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A6010 91102

1 THE MATHEWS LAW FIRM
2 CHARLES T. MATHEWS (SBN 55889)
3 45 E. Huntington Dr., Suite 45C
4 Arcadia, California 91006
5 Tel: (626) 683-8291
6 Fax: (626) 683-8295
7 Email: ted@mathewslawgroup.com

8 Attorneys for Plaintiff,
9 MARIELOU MENDOZA

Dept. # 40 Assigned SOTB

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 MARIELOU MENDOZA, an individual,

13 Plaintiff,

14 vs.

15 KAISER FOUNDATION HEALTH PLAN,
16 INC., a corporation; KAISER
17 FOUNDATION HOSPITALS, a
18 corporation; SOUTHERN CALIFORNIA
19 PERMANENTE MEDICAL GROUP, a
20 partnership; SHERI FALCONE, an
21 individual; and DOES 1 through 10,
22 inclusive.

23 Defendants.

CASE NO.:

BC 7 12 268

PLAINTIFF'S COMPLAINT FOR:

1. VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE § 1278.5
2. VIOLATION OF CALIFORNIA GOVERNMENT CODE § 12940(j) - HOSTILE WORK ENVIRONMENT BASED ON HARASSMENT
3. VIOLATION OF CALIFORNIA GOVERNMENT CODE § 12940(k) - FAILURE TO PREVENT DISCRIMINATION OR HARASSMENT
4. RETALIATION IN VIOLATION OF GOVERNMENT CODE § 12940
5. DISCRIMINATION & HARASSMENT IN VIOLATION OF GOVERNMENT CODE § 12940
6. WRONGFUL CONSTRUCTIVE TERMINATION IN VIOLATION OF PUBLIC POLICY
7. DEFAMATION

BY FAX

DEMAND FOR JURY TRIAL BY PLAINTIFF

CIT/CASE: BC712263
LER/DEF#:

RECEIPT #: CCH520872040

DATE PAID: 06/29/18 10:51 AM
PAYMENT: \$435.00

CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

COMPLAINT FOR DAMAGES

1. Plaintiff complains and alleges as follows:

INTRODUCTION & NATURE OF ACTION

1. This is a lawsuit brought by Plaintiff, Marielou Mendoza (hereinafter "Plaintiff"), against her former employer "KAISER PERMANENTE". Plaintiff worked for KAISER as a Registered Nurse for twenty-six years until she was constructively terminated on or about June 30, 2017.

2. During the 26 years she worked for Kaiser before the events described herein, Plaintiff distinguished herself as a quality nurse and the Supervisor of the Cardiac Care Unit. For 25 years in a row, Plaintiff received excellent performance evaluations demonstrating her high level of performance and achievement. As a direct result of her hard work, compassionate care and commitment, Plaintiff regularly received praise from peers and patients alike.

3. Then as Kaiser has done so many times in the past to others, it brought in managing agent FALCONE to defame, attack undermine and inflict pain on Plaintiff to either force her to resign or create pretextual grounds to terminate Plaintiff's employment.

4. Despite these attacks, Plaintiff well and truly performed her duties under California law and "Kaiser's Principles of Responsibility," the Kaiser manual setting forth Kaiser's policies governing the conduct of all its employees, until she was forced to resign on June 30, 2017 or be terminated.

JURISDICTION & VENUE

5. This Court has personal jurisdiction over each of the defendants because they are residents of and/or doing business in the State of California.

6. Under California Code of Civil Procedure section 395(a), venue is proper in this county because the defendants, or some of them, reside in this county and/or injuries alleged herein occurred in this county.

PARTIES

7. Plaintiff, at all times relevant hereto, has been a resident of the State of California. Plaintiff was born on November 24, 1959 and was 57 years of age at the time she was forced to resign or be terminated. Plaintiff is of the Philippine race and national origin.

1 8. Plaintiff is informed and believes that Defendants Kaiser Foundation Health Plan,
2 Inc. ("KFHP") and Kaiser Foundation Hospitals ("KFH") are corporations organized and
3 existing under the laws of California, with their two principal places of business located at 1
4 Kaiser Plaza, Oakland, California and at 393 E. Walnut Street, Pasadena, California in the
5 County of Los Angeles. The location where Plaintiff worked at all times herein relevant was
6 operated under the direct managerial and financial control of Kaiser's Walnut Center
7 Headquarters in Pasadena, California.

