

11:34:21 a.m. 08-05-2016

08/05/2016 PRI 12:00 FAX -- Central Civil FAX

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FILED
Superior Court of California
County of Los Angeles

AUG 05 2016

Attorneys for Plaintiff

JASON LITAK

Sherri R. Carter, Executive Officer/Clerk

By [Signature] Deputy
Nancy Alvarez

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

JASON LITAK, an individual

Plaintiff

vs.

SOUTHERN CALIFORNIA
PERMANENTE MEDICAL GROUP,
INC., a California corporation; KAISER
PERMANENTE INTERNATIONAL, a
California corporation; KAISER
FOUNDATION HOSPITALS, a
California corporation; and DOES 1
through 50, inclusive
Defendants

Case No.

BC 628486

COMPLAINT FOR:

1. RETALIATION IN VIOLATION OF THE CALIFORNIA FAMILY RIGHTS ACT ("CFRA") AND THE FAMILY MEDICAL LEAVE ACT ("FMLA");
2. ASSOCIATIONAL DISABILITY DISCRIMINATION IN VIOLATION OF CAL. GOVERNMENT CODE §12940 ET SEQ. ("FEHA");
3. RETALIATION IN VIOLATION OF FEHA;
4. WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY;
5. FAILURE TO PAY OVERTIME WAGES; AND;
6. UNFAIR BUSINESS PRACTICES IN VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE § 17200, ET SEQ.;

DEMAND FOR JURY TRIAL

Plaintiff, JASON LITAK, hereby brings his complaint against the above-named Defendants and states and alleges as follows:

COMPLAINT

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21052 Oxnard Street
Woodland Hills, CA 91367
(818) 610-8800

08/08/2016

RECEIPT #: CCH451233017
DATE PAID: 08/08/16 09:47 AM
PAYMENT: \$435.00
RECEIVED:
CHECK: \$0.00
CASH: \$0.00
CHANGE: \$0.00
TOTAL: \$435.00

CIT/CASE: BC628486
LEADER#:

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PRELIMINARY ALLEGATIONS

1. At all times material herein, Plaintiff, JASON LITAK (hereinafter referred to as "Plaintiff") was and is a resident of the State of California, County of Los Angeles.

2. Plaintiff is informed, believes, and based thereon alleges that Defendant SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP, INC. is a California corporation and was at all times mentioned in this complaint duly licensed to do business, was and is doing business, under and by virtue of the laws of the State of California, in Los Angeles county. Plaintiff is informed, believes, and based thereon alleges that SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP, INC.'s principal place of business is in the State of California, County of Los Angeles.

3. Plaintiff is informed, believes, and based thereon alleges that Defendant KAISER PERMANENTE INTERNATIONAL is a California corporation and was at all times mentioned in this complaint duly licensed to do business, was and is doing business, under and by virtue of the laws of the State of California, in Los Angeles county.

4. Plaintiff is informed, believes, and based thereon alleges that Defendant KAISER FOUNDATION HOSPITALS is a California corporation and was at all times mentioned in this complaint duly licensed to do business, was and is doing business, under and by virtue of the laws of the State of California, in Los Angeles county.

5. At all times mentioned herein, Plaintiff was employed by Defendants SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP, INC., KAISER PERMANENTE INTERNATIONAL and KAISER FOUNDATION HOSPITALS who are hereinafter collectively referred to as "KAISER."

6. At all times mentioned herein, Plaintiff was employed by KAISER in the State of California, County of Los Angeles.

7. DOES 1 through 50, and each of them, were and are the shareholders, and/or directors, and/or officers, and/or agents, and/or alter egos of KAISER, and in doing the things herein described, were acting within the scope of their authority as such shareholders, and/or directors, and/or officers, and/or agents, and/or alter egos of KAISER.

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8. The true names and capacities, whether individual, corporate, associate or otherwise of DOES 1 through 50 are unknown to Plaintiff who therefore sues these Defendants under said fictitious names. Plaintiff is informed and believes that each of the Defendants named as a DOE Defendant is legally responsible in some manner for the events referred to in this complaint, either negligently, willfully, wantonly, recklessly, tortiously, strictly liable, statutorily liable or otherwise, for the injuries and damages described below to this Plaintiff. Plaintiff will in the future seek leave of this court to show the true names and capacities of these DOE Defendants if and when they have been ascertained.

