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BY 
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN THE COUNTY OF SONOMA**

MATTHEW DELACA, and
GIANNA TORRES,

Plaintiffs,

vs.

KAISER FOUNDATION HOSPITALS;
KAISER FOUNDATION HEALTH PLAN,
INC.; THE PERMANENTE MEDICAL
GROUP, INC.; LAUREL IMHOFF, M.D.;
UNIVERSITY OF SOUTHERN
CALIFORNIA; and, ARA KESHISHIAN,
M.D.,

Defendants.

Case No. SV

259145

COMPLAINT

1. Wrongful Death.

Judge:
Dept:
Action filed:
Trial Date:

TO THIS HONORABLE COURT AND ALL INTERESTED PARTIES:

1. Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, by and through
their attorney at law, Thomas Quick, Esq., state their complaint and request for relief as
follows.

PARTIES

2. Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, are individuals
residing in the County of Sonoma, State of California.

1 3. Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, are the natural born
2 children of their mother, Decedent, Elizabeth Thompson.

3 4. Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION
4 HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; and, UNIVERSITY
5 OF SOUTHERN CALIFORNIA, and each of them, are California corporations.

6 5. Defendant, UNIVERSITY OF SOUTHERN CALIFORNIA, is licensed by the
7 State of California to operate an acute care hospital facility known as Keck Hospital of USC,
8 previously known as USC Verdugo Hills Hospital, in the city of Glendale, California.

9 6. Defendant, KAISER FOUNDATION HOSPITALS, is licensed by the State of
10 California to operate an acute care hospital facility known as Kaiser Foundation Hospital –
11 Santa Rosa in the city of Santa Rosa, California.

12 7. Defendants, LAUREL IMHOFF, M.D., and, ARA KESHISHIAN, M.D., are
13 individuals licensed by the State of California as physicians and surgeons.

14 **FIRST CAUSE OF ACTION**

15 **Wrongful Death**

16 (By Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, and each of them, against
17 Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION HEALTH
18 PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL IMHOFF, M.D.;
19 UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN, M.D., and each of
20 them.)

21 8. The allegations of Paragraphs 1 through 7, above, are re-alleged, referred to, and
22 are herein incorporated by reference as if set forth here again in full.

23 9. Most of the events described herein occurred in the Counties of Sonoma, in the
24 State of California.

25 10. References hereinafter to the conduct, actions, and omissions of KAISER
26 FOUNDATION HOSPITALS; KAISER FOUNDATION HEALTH PLAN, INC.; THE

1 PERMANENTE MEDICAL GROUP, INC.; and, UNIVERSITY OF SOUTHERN
2 CALIFORNIA, and each of them, are meant to include the conduct, actions, and omissions of
3 the officers, directors, and managing agents of Defendants, KAISER FOUNDATION
4 HOSPITALS; KAISER FOUNDATION HEALTH PLAN, INC.; THE PERMANENTE
5 MEDICAL GROUP, INC.; and, UNIVERSITY OF SOUTHERN CALIFORNIA, and each of
6 them.

7 11. References hereinafter to the conduct, actions, and omissions of Defendants,
8 KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION HEALTH PLAN, INC.;
9 THE PERMANENTE MEDICAL GROUP, INC.; LAUREL IMHOFF, M.D.; UNIVERSITY
10 OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN, M.D., and each of them, are meant
11 to include the conduct, actions, and omissions of the employees and other agents of
12 Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION HEALTH
13 PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL IMHOFF, M.D.;
14 UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN, M.D., and each of
15 them, within the course and scope of employment and agency.

16 12. Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION
17 HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL
18 IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN,
19 M.D., and each of them, in their conduct herein alleged, whether by commission or omission,
20 in addition to acting for themselves, and on their own behalf individually, were acting as the
21 agent, servant, employee, and representative of the remaining Defendants, and were acting with
22 the knowledge, consent, permission, and ratification of the remaining Defendants, within the
23 course, scope, and authority of their agency, service, employment, and representation.

24 13. Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION
25 HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL
26 IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN,

1 M.D., and each of them, are liable for the conduct, actions, and omissions of the employees and
2 other agents of Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION
3 HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL
4 IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN,
5 M.D., and each of them, within the course and scope of employment and agency.