8 9. Plaintiff is informed and believes that Defendant Southern California Permanente
9 Medical Group ("SCPMG") is organized in form only as a partnership under the laws of
10 California, with its principal place of business located in Los Angeles County at 393 East Walnut
11 Street, Pasadena, California.

12 10. Plaintiff is informed and believes and thereon alleges that at all times herein
13 relevant, defendant SHERI FALCONE ("FALCONE") is a resident of the State of California and
14 a managing agent of the corporate defendants fully empowered to speak for and bind KAISER
15 PERMANENTE in doing the things alleged herein below.

16 11. Plaintiff is informed and believes KFHP, KFH and SCPMG do business jointly,
17 and with other entities as an INTEGRATED ENTERPRISE owned and controlled by KFHP
18 doing business under the name "Kaiser Permanente." All Kaiser entities are governed by
19 "Kaiser's Principles of Responsibility" a document which sets forth and binds in great detail the
20 duties and obligations of every employee and agent of all Kaiser Permanente entities.

21 12. Plaintiff is informed and believes that Kaiser Permanente is an "integrated" health
22 care delivery system comprised of the insurance company, KFHP, its doctors, organized as
23 SCPMG, and its hospitals, which are wholly owned and/or controlled by KFHP through its
24 captive entity, KFH, which has no separate existence or identity apart from KFHP.

25 13. Plaintiff is informed and believes and thereon alleges that Defendant KFHP is an
26 insurance company which purports to provide comprehensive total medical care to its members.
27 KFHP describes itself as the largest Health Maintenance Organization in the country. KFHP
28 exercises total control over Defendants KFH, SCPMG and a number of other corporate and

1 partnership entities such that their very existence as purported separate entities is in fact a sham
 2 designed to perpetuate the myth that KFHP and KFH are legitimate "non-profit" corporations.
 3 Plaintiff is informed and believes that KFHP and KFH are in fact "for profit" enterprises
 4 regularly reporting their profitability publicly. For example, on August 5, 2011, Kaiser reported:

5
 6 Kaiser Foundation Hospitals, Kaiser Foundation Health Plan, Inc., and their respective
 7 subsidiaries (KFH/HP) reported today a combined operating revenue of \$11.9 billion for
 8 the quarter ending June 30, 2011, compared to \$11.0 billion in the same period in 2010.
 9 Operating income was \$390 million in the second quarter of 2011, compared to \$313
 10 million in the same quarter last year. Net non-operating income was \$273 million in the
 11 second quarter of 2011, compared to \$91 million in the same quarter last year. As a
 12 result, net income for the second quarter was \$663 million versus net income of \$404
 13 million in the same period last year. These are the combined operating results for Kaiser
 14 Foundation Hospitals, Kaiser Foundation Health Plan, Inc., and their respective
 15 subsidiaries.¹

16 14. KFHP's total dominance over KFH and SCPMG is evidenced by the fact that
 17 KFHP and SCPMG's entire annual budget is set by, controlled by, and approved by KFHP; all
 18 funds for KFHP and SCPMG's operations come from KFHP; KFHP determines what "profit" if
 19 any SCPMG is allowed to make; money that SCPMG uses to pay bonuses to its doctors comes
 20 from KFHP; SCPMG does not bill any patients for most of its services; barring emergencies or
 21 extremely rare instances, SCPMG doctors are only allowed to work for KFHP members
 22 exclusively; and SCPMG's only source of money is from KFHP. KFHP provides virtually all
 23 legal, human resources, insurance, communications, advertising, billing, and other necessary
 24 services for KFHP and SCPMG. Members buying health care coverage only pay money to
 25 KFHP, not to SCPMG; they buy insurance from KFHP and they receive services through
 26 SCPMG. Advertising for the health care offered by KFHP as health insurance and provided
 27 through SCPMG doctors is done predominantly by KFHP, advertising as "Kaiser Permanente"
 28 as seen in the multi-million-dollar "Thrive" advertising campaign. SCPMG does not own
 hospitals, medical buildings, or the clinics where they work; they are owned by KFHP. KFHP
 provides all telephone, fax, and e-mail services for SCPMG. KFHP also provides health
 insurance and medical malpractice insurance to SCPMG's doctors. KFHP lawyers routinely