9. Plaintiff is informed and believes, and based thereon alleges, that each of the fictitiously named Defendants is responsible in some manner for, and proximately caused, the harm and damages alleged herein below.

10. Plaintiff is informed and believes, and based thereon alleges, that each of the Defendants named herein acted as the employee, agent, partner, alter-ego and/or joint venturer of each of the other Defendants named herein and, in doing the acts and in carrying out the wrongful conduct alleged herein, each of said Defendants acted within the scope of said relationship and with the permission, consent and ratification of each of the other Defendants named herein.

11. Hereinafter in the Complaint, unless otherwise specified, reference to a Defendant or Defendants shall refer to all Defendants, and each of them.

FACTUAL ALLEGATIONS

12. Plaintiff began his employment with KAISER as an Associate Physician on or about September 10, 2012. Plaintiff performed all his job duties satisfactorily and became a valued member of KAISER.

13. KAISER informed Plaintiff during his orientation that Associate Physicians are almost universally promoted to Partner Physician at their three-year mark, unless an Associate Physician is subject to formal disciplinary write-ups on a K-1 form. KAISER also informed Plaintiff during his orientation that denial of partnership would not come as a surprise to him, and that he was encouraged to take advantage of all benefits offered by KAISER.

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14. Throughout his two years as an Associate Physician, Plaintiff consistently received positive MAPPS scores and performance data. Plaintiff never received any K-1 write-ups during his employment at KAISER.

15. During Plaintiff's employment with KAISER, Plaintiff requested and took intermittent time off to attend medical appointments related to his wife's pregnancy and serious health condition related thereto. Plaintiff used his sick days for these medical appointments. Plaintiff informed KAISER of his need to take this time off due to his wife's pregnancy and related serious medical condition. Plaintiff's daughter was born on December 7, 2013.

16. Plaintiff took FMLA and CFRA protected leave to bond with his newborn daughter from approximately December 9, 2013 through January 7, 2014. Plaintiff previously submitted the proper notification to KAISER, and KAISER approved Plaintiff's request for leave.

17. Thereafter, KAISER denied Plaintiff's retention bonuses in the amount of about \$15,000 and informed Plaintiff that it was due to his "overuse of sick days." Plaintiff is informed and believes, and based thereon alleges, that KAISER denied his retention bonus in retaliation for his taking of CFRA/FMLA protected leave. Plaintiff complained to Greg Kelman and to Chief of Dermatology Joy Twersky regarding KAISER's denial of his retention bonuses.

18. Plaintiff took a second FMLA and CFRA protected leave from approximately June 3, 2014, through July 3, 2014. Plaintiff previously submitted the proper notification to KAISER, and KAISER approved Plaintiff's second request for leave.

19. When Plaintiff returned from FMLA/CFRA leave, Assistant Area Medical Director Greg Kelman remarked to Plaintiff: "I've never seen another employee take so much family leave" and that Plaintiff was putting "pressure" on other surgeons because of his decision to take so much family leave time. KAISER area medical director Shirley Suda also told Plaintiff "when you take leave, it puts stress on others."

20. On or about August 7, 2014, approximately one month after Plaintiff returned from his second FMLA/CFRA leave, KAISER Chief of Dermatology Joy Twersky and Assistant Area Medical Director Greg Kelman informed Plaintiff that he would not be recommended for the promotion of Partner Physician due to a vote by "all of the chiefs." Plaintiff is informed and

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1 believes, and based thereon alleges, that there was no such vote. Ms. Twersky and Mr. Kelman
 2 then told Plaintiff that if he did not resign, he would be terminated effective October 1, 2014, and
 3 would only be allowed to work for KAISER as a Per Diem physician thereafter.

4 21. Plaintiff is informed and believes, and based thereon alleges, that KAISER denied
 5 him the promotion to Partner Physician in retaliation for his use of CFRA/FMLA protected leave
 6 and his engagement in protected activity under the Fair Employment and Housing Act (FEHA),
 7 as well as his association with his pregnant wife.

8 22. Later that day, on or about August 7, 2014, during a meeting with Area Medical
 9 Director Shirley Suda, Ms. Suda informed Plaintiff that his "leave" and "unexcused absences"
 10 has been viewed by KAISER as a lack of support for his department and that it appeared as
 11 though he was not "all in." Plaintiff did not take any unexcused absences during his employment
 12 with KAISER.

