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Attorneys for Plaintiff,
SUSAN GIANELLI

FILED
Superior Court Of California
County Of Los Angeles

MAR 20 2017

Sherri R. Carter, Executive Officer/Clerk
By Charlie L. Coleman, Deputy

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

SUSAN GIANELLI,

Plaintiff,

v.

SOCAL PERMANENTE MEDICAL
GROUP dba KAISER PERMANENTE, a
California corporation; SECURITAS
SECURITY SERVICE USA, INC. dba
SECURITAS, a Delaware Corporation and
DOES 1 through 50, Inclusive,

Defendants.

Case No.:

BC654541

[AMOUNT OF DAMAGES EXCEEDS
\$25,000.00]

COMPLAINT FOR DAMAGES

- 1) Violation of the Unruh Act;
- 2) Violation of the Disabled Persons Act;
- 3) Intentional Infliction of Emotional Distress;
- 4) Negligence;
- 5) Assault; and
- 6) False Imprisonment

JURY TRIAL DEMANDED

PARTIES AND VENUE

1. Plaintiff Susan Gianelli (hereinafter "Plaintiff") is an individual who all times relevant herein, was a resident of the County of Los Angeles State of California.

1
COMPLAINT FOR DAMAGES

RECEIPT #: CCH24311078
DATE PAID: 03/20/17 12:13 PM
PAYMENT: \$435.00
RECEIVED:
CHECK: \$435.00
CASH: \$0.00
CHARGE: \$0.00
CARD: \$0.00

CIT/CASE: BC654541
LEADER:

2. Plaintiff is informed and believes, and based thereon alleges, that Defendant SOCAL PERMANENTE MEDICAL GROUP dba KAISER PERMANENTE (hereinafter "Defendant Kaiser") is, and at all times relevant herein was, a corporation duly organized under the laws of the State of California and is conducting business therein.

3. Plaintiff is informed and believes, and based thereon alleges, that Defendant SECURITAS SECURITY SERVICE USA, INC. dba SECURITAS (hereinafter "Defendant Securitas") is, and at all times relevant herein was, a corporation duly organized under the laws of the State of Delaware and is conducting business within the state of California.

4. This court is the proper court for trial in this action in that the actions and omissions of the Defendants as alleged herein were made within this Court's jurisdictional area.

5. Plaintiff is ignorant of the true names and capacities of defendants sued herein as DOES 1 through 50, inclusive, and therefore sues these defendants by such fictitious names pursuant to California Code of Civil Procedure §474. Plaintiff will amend this complaint to allege their true names and capacities when ascertained. Plaintiff is informed and believes, and based thereon alleges, that each of the fictitiously named defendants are responsible in some manner for the occurrences herein alleged, and that plaintiff's injuries as herein alleged were proximately caused by the actions and/or inactions of these defendants.

6. Whenever in this Complaint reference is made to "Defendants, and each of them," such allegation shall be deemed to mean the acts of Defendants acting individually, jointly, and/or severally.

7. Plaintiff is informed and believes, and based thereon alleges, that at all times mentioned herein, each of the defendants was the agent, servant and employee, alter ego, joint employer, co venturer and co conspirator of each of the remaining defendants, and was at all times herein mentioned, acting within the course, scope, purpose, consent, knowledge, ratification, and

1 authorization of such agency, employment, joint venture, integrated enterprise, and conspiracy with
2 respect to the acts and wrongful conduct alleged herein, so that each is responsible for the wrongful
3 acts of the other Defendants. Upon that information and belief, all Defendants are responsible in some
4 manner for the events described herein and are liable to Plaintiff for the damages they have incurred.

5 **FACTUAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

6 8. At all times relevant to this action, the Plaintiff was a patient and member of Defendant
7 Kaiser.

8 9. On or about March 29, 2016, Plaintiff visited Defendant Kaiser's facility located at
9 5105 Goldleaf Circle, Los Angeles, California 90017, for the purpose of picking up medical documents
10 from her treating physician.

11 10. Plaintiff, a disabled person suffering from PTSD and Major Depression, walked into the
12 facility with her service animal, a dog known as "Ruby."