6 14. Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, and each of them,
7 have the right to seek relief by this cause of action for wrongful death by the authority of
8 California Civil Code of Civil Procedure section 377.60, and by the authority of the California
9 common law, in that Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, and each of
10 them, allege that Defendants, KAISER FOUNDATION HOSPITALS; KAISER
11 FOUNDATION HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.;
12 LAUREL IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA
13 KESHISHIAN, M.D., and each of them, were negligent and failed to use the care required
14 under the circumstances, thereby causing the death of Decedent, Elizabeth Thompson, which
15 caused harm to Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, and each of them.

16 15. Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION
17 HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL
18 IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN,
19 M.D., and each of them, undertook the provision of health services for Elizabeth Thompson,
20 which by such undertaking created a special relationship between Elizabeth Thompson, and
21 Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION HEALTH
22 PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL IMHOFF, M.D.;
23 UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN, M.D., and each of
24 them; that special relationship being one of patient-healthcare provider.

25 16. On the basis of said special relationship, KAISER FOUNDATION
26 HOSPITALS; KAISER FOUNDATION HEALTH PLAN, INC.; THE PERMANENTE

1 MEDICAL GROUP, INC.; LAUREL IMHOFF, M.D.; UNIVERSITY OF SOUTHERN
2 CALIFORNIA; and, ARA KESHISHIAN, M.D., and each of them, had a duty of care to
3 Elizabeth Thompson; that duty being the exercise of the proper degree of skill, expertise,
4 learning, and ability in providing health services to Elizabeth Thompson.

5 17. On July 8, 2015, at Keck Hospital of USC, previously known as USC Verdugo
6 Hills Hospital, in the city of Glendale, California, Elizabeth Thompson underwent abdominal
7 surgery under the care of Defendants, UNIVERSITY OF SOUTHERN CALIFORNIA, and
8 ARA KESHISHIAN, M.D., and each of them.

9 18. From July 26 through July 30, 2015, at Kaiser Foundation Hospital – Santa
10 Rosa, and at Keck Hospital of USC, Elizabeth Thompson was evaluated and treated for
11 abdominal pain, hematemesis, and other medical and surgical conditions.

12 19. Elizabeth Thompson died on July 30, 2015, from complications of blood loss,
13 respiratory distress, sepsis, and multi-system organ failure.

14 20. Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION
15 HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL
16 IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN,
17 M.D., and each of them, breached standards of health care when delivering health care to
18 Elizabeth Thompson, by: a) failing to properly diagnose and treat internal bleeding, infection,
19 coagulopathy, hypotension, tachycardia, pain, diaphoresis, and other medical conditions and
20 symptoms; b) mischaracterizing and miscommunicating Elizabeth Thompson's health status; c)
21 delaying needed surgery; d) ordering, arranging, and agreeing to the transport of Elizabeth
22 Thompson from Santa Rosa to Glendale, California, on July 26, 2015; e) encouraging Elizabeth
23 Thompson to travel on July 26, 2015, from Santa Rosa to Glendale, California; and, f) other
24 conduct to be proven by expert medical testimony.

25 21. Said breaches of the standards of care proximately caused Elizabeth Thompson
26 to die.

22. Elizabeth Thompson's death caused Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, and each of them, losses in the form of: a) loss of the care comfort and society of Elizabeth Thompson; b) lost financial support for housing and household services; c) funeral and burial expenses; and, d) other economic loss, and other general and special damages to be proven at trial.

PRAYER FOR RELIEF

ON THE FIRST CAUSE OF ACTION

(Wrongful Death)

(By Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, and each of them, against Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN, M.D., and each of them.)

WHEREFORE, Plaintiffs, MATTHEW DELACA, and GIANNA TORRES, and each of them, against Defendants, KAISER FOUNDATION HOSPITALS; KAISER FOUNDATION HEALTH PLAN, INC.; THE PERMANENTE MEDICAL GROUP, INC.; LAUREL IMHOFF, M.D.; UNIVERSITY OF SOUTHERN CALIFORNIA; and, ARA KESHISHIAN, M.D., and each of them, as follows:

1. For compensatory damages, both special and general, according to proof at trial;
2. For interest at the legal rate according to proof at trial; and,
3. For the costs of this litigation and such other and further relief as the Court deems proper and just.

Date: July 20, 2016

By: 

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