13 23. Plaintiff, acting as a reasonable person, had no choice but to resign. On or about
 14 August 14, 2014, Plaintiff submitted the resignation letter drafted for him by KAISER, effective
 15 October 13, 2014. On or about October 15, 2014, Plaintiff began employment as a Per Diem
 16 Physician for KAISER. Plaintiff's demotion to Per Diem physician resulted in a loss of benefits,
 17 including health insurance, and a pay cut of about \$13.00 less per hour.

18 24. On or about December 5, 2015, KAISER terminated Plaintiff from his Per Diem
 19 Physician position for pretextual reasons. Plaintiff is informed and believes, and based thereon
 20 alleges, that KAISER's stated reasons for Plaintiff's termination were pretext. KAISER was
 21 substantially motivated in not selecting Plaintiff for partnership, in denying his retention bonus,
 22 and in terminating him from his per diem position by Plaintiff's engagement in protected
 23 activity, including his utilization of CFRA/FMLA protected leave, his complaints.

24 25. During his employment as a Per Diem Physician with KAISER, Plaintiff was not
 25 exempt from the employment laws and regulations of California. Defendants failed to pay
 26 Plaintiff all wages for his overtime hours worked as a Per Diem Physician.

27 26. Plaintiff properly exhausted his administrative remedies. On or about November 3,
 28 2014, Plaintiff submitted a written complaint to KAISER appealing KAISER's aforementioned

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1 decisions and requesting initiation of the dispute resolution procedure. In his request, Plaintiff
 2 complained that he felt his parenting/family care leave was the reason KAISER did not select
 3 him as a partner. On January 21, 2015, KAISER denied Plaintiff's appeal. Furthermore, Plaintiff
 4 filed a complaint with the Department of Fair Housing and Employment ("DFEH") against
 5 Defendants on December 2, 2015. The DFEH issued Plaintiff an immediate right-to-sue letter on
 6 the same date, on December 2, 2015.

7 FIRST CAUSE OF ACTION

8 **RETALIATION IN VIOLATION OF THE CALIFORNIA FAMILY RIGHTS ACT** 9 **(CFRA) AND THE FAMILY MEDICAL LEAVE ACT (FMLA)**

10 **(Against All Defendants)**

11 27. Plaintiff restates and incorporates all preceding paragraphs of this Complaint as if
 12 fully set forth herein.

13 28. At all relevant times herein, Plaintiff was qualified for and entitled to protected leave
 14 under the California Family Rights Act (CFRA) and Family Medical Leave Act (FMLA).
 15 Plaintiff was entitled to the benefits of the CFRA and FMLA because he worked for Defendants
 16 for more than one year and had at least 1250 hours of service in the year preceding his requests
 17 for leave to bond with his children, and

18 29. At all relevant times herein, Defendants are subject to the provisions of the CFRA
 19 and FMLA because they employed fifty (50) or more full or part time employees within 75 miles
 20 of Plaintiff's place of employment.

21 30. The CFRA (California Government Code § 12945.2 *et seq.*) and the FMLA (29
 22 U.S.C. § 2601 *et seq.*) prohibit employers from discriminating or retaliating against an employee
 23 for having exercised or attempted to exercise any CFRA or FMLA right.

24 31. For example, California Government Code section 12945.2(l) provides: "It shall be
 25 an unlawful employment practice for an employer to refuse to hire, or to discharge, fine,
 26 suspend, expel, or discriminate against, any individual because of any of...an individual's
 27 exercise of the right to family care and medical leave."
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32. Furthermore, 29 U.S.C. § 2615 provides: "It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise, any right provided under this subchapter" and that "It shall be unlawful for any employer to discharge or in any other manner discriminate against any individual for opposing any practice made unlawful by this subchapter."

33. Plaintiff properly requested and took CFRA/FMLA protected leave from approximately December 9, 2013 through January 7, 2014 and from approximately June 3, 2014, through July 3, 2014.

34. Thereafter, Defendants denied Plaintiff retention bonuses, refused to promote him to Partner Physician, demoted him to a Per Diem Physician, and then wrongfully terminated his employment altogether. Defendants were substantially motivated in taking these adverse employment actions by retaliatory animus towards Plaintiff due to his engagement in protected activity under the CFRA and FMLA.

35. As a proximate result of the aforesaid acts of Defendants, Plaintiff has suffered actual, consequential and incidental financial losses, including without limitation, loss of salary and benefits, and the intangible loss of employment related opportunities in his field and damage to his professional reputation, all in an amount subject to proof at the time of trial. Plaintiff claims such amounts as damages pursuant to Civil Code § 3287 and/or § 3288 and/or any other provision of law providing for prejudgment interest.

