

McMurray Henriks, LLP
5670 Wilshire Boulevard Suite 1450
Los Angeles, CA 90036

12/15/2016

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Attorneys for Plaintiff, SHIRLEY CLARK

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

SHIRLEY CLARK, an individual,

Plaintiff,

vs.

DR. HANS FURTADO LAURSEN, an
individual; KAISER FOUNDATION
HEALTH PLAN, INC., a California
Corporation; KAISER FOUNDATION
HOSPITALS, a California Corporation;
SOUTHERN CALIFORNIA PERMANENTE
MEDICAL GROUP, a California Corporation
& DOES 1-50, Inclusive,

Defendants.

CASE NO. **BC 6 43 8 2 0**

COMPLAINT FOR DAMAGES

**1) WRONGFUL DEATH BY MEDICAL
MALPRACTICE**

DEMAND FOR JURY TRIAL

OSC: 05/30/2018 TRIAL: 06/14/2018 OSC: 12/16/2019

CIT/CASE: BC643820
LEA/DEF#:
RECEIPT #: CCH465280024
DATE PAID: 12/15/16 09:28 AM
PAYMENT: \$435.00 310
RECEIVED:
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

1 PLAINTIFF, **SHIRLEY CLARK**, an individual, ("PLAINTIFF"), on behalf of
2 **DECEDENT JAMES CLARK**, make the following allegations against DEFENDANTS **DR.**
3 **HANS FURTADO LAURSEN**, an individual, **KAISER FOUNDATION HEALTH PLAN,**
4 **INC.**, a California Corporation, **KAISER FOUNDATION HOSPITALS**, a California
5 Corporation, **SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP**, a California
6 Corporation, and DOES 1 through 50, inclusive, as follows:

7 **PARTIES**

8 1. Plaintiff **SHIRLEY CLARK** is the wife and successor in interest of decedent
9 **JAMES CLARK** ("DECEDENT"), who was a seventy-seven year old male at the time of death.

10 2. At all relevant times herein, PLAINTIFF and DECEDENT are and were at all
11 relevant times herein, individuals residing in the County of Los Angeles within the State of
12 California.

13 3. At all times relevant herein, DEFENDANTS **KAISER FOUNDATION HEALTH**
14 **PLAN, INC.**, **KAISER FOUNDATION HOSPITALS**, and **SOUTHERN CALIFORNIA**
15 **PERMANENTE MEDICAL GROUP** (collectively "**KAISER**") are and were affiliates,
16 subsidiaries, and/or joint ventures of one another, and was engaged in, and was licensed to
17 operate, maintain, offer and/or provide comprehensive medical care including emergency medical
18 care to Kaiser health plan members and to paying patients, including DECEDENT, and did in fact
19 provide such services.

20 4. PLAINTIFF is informed, believe and thereupon allege that Defendant, **DR. HANS**
21 **FURTADO LAURSEN**, is and was at all times pertinent, an individual residing and doing
22 business in the County of Los Angeles, California (hereinafter "**LAURSEN**"). At all times
23 relevant herein, **LAURSEN** is and was a licensed physician in the State of California (0A89322
24 CA). Furthermore, at all times relevant herein, Defendant **LAURSEN** was an employee, agent,
25 affiliate, subsidiary and/or was engaged in a joint venture with Defendants **KAISER**.

26 5. All Defendants herein have been properly served with notice of intention to file this
27 action pursuant to the C.C.P. § 364.

28 6. The true names and/or capacities, whether individual, corporate, associate or

1 otherwise of Defendants DOES 1 through 50, inclusive, and each of them, are presently unknown
 2 to PLAINTIFF who therefore sues these Defendants by fictitious names. PLAINTIFF is informed
 3 and believes and thereupon alleges that each of the Defendants herein fictitiously named as a DOE
 4 is legally responsible, negligent or in some other actionable manner, liable for the events and
 5 happenings hereinafter referred, and therefore, proximately caused the injuries and damages to
 6 PLAINTIFF as herein alleged. PLAINTIFF will seek leave of Court to amend this Complaint and
 7 state the true names and/or capacities of these fictitiously named Defendants when the same have
 8 been ascertained.

9 7. Defendants DR. HANS FURTADO LAURSEN, an individual, KAISER
 10 FOUNDATION HEALTH PLAN, INC., KAISER FOUNDATION HOSPITALS, SOUTHERN
 11 CALIFORNIA PERMANENTE MEDICAL GROUP and DOES 1 through 20 are collectively
 12 referred to herein as "DEFENDANTS."

13 8. PLAINTIFF is informed and believes and thereupon alleges, that at all times herein
 14 mentioned, DEFENDANTS, including DOES 1 through 50, inclusive, and each of them, were the
 15 agents, servants, employees, independent contractors, and/or joint ventures of their co-defendants
 16 and, were, as such, acting within the course, scope and authority of the agency, employment,
 17 contract and/or venture, and that each and every DEFENDANT, when acting as a principal, was
 18 negligent in the selection and hiring of each and every other DEFENDANT as an agent, employee,
 19 independent contractor and/or joint ventures.

