treating and caring for plaintiff such that plaintiff was caused to suffer the injuries and
20 damages suffered as herein alleged.

21 8. As a proximate result of the negligence of defendants, and each of them, plaintiff
22 suffered a heart attack a week later, requiring cardiac surgery, post operative care,
23 weakness, all of which caused plaintiff to suffer great pain and injury, which will
24 require substantial subsequent remedial treatment, and as a result suffered, and
25 continues to suffer, great pain, physical and emotional suffering.

26 9. As a proximate result of the negligence of defendants and each of them, plaintiff has
27 suffered injury to her health, strength and activity, all of which injuries have caused,
28 and continue to cause, plaintiff great mental, physical and nervous pain and suffering.

1 Plaintiff is informed and believes and thereon alleges that such injuries have resulted in
2 a permanent disability. As a result of such injuries, plaintiff has sustained great general
3 damages in an amount as yet unascertained, but within the jurisdictional limits of this
4 forum. Plaintiff seeks leave to amend this complaint when the same is ascertained.

5 10. As a further and proximate result of the negligence of defendants, and each of them,
6 plaintiff has incurred, and will continue to incur, medical, hospital and related expenses,
7 all to her special damage in an amount as yet unascertained, but within the jurisdictional
8 limit of this court; plaintiff seeks leave to amend this complaint when the true amount is
9 ascertained.

10 11. As a further proximate result of the negligence of defendants and each of them,
11 plaintiff was prevented from attending to her life activities with the same vigor and
12 intensity from the date of the discovery of the malady, through the present, and will
13 continue to be so prevented for an indefinite period of time in the future, all to her
14 further damage, in an amount as yet unascertained, but within the jurisdictional limit of
15 this court. Plaintiff seeks leave to amend this complaint to state the true amount when
16 this amount is ascertained.

17 WHEREFORE, Plaintiff prays as follows

- 18 1. For general and compensatory damages according to proof at trial;
- 19 2. For special compensatory damages according to proof at trial;
- 20 3. For personal injury damages according to proof at trial;
- 21 4. For prejudgment interest on damages according to law;
- 22 5. For costs of suit and for such other and further relief as the court may deem
23 just and proper.
24

25 Dated: June 3, 2015

LAW OFFICES OF ANJU MULTANI

26 By: 

27 Anju Multani

28 Attorney for Plaintiff