36. As the proximate result of the wrongful acts of Defendants, Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and believes, and thereupon alleges, that he will continue to experience said physical and emotional suffering for a period in the future not presently ascertainable, all in an amount subject to proof at the time of trial.

37. As a proximate result of the wrongful acts of Defendants Plaintiff has been forced to hire attorneys to prosecute his claims herein and has incurred and is expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled to recover attorneys' fees and costs under California Government Code § 12965(b).

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38. Plaintiff is informed and believes, and based thereon alleges, that Defendants had in place policies and procedures that specifically prohibited Defendants' managers, officers, and agents from discriminating and retaliating against employees based on their engagement in protected activity under the CFRA/FMLA. Managers, officers, and/or agents of Defendants were aware of Defendants' policies and procedures prohibiting Defendants' managers, officers, and agents from discriminating and retaliating against employees based on their engagement in protected activity under the CFRA/FMLA. However, Defendants chose to consciously and willfully ignore said policies and procedures and therefore, Defendants' outrageous conduct was fraudulent, malicious, oppressive, and was done in wanton disregard for the rights of Plaintiff and the rights and duties owed by each Defendant to Plaintiff. Each Defendant aided, abetted, participated in, authorized, ratified, and/or conspired to engage in the wrongful conduct alleged above. Plaintiff should, therefore, be awarded exemplary and punitive damages against each Defendant in an amount to be established that is appropriate to punish each Defendant and deter others from engaging in such conduct.

39. Plaintiff is informed and believes, and based thereon alleges, that Defendants had a pattern and practice of discriminating and retaliating against employees based on their engagement in protected activity under the CFRA/FMLA. Plaintiff should, therefore, be awarded exemplary and punitive damages against each Defendant in an amount to be established that is appropriate to punish each Defendant and deter others from engaging in such conduct.

SECOND CAUSE OF ACTION

ASSOCIATIONAL DISABILITY DISCRIMINATION IN VIOLATION OF GOVT. CODE §§ 12940 *ET SEQ.* (FEHA) (Against All Defendants)

40. Plaintiff hereby repeats and incorporates all preceding paragraphs as though fully set forth herein.

41. At all times herein mentioned, California Government Code §§ 12940 *et seq.* were in full force and effect and were binding on Defendants and each of them, as Defendants regularly employed five (5) or more persons.

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42. Under the Fair Employment and Housing Act ("FEHA"), Government Code §§ 12940 *e. seq.*, it is an unlawful employment practice for an employer because of the person's association with the disability of a person to discharge the person from employment or to discriminate against the person in compensation or in terms, conditions, or privileges of employment. Under Government Code 12926(o), "physical disability" includes a perception that the person is associated with a person who has, or who is perceived to have, a physical disability.

43. During Plaintiff's employment with KAISER, Plaintiff requested and took intermittent time off to attend medical appointments related to his wife's pregnancy and serious health condition related thereto. Plaintiff used his sick days for these medical appointments. Plaintiff informed KAISER of his need to take this time off due to his wife's pregnancy and related serious medical condition. At all times herein, Plaintiff was able to perform the essential functions of his position with reasonable accommodation.

44. Defendants subjected Plaintiff to a pattern and practice of unlawful retaliation because of his association. As set forth above, Defendants were substantially motivated to deny Plaintiff's retention bonus, demote him, and then terminate his employment on the basis of his association with a disabled person, specifically his pregnant wife. Such conduct constituted associational discrimination in violation of the FEHA.

45. As a proximate result of the aforesaid acts of Defendants, and each of them, Plaintiff has suffered actual, consequential and incidental financial losses, including without limitation, loss of salary and benefits, and the intangible loss of employment related opportunities in his field and damage to his professional reputation, all in an amount subject to proof at the time of trial. Plaintiff claims such amounts as damages pursuant to Civil Code § 3287 and/or § 3288 and/or any other provision of law providing for prejudgment interest.

46. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and believes and thereupon alleges that he will continue to experience said physical and emotional

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1 suffering for a period in the future not presently ascertainable, all in an amount subject to proof
2 at the time of trial.

3 47. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff
4 has been forced to hire attorneys to prosecute his claims herein, and has incurred and is expected
5 to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled to
6 recover attorneys' fees and costs under California Government Code § 12965(b).