13 11. Upon entering the facility, Plaintiff made her way to an elevator in order to see her
14 physician on a higher floor. During the relevant time, Defendant Kaiser had contracted Defendant
15 Securitas to protect Defendant Kaiser's property, employees and patients. This included requiring
16 Defendant Securitas to supply security officers to monitor the facility and keep Defendant Kaiser's
17 employees and patients free from harm and harassment. One of Defendant Securitas' security officers,
18 Will Chisholm (hereinafter "Mr. Chisholm") approached Plaintiff and improperly instructed Plaintiff
19 that her service animal was not allowed inside the building. Despite Plaintiff's efforts to inform him
20 that "Ruby" was her service animal, Mr. Chisholm specifically told Plaintiff that her "dog was not a
21 service animal" and "may be full of fleas." Mr. Chisholm's then followed Plaintiff into the elevator and
22 berated her for bringing her service animal in the building. Despite Plaintiff's request that Mr.
23 Chisholm not enter into the elevator, he continued to follow the Plaintiff and continue his rant. Thus,
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1 Mr. Chisholm's actions exacerbated the Plaintiff's disabilities and put her in fear of imminent attack.

2 Mr. Chisholm then inexplicably called the Los Angeles County Sherriff's Department to have Plaintiff
3 arrested and/or removed from the building.

4 12. Plaintiff hurriedly retrieved her medical documents and proceeded to the downstairs
5 lobby area. Fearful, Plaintiff made a supervisor of Defendant Kaiser aware of the situation. Shortly
6 thereafter, an unidentified supervisor from Defendant Securitas discussed the events with Plaintiff and
7 shockingly, explained that Mr. Chisholm was "doing his job." Moreover, a different supervisor, an
8 unidentified employee of Defendant Kaiser, informed Plaintiff that Mr. Chisholm was "enforcing
9 policy." Shaken, Plaintiff explained to both of Defendants' supervisors that any policy that forbids a
10 disabled person from bringing her service dog into a public place is unlawful on its face.
11

12 13. Shortly thereafter, a deputy officer from the Los Angeles County Sherriff's Department
13 arrived at the scene and had a brief conversation with Plaintiff. As a result of the panic, anxiety and
14 overall emotional toll of the events she experienced, Plaintiff had no other option but to travel directly
15 to her residence in an effort to recover.
16

17 14. On or about April 21, 2016, Plaintiff was again unlawfully subjected to discrimination
18 at the hands of Defendant Kaiser. Specifically, during the course of her treatment with Dr. Allen
19 Wellner, Plaintiff was advised that group therapy would be beneficial for her anxiety issues. Despite
20 the need for treatment, Dr. Wellner inexplicably and unlawfully advised Plaintiff that she could not
21 attend these sessions with her service animal. It is important to note that Defendant Kaiser had
22 originally diagnosed and prescribed Plaintiff with the need for a service animal.
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24 15. The undisputed facts readily demonstrate that Defendants engaged in a pattern of
25 discrimination against Plaintiff.
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FIRST CAUSE OF ACTION

Against All Defendants

UNRUH CIVIL RIGHTS ACT

[Cal. Civ. C § 51 et seq.]

16. Plaintiff repeats and realleges by reference each and every allegation contained in paragraphs 1 through 15 of this Complaint, and incorporates the same as though fully set forth herein.

17. California's Unruh Civil Rights Act provides: "All persons within the jurisdiction of this state are free and equal, and no matter what their... disability [or] medical condition, are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever." Cal. Civ. C. § 51 (b).

18. Plaintiff is a person with a disability within the meaning of the Unruh Act.

19. Defendant Kaiser's hospital and medical facility are "business establishments" within the meaning of the Unruh Act.

20. By virtue of the acts and omissions alleged herein, Defendants have violated and continue to violate the Unruh Act.

21. Plaintiff is entitled to declaratory and injunctive relief as well as reasonable attorneys' fees and costs. Cal. Civ. C. § 52 (a).

22. Defendants are liable up to a maximum of three times the amount of Plaintiff's actual damages, including emotional distress damages determined by the jury, and in no case less than four thousand (\$4,000) per violation. Cal. Civ. C. § 52 (a).

23. WHEREFORE, Plaintiff requests relief as hereinafter provided.

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SECOND CAUSE OF ACTION

Against All Defendants

Violation of the Disabled Persons Act

[Cal. Civ. C. § 54 et seq.]

24. Plaintiff repeats and realleges by reference each and every allegation contained in paragraphs 1 through 23 of this Complaint, and incorporates the same as though fully set forth herein.

25. California's Disabled Persons Act provides: "Individuals with disabilities shall be entitled to full and equal access, as other members of the general public, to accommodations, advantages, facilities, medical facilities, including hospitals, clinics, and physicians' offices, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motorbuses, streetcars, boats, or any other public conveyances or modes of transportation (whether private, public, franchised, licensed, contracted, or otherwise provided), telephone facilities, adoption agencies, private schools, hotels, lodging places, places of public accommodation, amusement, or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law, or state or federal regulation, and applicable alike to all persons." Cal. Civ. C. § 54.1 (a)(1).