¹ <http://xnet.kp.org/newscenter/pressreleases/nat/2011/080511q2financials.html>

1 render legal advice and counsel to KFHP, SCPMG, and have unfettered access to KFHP and
2 SCPMG's records; KFHP's Human Resources department routinely investigates any
3 EEOC/DFEH or other complaints of discrimination, as well as issues regarding reasonable
4 accommodations, regarding KFHP and SCPMG's practices and employees, reporting to KFHP's
5 legal department on all such investigations; KFHP lawyers and human resources staff do not
6 obtain privacy waivers when seeking records of KFHP and/or SCPMG employees or investigating
7 their claims; KFHP provides and pays for all facilities in which KFHP and SCPMG conduct
8 business.

9 15. Defendants KFHP, KFHP and SCPMG, if not separately noted are hereinafter
10 collectively referred to as "Kaiser." These Defendants are collectively liable under either a joint
11 employer theory or a single enterprise theory.

12 16. The true names and capacities of the defendants named herein as Does 1 through
13 10, inclusive, whether individual, corporate, associate or otherwise, are unknown to Plaintiff who
14 therefore sues such defendants by fictitious names pursuant to California Code of Civil
15 Procedure section 474. Plaintiff is informed and believes that all of the Doe defendants are
16 California residents. Plaintiff will amend this Complaint to show such true names and capacities
17 when they have been determined.

18 17. Plaintiff is informed and believes that at all times relevant herein, each defendant
19 designated, including Does 1 through 10, was the agent, managing agent, principal, owner,
20 partner, joint-venturer, representative, manager, servant, employee and/or co-conspirator of each
21 of the other defendants, and was at all times mentioned herein acting within the course and scope
22 of said agency and employment, and that all acts or omissions alleged herein were duly
23 committed with the ratification, knowledge, permission, encouragement, authorization and
24 consent of each defendant designated herein.

25 18. Plaintiff timely filed a complaint for discrimination, harassment, retaliation and
26 hostile work environment with the Department of Fair Employment and Housing and received a
27 Right to Sue letter from DFEH.

FACTS COMMON TO ALL CAUSES OF ACTION

19. At all times herein relevant, Plaintiff was a Registered Nurse duly licensed by the State of California. By the time of her constructive termination, Plaintiff had risen to the position of Supervisor of the Cardiac Cath Lab at Kaiser Sunset hospital in Los Angeles.

20. On July 1, 1991 Plaintiff was hired and began her career at Kaiser Sunset as a Registered Nurse. Thereafter, each and every year Plaintiff received favorable performance evaluations and praise from the physicians, fellow nurses, supervisors, and administrators who were her co-workers. Plaintiff took great pride in her work caring for patients with serious cardiac problems, comforting them and meeting their nurses needs with passion and commitment. Plaintiff, relying on Kaiser's Principles of Responsibility and the numerous reassurances she received commending her good work, reasonably believed she would continue her good work through normal retirement. But that was not to be.

21. On or about August 2016 Kaiser hired defendant FALCONE and empowered her to do Kaiser's bidding. Thereafter, FALCONE, acting for and on behalf of Kaiser, began a campaign of harassment, abuse, humiliation and defamation to inflict embarrassment and emotional distress on Plaintiff hoping that she would quit rather than continue to endure the pain.

22. Plaintiff is informed and believes and thereon alleges that FALCONE, in material part because of her racial and ethnic animus toward Plaintiff, verbally and in writing made numerous false statements to several third parties including Kaiser Human Resources, other managers and certain co-workers. Some examples of those defamatory statements are as follows:

- A. "Marielou demonstrates a lack of ownership for commitments and performance."
- B. "Marielou is unable to create systems, procedures and monitoring processes to ensure highly competent delivery of care."
- C. "Marielou struggles in the area of collaboration."
- D. "Marielou does not support individual and team efforts by encouraging, influencing and engaging others *with different backgrounds*, experiences and points of view."
- E. "Marielou lacks the communication style that builds trust and encourages open discussion."

1 F. Marielou "denies the opportunity for others to provide input and feedback, including
2 those with different backgrounds, experiences and points of view."