20 JURISDICTION AND VENUE

21 9. Jurisdiction and venue in this county and division is proper because the events
 22 giving rise to each and every of the following causes of action, which are described below,
 23 occurred within this judicial district in the State of California. Furthermore, the relief sought
 24 through this Complaint is within the jurisdiction of this Court because the damages are more than
 25 \$25,000.00.

26 FACTUAL BACKGROUND AND GENERAL ALLEGATIONS

27 10. PLAINTIFF incorporates by reference as though fully set forth herein each and
 28 every fact, claim and allegation contained in paragraphs 1 through 9 of this complaint.

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9102/51/21

11. On or about November 19, 2015, DECEDENT went to KAISER because he was experiencing a lot of pain in his stomach for a couple days. At his examination, DECEDENT told DR. LAURSEN that he had abdominal cramps and had been vomiting for two days, and his stomach felt hard and tight.

12. At this visit, DR. LAURSEN noted that "bowel sounds are normal. He exhibits no distention. There is tenderness (generalized). There is no rebound and no guarding. DECEDENT's blood pressure was elevated at 144/116. DECEDENT was noted to have "interval clinical improvement with the administration of GI Cocktail, Zoran." DECEDENT's Gastrointestinal examination was "Positive for nausea, vomiting, and abdominal pain."

13. DR. LAURSEN prescribed DECEDENT Pantoprazole, Ondansetron and Dicyclomine and sent him home.

14. On or about November 21, 2015, DECEDENT collapsed and was taken to the Emergency Room of Torrance Memorial Hospital. The initial impression was marked esophageal and gastric distention secondary to mechanical small bowel obstruction. The abdominal CT of the same day demonstrated "High-Grade Mechanical Small Bowel Obstruction." The CT of the brain showed 2 CM triangular hypo density in the more cephalad aspect of right periventricular centrum semiovale which suggested acute infarct. The CT Angiogram of the chest showed marked esophageal and gastric distention secondary to the mechanical small bowel obstruction due to an adhesive band causing the closed loop obstruction. The obstruction caused a necrotic infarcted area of the small bowel resulting in the necessity to remove the small bowel. DECEDENT never recovered.

15. DECEDENT expired on or about November 25, 2015. DECEDENT's cause of death was small bowel obstruction, small bowel infection and septic shock.

FIRST CAUSE OF ACTION

WRONGFUL DEATH BY MEDICAL MALPRACTICE

(Against all DEFENDANTS)

16. PLAINTIFF reincorporates by reference as though fully set forth herein each and every fact, claim and allegation contained in paragraphs 1 through 15 of this Complaint.

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17. DEFENDANTS, and each of them, undertook individually and by and through their agents, servants, and employees to examine, diagnose, treat and care for DECEDENT.

18. DEFENDANTS, and each of them, did examine, treat, prescribe and care for DECEDENT, by means of various procedures.

19. DECEDENT had no medical training and/or medical knowledge, and at all times relevant hereto, relied upon the professed skills and/or expertise of DEFENDANTS, and each of them, in diagnosing and treating DECEDENT'S medical conditions.

20. In connection with the diagnosis, care, observation, information and attention and other treatments provided to and for DECEDENT, DEFENDANTS and each of them, did represent and warrant that they possessed, and would use, that degree of medical skill, care, knowledge, diligence and learning which is ordinarily possessed and/or exercised in a medical facility, hospital, and/or medical group, by doctors, physicians, specialists, surgeons, general practitioners, nurses, technicians, nurse's aides, attendants, medical doctors and/or medical specialists in good standing in their profession practicing under the same or similar circumstances as DEFENDANTS, and each of them.

21. Despite the warranties of DEFENDANTS, and each of them, they failed to exercise the proper degree of knowledge and skill and so negligently, carelessly, recklessly an unlawfully treated, provided care, monitored, examined and/or provided other professional services in that, among other things, they failed to properly, diligently, and timely care for DECEDENT while under their care which led to DECEDENT'S subsequent expiration. DEFENDANTS, and each of them, failed to properly assess and care for DECEDENT in failing to properly care for, diagnose and/or treat DECEDENT'S medical symptoms.

22. Further, DEFENDANTS, and each of them, did negligently, carelessly and recklessly examine, care for, observe, warn, fail to warn, inform, treat, attend to, furnish equipment, products and devises, supervise, entrust, follow up with, and control DECEDENT'S medical condition. DEFENDANTS' breaches of the standard of care owed to DECEDENT include, but are not limited to, the following acts and omissions:

a. Defendant LAURSEN did not exercise reasonable care in diagnosing and

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12/15/2016

1 treating DECEDENT which caused DECEDENT'S death.

2 b. DEFENDANTS, and each of them, failed to exercise reasonable care by
3 failing to prevent DECEDENT from slipping in his socks and falling which was a substantial
4 factor causing DEDEDENT'S subsequent injury, illness and/or symptoms.

5 23. By failing to properly treat, diagnose and/or administer appropriate care to
6 DECEDENT, DEFENDANTS, and each of them, failed to conform their conduct to the standard
7 of care required in rendering the above-described medical services, treatments, procedures and/or
8 other professional services to DECEDENT.