7 48. Plaintiff is informed and believes, and based thereon alleges, that Defendants had in
8 place policies and procedures that specifically prohibited and required Defendants' managers,
9 officers, and agents to prevent discrimination and retaliation based on association with a disabled
10 person against and upon employees of Defendants. Managers, officers, and/or agents of
11 Defendants were aware of Defendants' policies and procedures requiring Defendants' managers,
12 officers, and agents to prevent, and investigate, discrimination based on association with a
13 disabled person against and upon employees of Defendants. However, Defendants chose to
14 consciously and willfully ignore said policies and procedures and therefore, Defendants'
15 outrageous conduct was fraudulent, malicious, oppressive, and was done in wanton disregard for
16 the rights of Plaintiff and the rights and duties owed by each Defendant to Plaintiff. Each
17 Defendant aided, abetted, participated in, authorized, ratified, and/or conspired to engage in the
18 wrongful conduct alleged above. Plaintiff should, therefore, be awarded exemplary and punitive
19 damages against each Defendant in an amount to be established that is appropriate to punish each
20 Defendant and deter others from engaging in such conduct.

21 THIRD CAUSE OF ACTION

22 RETALIATION IN VIOLATION OF FEHA

23 (Against All Defendants)

24 49. Plaintiff hereby repeats and incorporates all preceding paragraphs as though fully set
25 forth herein.

26 50. At all times herein mentioned, California Government Code § 12940 et seq. was in
27 full force and effect and was binding on Defendants, as Defendants regularly employed five or
28 more persons. California Government Code §§ 12940(h) and 12940(l)(4) make it unlawful for

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any person to retaliate against an employee who has engaged in protected activity under the FEHA, including requesting accommodations related to the disability of a person associated with the employee.

51. During Plaintiff's employment with KAISER, Plaintiff requested and took intermittent time off to attend medical appointments related to his wife's pregnancy and serious health condition related thereto. Plaintiff informed KAISER of his need to take this time off due to his wife's pregnancy and related serious medical condition.

52. In retaliation for Plaintiff's engagement in protected activity under the FEHA, Defendants denied him his retention bonuses, declined to promote Plaintiff to Partner Physician, demoted Plaintiff to a per diem position, and then terminated him for pretextual reasons.

53. Defendants' conduct, as alleged above, constituted unlawful retaliation in violation of California Government Code § 12940 *et seq.*

54. As a proximate result of the aforesaid acts of Defendants, and each of them, Plaintiff has suffered actual, consequential and incidental financial losses, including without limitation, loss of salary and benefits, and the intangible loss of employment related opportunities in his field and damage to his professional reputation, all in an amount subject to proof at the time of trial. Plaintiff claims such amounts as damages pursuant to Civil Code § 3287 and/or § 3288 and/or any other provision of law providing for prejudgment interest.

55. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff has suffered and continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and believes and thereupon alleges that she will continue to experience said physical and emotional suffering for a period in the future not presently ascertainable, all in an amount subject to proof at the time of trial.

56. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff has been forced to hire attorneys to prosecute his claims herein, and has incurred and is expected to continue to incur attorneys' fees and costs in connection therewith. Plaintiff is entitled to recover attorneys' fees and costs under California Government Code § 12965(b).

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57. Defendants had in place policies and procedures that specifically prohibited and required Defendants' managers, officers, and agents to prevent retaliation for requesting accommodations under the FEHA against and upon employees of Defendants. Defendants' managers, officers, and/or agents were aware of Defendants' policies and procedures requiring Defendants' managers, officers, and agents to prevent retaliation for complaints of sexual harassment against and upon employees of Defendants. Furthermore, Defendants' managers, officers, and agents maintained broad discretionary powers regarding staffing, managing, hiring, firing, contracting, supervising, assessing and establishing of corporate policy and practice in the Defendant's facilities. However, Defendants' managers, officers, and agents chose to consciously and willfully ignore said policies and procedures and therefore, their outrageous conduct was fraudulent, malicious, oppressive, and was done in wanton disregard for the rights of Plaintiff and the rights and duties owed by each Defendant to Plaintiff. Each Defendant aided, abetted, participated in, authorized, ratified, and/or conspired to engage in the wrongful conduct alleged above. Plaintiff should, therefore, be awarded exemplary and punitive damages against each Defendant in an amount to be established that is appropriate to punish each Defendant and deter others from engaging in such conduct.