26. Defendant Kaiser's hospital and medical facility are medical facilities covered by the protections of the Disabled Persons Act.

27. By virtue of the acts and omissions alleged herein, Defendants have violated the Disabled Persons Act.

28. Defendants are liable up to a maximum of three times the amount of Plaintiff's actual damages, including emotional distress damages determined by the jury, and in no case less than one thousand (\$1,000) per violation. Cal. Civ. C. § 54.1.

29. Plaintiff is entitled to reasonable attorneys' fees and costs. Cal. Civ. C. § 54.3.

30. WHEREFORE, Plaintiff requests relief as hereinafter provided.

THIRD CAUSE OF ACTION

Against All Defendants

Intentional Infliction of Emotional Distress

31. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 30, and incorporates the same by reference as though fully set forth herein.

32. Defendants' acts and omissions as alleged herein constitute extreme and outrageous conduct having no place in a civil society.

33. Defendants' acts and omissions alleged herein intentionally caused or recklessly disregarded the probability of causing severe emotional distress.

34. Defendants' acts and omissions alleged herein actually and proximately caused Plaintiff's emotional distress.

35. By virtue of Defendants' acts and omissions as alleged herein, Plaintiff is entitled to preliminary and permanent injunctive relief.

36. WHEREFORE, Plaintiff requests relief as hereinafter provided.

FOURTH CAUSE OF ACTION

Against All Defendants

Negligence

37. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 36, and incorporates the same by reference as though fully set forth herein.

38. Defendants had a duty to plaintiff and the class of people of which she is a member to train its respective employees, partners, and agents on the laws protecting disabled persons in places of public accommodations.

39. Defendants breached their respective duties to plaintiff and the class of people of which she is a member by failing to train its respective employees, partners, and agents on the laws protecting disabled persons in places of public accommodations.

40. As a result of Defendants' respective and collective breach of duties to plaintiff, plaintiff has sustained serious and permanent injuries to her person, all to her damage in the amount to be shown according to proof at trial.

41. As a direct and proximate result of such acts of Defendants and DOES 1 through 50, Plaintiff was compelled to and did employ the services of physicians to care for and treat her, and did incur medical, professional and incidental expenses. Plaintiff is informed and believes, and upon such information and belief alleges, that she will incur additional like expenses for an indefinite period of time in the future, all to Plaintiff's damage in a sum to be proven at trial.

42. WHEREFORE, Plaintiff requests relief as hereinafter provided.

FIFTH CAUSE OF ACTION

Against All Defendants

Assault

43. Plaintiff repeats and realleges by reference each and every allegation contained in paragraphs 1 through 42 and incorporates the same herein as though fully set forth.

44. On or about March 26, 2016, Mr. Chisholm, intentionally, willfully, wantonly and maliciously caused Plaintiff to reasonably believe that she was in threat of imminent harm. Given the fact that Mr. Chisholm continued to berate Plaintiff and follow her into an enclosed space, a reasonable person in Plaintiff's situation would have been offended by the fear of imminent harm.

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1 45. At all relevant times, herein Mr. Chisolm's conduct was within the course and scope of
2 his employment and/or agency with Defendants, making Defendants liable for such acts committed by
3 Mr. Chisolm as alleged herein.

4 46. At no time during the events described in the preceding paragraph, did the Plaintiff
5 consent to any of Defendants' employees and DOES 1 through 50, threatened conduct.

6 47. As a direct and proximate result of Defendants' and DOES 1 through 50, threatening
7 manner, coupled with the present ability to carry out imminent harm, Plaintiff felt the imminent
8 apprehension of such conduct and therefore, she suffered severe emotional distress and other injuries to
9 her person in an amount to be shown according to proof at trial.

10 48. As a direct, legal and proximate result of the actions of Defendants, and DOES 1
11 through 50, Plaintiff sustained serious and permanent injuries to her person, all to her damage in the
12 amount to be shown according to proof at trial.

13 49. As a direct and proximate result of such acts of Defendants and DOES 1 through 50,
14 Plaintiff was compelled to and did employ the services of physicians to care for and treat her, and did
15 incur medical, professional and incidental expenses. Plaintiff is informed and believes, and upon such
16 information and belief alleges, that she will incur additional like expenses for an indefinite period of
17 time in the future, all to Plaintiff's damage in a sum to be proven at trial.