9 24. PLAINTIFF is informed and believes and thereon allege that DEFENDANTS'
10 failure to fulfill their duties to DECEDENT is the legal and proximate cause of DECEDENT'S
11 subsequent pain, suffering, injury, costs, illness, and death.

12 25. PLAINTIFF is informed and believes and thereon alleges that DECEDENT'S
13 untimely demise would and could have been prevented, had DEFENDANTS and each of them,
14 exercised the appropriate care in diagnosing and treating DECEDENT'S original injury, illness
15 and/or symptoms.

16 26. As a direct and proximate result of DEFENDANTS' negligence, carelessness,
17 recklessness, and misdiagnosis of DECEDENT as mentioned above, DECEDENT expired at the
18 age of seventy-seven (77) and PLAINTIFF is left without a husband.

19 27. Furthermore, as a direct and proximate result of DEFENDANT'S negligence,
20 carelessness, recklessness, misdiagnosis, and subsequent wrongful death of DECEDENT,
21 PLAINTIFF has sustained pecuniary and compensable loss among other things resulting from the
22 loss of DECEDENT'S care, society, attention, services, affection, familial relationship, love and
23 non-monetary support pursuant to California Code of Civil Procedure §377.61, in a sum to be
24 determined according to proof.

25 28. Concurrently, as a direct and proximate result of DEFENDANTS' negligence,
26 carelessness, recklessness, misdiagnosis, improper treatment and subsequent wrongful death of
27 DECEDENT, PLAINTIFF has incurred reasonably and necessary expenses for DECEDENT'S
28 funeral, burial and memorial services, among other things in a sum to be determined according to
proof.

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PRAYER FOR RELIEF

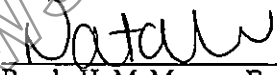
WHEREFORE, PLAINTIFF prays for judgment against DEFENDANTS, and each of them, as follows:

1. For general damages according to proof;
2. For special damages including for medical and related expenses according to proof;
3. For medical costs according to proof;
4. For funeral costs according to proof;
5. For costs and Attorney's fees recoverable by statute or state law; and
6. For such other and further relief as the Court may deem just and proper.

DATED: December 14, 2016

McMURRAY HENRIKS, LLP

By:


Randy H. McMurray, Esq.,
Yana G. Henriks, Esq.
Natalie M. Keusseyan, Esq.
Attorneys for Plaintiff, SHIRLEY
CLARK


DEMAND FOR JURY TRIAL

PLAINTIFFS hereby demand a trial by jury on all causes of action.

DATED: December 14, 2016

McMURRAY HENRIKS, LLP

By:


Randy H. McMurray, Esq.,
Yana G. Henriks, Esq.
Natalie M. Keusseyan, Esq.
Attorneys for Plaintiff, SHIRLEY
CLARK

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Randy H. McMurray, Esq. (SBN 126888) Natalie Keusseyan, Esq. (SBN 307844) McMURRAY HENRIKS LLP 5670 Wilshire Blvd., Suite 1450, Los Angeles, CA 90036 TELEPHONE NO.: (323) 931-6200 FAX NO.: (323) 931-9521 ATTORNEY FOR (Name): Plaintiff, Shirley Clark		FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES DEC 14 2016 Sherri R. Carter, Executive Officer/Clerk By: <u>Shamya Bolden</u> , Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill St. MAILING ADDRESS: 111 N. Hill St. CITY AND ZIP CODE: Los Angeles, CA 90036 BRANCH NAME: Stanley Mosk Courthouse		CASE NAME: Clark v. Laursen, 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 643820 JUDGE: DEPT:	

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 checked="" 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 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 (81) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (36) 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): 1
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: December 14, 2016

Natalie Keusseyan, Esq.

(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

CM-010

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/W (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/W (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/W (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/W

Non-PI/PD/W (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/W 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

SHORT TITLE: Clark v. Laursen, et al.

CASE NUMBER

BC 6 43 820

**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 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- Class actions must be filed in the Stanley Mosk Courthouse, Central District.
- Permissive filing in central district.
- Location where cause of action arose.
- Mandatory personal injury filing in North District.
- Location where performance required or defendant resides.
- Location of property or permanently garaged vehicle.
- Location where petitioner resides.
- Location wherein defendant/respondent functions wholly.
- Location where one or more of the parties reside.
- Location of Labor Commissioner Office.
- Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury).

9107 / 51771
Auto Tort
Other Personal Injury/Property
Damage/Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Medical Malpractice (45)	<input checked="" type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
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, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: Clark v. Laursen, et al.	CASE NUMBER
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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, 2, 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	1, 2, 3
Wrongful Termination (36)	<input 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
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 Premissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
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, 9
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2, 6
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)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

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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		
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 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		
	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8		
Provisionally Complex Litigation	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, 5, 11 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/Change of Gender <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, 8 2, 9

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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input 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. <input checked="" type="checkbox"/> 11.			ADDRESS: 25965 S. Normandie Ave.
CITY: Harbor City	STATE: CA	ZIP CODE: 90710	

Step 5: Certification of Assignment: I certify that this case is properly filed in the CENTRAL DISTRICT District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: December 14, 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. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
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.

12/15/2016