FOURTH CAUSE OF ACTION

WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY

(Against All Defendants)

58. Plaintiff incorporates by reference paragraphs all preceding paragraphs of this Complaint as if fully set forth at this place.

59. At all times mentioned herein, the public policy of the State of California and the United States of America, as codified in California Government Code §12945.2 *et seq.* and 29 U.S.C. § 2601 *et seq.*, is to prohibit employers from discriminating, harassing and retaliating against any individual on the basis of engagement in protected activity under the California Family Rights Act and Family Medical Leave Act. Plaintiff was at all relevant times a full time employee of Defendants and had worked in excess of 1,250 hours. Plaintiff was therefore an eligible employee under the CFRA and FMLA. Accordingly, the actions of Defendants, and

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1 each of them, in terminating Plaintiff on the grounds alleged and described herein were wrongful
 2 and in contravention of the express public policy of the State of California, to wit, the policy set
 3 forth in Cal. Government Code §§ 12945.2, *et seq.*, 29 U.S.C. § 2601 *et seq.*, and the laws and
 4 regulations promulgated thereunder.

5 60. At all times mentioned, the public policy of the State of California, as codified,
 6 expressed and mandated in Government Code § 12940 *et seq.* is to prohibit employers from
 7 discriminating against any individual on the basis of the person's association with the physical
 8 disability, including pregnancy-related health condition, of another person. Similarly the public
 9 policy of the State of California, as codified, expressed and mandated in Government Code §
 10 12940 *et seq.* is to prohibit employers from retaliating against any individual due to their
 11 engagement in protected activity. These public policies of the State of California are designed to
 12 protect all employees and to promote the welfare and well-being of the community at large.
 13 Accordingly, the actions of Defendants, and each of them, in terminating Plaintiff on the grounds
 14 alleged and described herein were wrongful and in contravention of the express public policy of
 15 the State of California, to wit, the policies set forth in California Government Code §§ 12940 *et*
 16 *seq.*, and the laws and regulations promulgated thereunder.

17 61. As a proximate result of the aforesaid acts of Defendants, and each of them, Plaintiff
 18 has suffered actual, consequential and incidental financial losses, including without limitation,
 19 loss of salary and benefits, and the intangible loss of employment related opportunities in her
 20 field and damage to her professional reputation, all in an amount subject to proof at the time of
 21 trial. Plaintiff claims such amounts as damages pursuant to Civil Code § 3287 and/or § 3288
 22 and/or any other provision of law providing for prejudgment interest.

23 62. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff
 24 has suffered and continues to suffer stress, anxiety, depression, humiliation, great emotional
 25 trauma. Plaintiff is informed and believes and thereupon alleges that she will continue to
 26 experience said physical and emotional suffering for a period in the future not presently
 27 ascertainable, all in an amount subject to proof at the time of trial.
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63. The acts taken toward Plaintiff were carried out by Defendants' officers and/or managing agents acting in a despicable, oppressive, malicious, deliberate, egregious and inexcusable manner and in conscious disregard for the rights and safety of Plaintiff, and in direct violation of California law, thereby justifying an award of punitive damages in a sum appropriate to punish and make an example of Defendants, and each of them.

64. Further, because the wrongful acts against Plaintiff were carried out, authorized or ratified by Defendants' directors, officers and/or managing agents, acting with malice, oppression or fraud, or were deliberate, willful and in conscious disregard of the probability of causing injury to Plaintiff, as reflected by the actions as described earlier in this Complaint, Plaintiff seeks punitive damages against Defendants, in order to deter Defendants from such and similar conduct in the future.

65. Plaintiff is informed and believes, and based thereon alleges, that Defendants had a pattern and practice of wrongfully terminating employees based on their engagement in protected activity under the CFRA/FMLA/FEHA. Plaintiff should, therefore, be awarded exemplary and punitive damages against each Defendant in an amount to be established that is appropriate to punish each Defendant and deter others from engaging in such conduct.

FIFTH CAUSE OF ACTION

FAILURE TO PAY OVERTIME WAGES

IN VIOLATION OF CAL. LABOR CODE §§510, 1194, AND 1198

(Against All Defendants)

66. Plaintiff hereby repeats and incorporates all preceding paragraphs as though fully set forth herein.

67. California Labor Code § 510 mandates that any work in excess of eight hours in one workday and any work in excess of forty hours in any one workweek and the first eight hours worked on the seventh day of work in any one workweek shall be compensated at the rate of no less than one and one-half times the regular rate of pay for an employee.

