

Superior Court of California

County of Orange



Case Number : 30-2016-00874024-CU-MM-CJC

Copy Request: 2740557

Request Type: Case Documents

Prepared for: cns

Number of documents: 1

Number of pages: 4

AITKEN ♦ AITKEN ♦ COHN
3 MACARTHUR PLACE, SUITE 800
SANTA ANA, CA 92707
714-434-1424
714-434-3600 FACSIMILE

RICHARD A. COHN, ESQ. (SBN # 145156)
AITKEN ♦ AITKEN ♦ COHN
3 MACARTHUR PLACE, SUITE 800
SANTA ANA, CA 92707-2555
(714) 434-1424 Telephone
(714) 434-3600 Facsimile

Attorneys for Plaintiffs, Edwin Cornelia, Marie Cornelia

ELECTRONICALLY FILED
Superior Court of California,
County of Orange
09/09/2016 at 09:30:56 AM
Clerk of the Superior Court
By Alan Silva, Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

EDWIN CORNELIA, an individual; MARIE
CORNELIA, an individual

Case No. 30-2016-00874024-CU-MM-CJC

Plaintiffs

COMPLAINT

vs.

Judge Geoffrey T. Glass

KAISER FOUNDATION HOSPITALS;
SOUTHERN CALIFORNIA PERMANENTE
MEDICAL GROUP; KAISER PERMANENTE
and DOES 1 to 100, Inclusive

Defendants.

FIRST CAUSE OF ACTION
(AS AGAINST ALL DEFENDANTS, and DOES 1 through 100)

1. The true names or capacities of the defendants, DOES 1 through 100, whether individual, corporate, associate or otherwise, are unknown to plaintiffs at the time of filing this Complaint and plaintiffs, therefore, sue said defendants by such fictitious names and will ask leave of court to amend this Complaint to show their true names or capacities when the same have been ascertained. Plaintiffs are informed and believe, and thereon allege, that each of the

1 DOE defendants is, in some manner, responsible for the events and happenings herein set forth
2 and proximately caused injury and damages to the plaintiffs as herein alleged.

3 2. At all times herein mentioned, each of the defendants were the agents and
4 employees of each of the remaining defendants and was at all times herein mentioned acting
5 within the scope of said agency and employment.

6 3. At all times herein mentioned, defendants, KAISER FOUNDATION
7 HOSPITALS., and DOES 1 through 10, owned, operated and maintained pursuant to a license
8 duly issued by the California State Department of Public Health, general hospitals known as
9 KAISER FOUNDATION HOSPITALS, in the County of Orange, State of California.

10 4. At all times herein mentioned, defendants, SOUTHERN CALIFORNIA
11 PERMANENTE MEDICAL GROUP and KAISER PERMANENTE and DOES 20 through 100,
12 were and are physicians and surgeons duly licensed to practice medicine in the State of
13 California.

14 5. Since 2010, and perhaps before then, and through October 2015, defendants
15 KAISER FOUNDATION HOSPITALS; SOUTHERN CALIFORNIA PERMANENTE
16 MEDICAL GROUP; KAISER PERMANENTE and Does 1-100 undertook the care, treatments,
17 and examinations of the plaintiff in order to treat said plaintiff for difficulties he was
18 encountering with his vision, among other related complaints.

19 6. At said time and place, defendants, and each of them, so negligently, carelessly,
20 recklessly, wantonly, and unlawfully treated, provided medical care, and examined the plaintiff
21 so as to directly and legally cause permanent injury to the plaintiff. In particular, defendants, and
22 each of them negligently failed to diagnose and treat plaintiff for a tumor that was responsible for
23 the aforementioned vision difficulties. Said tumor was therefore allowed to grow in size to such
24 an extent as to cause serious and permanent injury to plaintiff, including permanent legal
25 blindness and deformation.

26 7. As a direct and legal result of the negligence, carelessness, recklessness,
27 wantonness and unlawfulness of the defendants, and each of them, and the resulting permanent
28 injuries, as aforesaid, plaintiff EDWIN CORNELIA, sustained severe and serious injury to his

1 person, all to plaintiff's damage in a sum within the jurisdiction of this Court and to be shown
2 according to proof.

3 8. At said time and place, the defendants, and each of them, without the consent of
4 the plaintiff, treated, provided medical care, and examined the plaintiff. As a direct and legal
5 result, the plaintiff sustained injury to his eyes.

6 9. As a direct and legal result of said unauthorized treatment and medical care of the
7 defendants, and each of them, and the resulting injury, plaintiff, EDWIN CORNELIA, sustained
8 severe and serious injury to his person, all to plaintiff's damage in a sum within the jurisdiction
9 of this Court and to be shown according to proof.

10 10. By reason of the foregoing, this plaintiff has been required to employ the services
11 of hospitals, physicians, surgeons, nurses and other professional services and plaintiff has been
12 compelled to incur expenses for ambulance service, medicines, x-rays and other medical supplies
13 and services. Plaintiff is informed and believes, and thereon alleges, that further services of said
14 nature will be required by plaintiff for an unpredictable period in the future services of said
15 nature will be required by plaintiff for an unpredictable period in the future, all to the damage of
16 plaintiff in an amount to be shown according to proof.

17 11. At the time of the injury, as aforesaid, plaintiff, EDWIN CORNELIA, was
18 regularly and faithfully employed, by reason of the foregoing, plaintiff has been unable to engage
19 in his employment for a time subsequent to said incident and plaintiff is informed and believes
20 and upon such information and belief, alleges that he will be unable to work in his said
21 employment for an indefinite period in the future, all to plaintiff's damage in an amount to be
22 shown according to proof.

23 12. The injury upon which this action is based occurred in the County of Orange,
24 State of California.

25 ///

26 ///

27 ///

28 ///

AITKEN ♦ AITKEN ♦ COHN
3 MACARTHUR PLACE, SUITE 800
SANTA ANA, CA 92707
714-434-1424
714-434-3600 FACSIMILE