18 50. Plaintiff is informed and believes, and alleges thereon that such acts directed toward the
19 Plaintiff were malicious and belligerent. The acts of Defendants' employee were done with a conscious
20 disregard for Plaintiff's right to be free from such tortuous and criminal behavior, such as to constitute
21 oppression, fraud or malice pursuant to *Cal. Civ. C. § 3294*. Further, such acts were ratified and/or
22 authorized by managing agents of Defendants, entitling Plaintiff to punitive damages in an amount
23 appropriate to punish and set an example of Defendants and Does 1 through 50.
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51. WHEREFORE, Plaintiff requests relief as hereinafter provided.

SIXH CAUSE OF ACTION

Against All Defendants

False Imprisonment

52. Plaintiff repeats and realleges by reference each and every allegation contained in paragraphs 1 through 51 and incorporates the same herein as though fully set forth.

53. During the period described above, Defendants, through the actions of Mr. Chisholm, forced Plaintiff into an enclosed space and required her to stay against her will, without her consent and over her number protests to be left alone.

54. Defendants, through the actions of Mr. Chisholm, used this effective confinement to try to frighten, intimidate and manipulate Plaintiff into leaving Defendant Kaiser's facility. Defendants' forcible detention of the Plaintiff was arbitrary, capricious and done with the purpose of restraining Plaintiff's present and future activities at Defendant Kaiser's facility.

55. At no time did Plaintiff consent to this act by the Defendants. As a proximate result of these actions, Plaintiff sustained injuries, both physical and mental, and thus, have suffered general damages. In addition, as a further proximate result of Defendants' acts, Plaintiff has incurred and will continue to incur expenses for medical and psychological services. The full of amount of such services is not known to the Plaintiff at this time.

WHEREFORE, Plaintiff prays judgment against all Defendants as follows:

- a. A declaration that Defendants' conduct as alleged herein violated the Unruh Civil Rights Act;
- b. For appropriate preliminary and permanent injunctive relief pursuant to the Unruh Civil Rights Act;

- c. For treble actual damages (economic and non-economic), pursuant to *Cal. Civ. C. §§ 52.1 and 54.3*;
- d. For exemplary damages, pursuant to *Cal. Civ. C. § 3294*;
- e. For attorneys' fees and costs of suit, pursuant to *42 U.S.C. § 12188, Cal. Civ. C. §§ 52.1 and 54.3, and Cal. C. of Civ. Proc § 1021.5*;
- f. For punitive damages as this Court deems just and proper; and
- g. For such other and further relief as this Court deems just and proper.

Dated: March 14, 2017

BROWN & LIPINSKY LLP
ATTORNEYS AT LAW


DANIELLE AL-CHALATI
Attorney for Plaintiff,
SUSAN GIANELLI

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Danielle Al-Chalati (Bar # 298320) Bryan L. McNally, Of Counsel (Bar # 250290) Brown & Lipinsky LLP 5811 Pine Avenue, Suite A, Chino Hills, CA 91709 TELEPHONE NO.: (909) 597-2445 FAX NO.: ATTORNEY FOR (Name): Susan Gianelli, Plaintiff		FOR COURT USE ONLY FILED Superior Court Of California County Of Los Angeles MAR 20 2017 Sherri R. Carter, Executive Officer/Clerk By <u>Charlie L. Coleman</u> Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse			
CASE NAME: Gianelli v. SOCAL Permanente Medical Group, 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)	
<input type="checkbox"/> Counter		<input type="checkbox"/> Joinder	
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		CASE NUMBER: BC 6 5 4 5 41	
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 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 checked="" 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 (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)
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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
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
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
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): **SIX (6)**
5. This case ☐ is ☒ is not a class action suit.
6. ☒ There are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 15, 2017

Danielle Al-Chalati

(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

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

Non-PI/PD/WD (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/WD 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:

Gianelli v. SOCAL Permanente Medical Group, et al.

CASE NUMBER

BC 654541

**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)

1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
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.
11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury).

Auto
TortOther 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 checked="" type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	<input checked="" type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	1, 11
	<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11
	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
	<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
Other Personal Injury/Property Damage/Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 4, 11
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1, 4, 11
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11

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SHORT TITLE:

Gianelli v. SOCAL Permanente Medical Group, et al.

CASE NUMBER

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 checked="" 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 Promissory 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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SHORT TITLE:

Gianelli v. SOCAL Permanente Medical Group, et al.

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, 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
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"/> 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
	Other Complaints (Not Specified Above) (42)	<input checked="" 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
	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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SHORT TITLE: Gianelli v. SOCAL Permanente Medical Group, et al.	CASE NUMBER:
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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 checked="" 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 type="checkbox"/> 11.			ADDRESS: 5105 Goldleaf Circle
CITY: Los Angeles	STATE: CA	ZIP CODE: 90017	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central 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: March 15, 2017

(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.

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.

03/20/2017

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