68. California Labor Code § 510 also requires that any work in excess of 12 hours in one day shall be compensated at the rate of no less than twice the regular rate of pay for an employee.

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1 In addition, any work in excess of eight hours on any seventh day of a workweek shall be
2 compensated at the rate of no less than twice the regular rate of pay of an employee.

3 69. Further, California Labor Code §1194 states, in pertinent part: "Notwithstanding any
4 agreement to work for a lesser wage, any employee receiving less than the legal minimum wage
5 or the legal overtime compensation applicable to the employee is entitled to recover in a civil
6 action the unpaid balance of the full amount of this minimum wage or overtime compensation,
7 including interest thereon, reasonable attorney's fees, and costs of suit."

8 70. Throughout the relevant time period, Plaintiff was not exempt from the employment
9 laws and regulations of California and was required to work more than eight hours in one day
10 and/or more than forty hours in one week.

11 71. Defendants failed and refused to pay Plaintiff all of his owed overtime compensation
12 required by California employment laws and regulations.

13 72. Plaintiff has been deprived of his rightfully earned overtime compensation as a direct
14 and proximate result of Defendants' failure and refusal to pay said compensation. Plaintiff is
15 entitled to recover such amounts, plus interest thereon, attorneys' fees and costs pursuant to
16 California Labor Code sections 510, 1194 and 1198.

17 **SIXTH CAUSE OF ACTION**

18 **UNFAIR BUSINESS PRACTICES PURSUANT TO** 19 **CAL. BUSINESS & PROFESSIONS CODE §§ 17200, *ET SEQ.***

20 **(Against All Defendants)**

21 73. Plaintiff hereby repeats and incorporates all preceding paragraphs as though fully set
22 forth herein.

23 74. Plaintiff and aggrieved employees hereby bring a claim for Unfair Business
24 Practices against Defendants pursuant to California Business and Professions Code §§ 17200, *et*
25 *seq.* The conduct of Defendants as alleged in this Complaint has been and continues to be unfair,
26 unlawful, and harmful to Plaintiff, aggrieved employees, and the general public. Plaintiff seeks
27 to enforce important rights affecting the public interest within the meaning of California Code of
28 Civil Procedure § 1021.5.

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1 75. California Business and Professions Code §§ 17200, *et seq.*, prohibit unlawful and
 2 unfair business practices. Plaintiff is a "person" within the meaning of California Business and
 3 Professions Code § 17204, and therefore has standing to bring this cause of action for injunctive
 4 relief, restitution, and other appropriate equitable remedies.

5 76. California Labor Code § 90.5(a) articulates the public policies of this state to enforce
 6 vigorously minimum labor standards, to ensure that employees are not required or permitted to
 7 work under substandard and unlawful conditions and to protect law-abiding employers and their
 8 employees from competitors who lower their costs by failing to comply with minimum labor
 9 standards.

10 77. Through the conduct alleged in this Complaint, Defendants have acted contrary to
 11 these public policies, have violated specific provisions of the California Labor Code, and have
 12 engaged in other unlawful and unfair business practices in violation of California Business and
 13 Profession Code §§ 17200 *et seq.*, depriving Plaintiff of rights, benefits, and privileges
 14 guaranteed to all employees under the law.

15 78. Defendants' conduct, as alleged hereinabove, constituted unfair competition in violation
 16 of sections 17200, *et seq.*

17 79. Defendants, by engaging in the conduct herein alleged, such as intentionally by failing to
 18 pay Plaintiff his earned overtime compensation, either knew or in the exercise of reasonable care
 19 should have known that the conduct was unlawful.

20 80. As a proximate result of the above mentioned acts of Defendants, Plaintiff is entitled to
 21 restitution for all of Defendant's ill-gotten gains.

22 81. Unless restrained by this Court, Plaintiff believes Defendants will continue to engage
 23 in the unlawful conduct as alleged above. Pursuant to the California Business and Professions
 24 Code, this Court should make such orders or judgments, including the appointment of a receiver,
 25 as may be necessary to prevent the use or employment, by Defendants, its agents or employees,
 26 of any unlawful or deceptive business practice, disgorgement of profits which may be necessary
 27 to restore to Plaintiff the money Defendants have unlawfully failed to pay him.
 28

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1 82. Plaintiff further seeks attorney's fees pursuant to California Code of Civil Procedure
2 § 1021.5.

3 **WHEREFORE, Plaintiff prays for judgment as follows:**

- 4 1. For general damages, according to proof;
5 2. For special damages, according to proof;
6 3. For loss of earnings, according to proof;
7 4. For declaratory and injunctive relief, according to proof;
8 5. For statutory penalties for wage and hour violations under the California Labor
9 Code;
10 6. For attorneys' fees, according to proof;
11 7. For prejudgment interest, according to proof;
12 8. For punitive and exemplary damages, according to proof;
13 9. For costs of suit incurred herein; and
14 10. For such other relief that the Court may deem just and proper.

15
16 **DEMAND FOR JURY TRIAL**

17 Plaintiff hereby demands a jury trial.

18
19 DATED: August 04, 2016

JML LAW, A Professional Law Corporation

20
21
22 By: 

23 JOSEPH M. LOVRETOVICH

24 LANCE M. WILLIAMS

25 CHRISTINA R. MANALO
26
27
28

JML LAW
A Professional Law Corporation
21052 Oxnard Street
Woodland Hills, CA 91367
(818) 810-8800

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CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Joseph M. Lovrelovich; Lance M. Williams; Christina R. Manalo SBN: 73403; 282508; 297718 JML LAW, APLC 21052 Oxnard Street, Woodland Hills, CA 91367 TELEPHONE NO.: (818)610-8800 FAX NO.: (818)610-3030 ATTORNEY FOR (Name): JASON LITAK		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles AUG 05 2016 Sherri R. Carter, Executive Officer/Clerk By: <i>[Signature]</i> Deputy CASE NUMBER: Nancy Alvarez JUDGE: DEPT: BC 628486
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, CA 90012 BRANCH NAME: CENTRAL		
CASE NAME: LITAK v. SOUTHERN CALIFORNIA PERMANENTE MEDICAL		
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)	

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 (48) Other PIPD/W (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 PIPD/W (23) Non-PIPD/W (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 (18) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PIPD/W tort (35) Employment <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (09) <input type="checkbox"/> Rule 3.740 collections (08) <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 (28) Unlawful Defendant <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)
---	---	---

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): 6

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 5, 2016

Lance M. Williams

(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

 Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

 Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
 Cal. Standards of Judicial Administration, std. 3.10
 www.courtinfo.ca.gov

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SHORT TITLE: LITAK V. SOUTHERN CALIFORNIA PERMANENTE MEDICAL

CASE NUMBER

BC 628486

**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 7-10 ☐ 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)

- | | |
|---|--|
| <ol style="list-style-type: none"> 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. | <ol style="list-style-type: none"> 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 (48)	<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 (43)	<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.

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SHORT TITLE: LITAK v. SOUTHERN CALIFORNIA PERMANENTE MEDICAL	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damages/Wrongful Death Tort	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 (26)	<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.
Employment	Wrongful Termination (38)	<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.
Contract	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., 6. 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., 6.
	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., 6.
	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.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6016 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6080 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	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.

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SHORT TITLE:

LITAK v. SOUTHERN CALIFORNIA PERMANENTE MEDICAL

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., 6. 2. 2.
	Other Judicial Review (38)	<input type="checkbox"/> A6150 Other Writ/Judicial Review	2., 6.
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"/> A6008 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"/> A6038 Toxic Tort/Environmental	1., 2., 3., 6.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 6.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6180 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., 6. 2., 6. 2., 6., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 6.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 6.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
		<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 6.
Miscellaneous Civil Complaints	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	2., 3., 6.
<input type="checkbox"/> A6123 Workplace Harassment		2., 3., 6.	
<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case		2., 3., 9.	
<input type="checkbox"/> A6160 Election Contest		2.	
<input type="checkbox"/> A6110 Petition for Change of Name		2., 7.	
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2., 3., 4., 6.	
<input type="checkbox"/> A6100 Other Civil Petition		2., 9.	

LACIV 109 (Rev. 03/11)

LABC Approved 03-04

CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION

Local Rule 2.0

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SHORT TITLE: LITAK V. SOUTHERN CALIFORNIA PERMANENTE MEDICAL	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.

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: 5601 De Soto Ave.
CITY: Woodland Hills	STATE: CA	ZIP CODE: 91367

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 5, 2016

(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.

08/05/2016 12:00 PM