3 G. Marielou "does not demonstrate a strong customer focus."

4 H. "Marielou struggles to develop her understanding of CCL operations."

5 I. "Marielou consistently shows the inability to provide timely decisions or take action
6 inability."

7 J. "Marielou struggles to build trusting relationships."

8 K. "Marielou is ineffective in building and managing an effective team."

9
10 23. Each of the defamatory statements set forth in paragraph 22 above was known to
11 be false by defendants at the time each such statement was uttered and otherwise published.

12 24. Each of the defamatory statements set forth in paragraph 22 above was uttered
13 with the intent to injure Plaintiff in her career and occupation and to inflict emotional pain on
14 her. The third parties who heard and saw these defamatory statements believed them to be true.

15 25. The Cardiac Cath Lab at Kaiser Sunset was and is an ethnically diverse work
16 environment requiring Plaintiff to manage and supervise workers from many different cultures
17 and backgrounds. As an ethnic minority herself (Phillipine/Asian) she was sensitive to the issues
18 which arise from an ethnically diverse work force.

19 26. Plaintiff's well documented history of outstanding performance refutes each and
20 every one of the false statements set forth in paragraph 22 above.

21 27. Plaintiff was very effective in meeting the needs of that diverse work force. In
22 her 2011 performance appraisal, Plaintiff's supervisor noted that Plaintiff "has been very
23 effective with the varied cultures in our lab. She is compassionate yet firm in her direction and is
24 learning the art of collaboration.....Seeks to understand. Asks others for input and feedback,
25 including those with different backgrounds, experiences and points of view. Actively listens and
26 ensures that people are heard and can raise concerns."

1 28. In Plaintiff's 2011 performance evaluation she was evaluated as having
2 "Excellent Performance" in virtually every category. That evaluation squarely contradicts the
3 defamatory statements set forth in paragraph 22 as follows:

- 4 A. "I feel that Malou (sic) has really grown this year in her management style. The staff
5 have come to respect her and follow her direction."
6 B. "Malou (sic) has been very effective with the varied cultures in our lab. She is
7 compassionate yet firm in her direction and is learning the art of collaboration."
8 C. "Malou (sic) is much better at openly communicating with the staff."
9 D. "Not only does Malou(sic) share her skills with the staff, but she has taken several
10 class to improve her management style."
11 E. "Malou (sic) is very careful to constantly monitor the state the cath lab is in. She
12 comes for help from her managers when appropriate and tries to problem solve on her
13 own."

14 29. Plaintiff's February 19, 2016 performance evaluation was done using a different
15 format. In most categories of evaluation she achieved "100%" of her goals. Her then manager's
16 comments directly refute the defamatory comments set forth in paragraph 22 above:

- 17 A. "The Cath Lab is very fortunate to have Marielou as an employee. She is dedicated
18 and hardworking."
19 B. "Malou (sic) is in constant communication with her employees throughout the day.
20 She is both appropriate and timely with her messages."
21 C. "When given tasks to complete, Marielou is timely and efficient. She works very hard
22 to accomplish the goals of the department."
23 D. Marielou is aware of the needs of the patients and their families. When she notices
24 that their needs are not being met, she is there to intervene. She is helpful to the
25 physicians and staff when problems arise."
26 E. "Marielou collaborates easily with the physicians and other departments in the
27 medical center. She is respected and maintains constructive relationships."

1 F. Marielou identifies and uses the resources available to solve the multitude of
2 problems that can arise in this busy department."

3 G. "Marielou gives clear expectations and holds the employees accountable to meet the
4 expectations. She provides clear feedback and encourages questions from the staff.
5 She works closely with our educator to ensure the staff are updated on procedures and
6 skills."

7 30. On or about February 17, 2017, defendants, in furtherance of their plan to
8 embarrass, harass and abuse Plaintiff into resigning, gave Plaintiff the only negative performance
9 evaluation she ever received and placed Plaintiff on what they called a "Formal Corrective
10 Action Plan" falsely accusing her of poor performance. This document was reviewed by
11 numerous third parties who believed the defamatory allegations contained therein as well as
12 those set forth in paragraph 22 above were true. Defendants did this for no proper business
13 purpose but instead did this to increase the level of emotional and physical pain on the Plaintiff
14 hoping that she would resign.

15 31. However, on March 1, 2017, Dr. Tom Anderson, Ed.D., MBA, the former Interim
16 Director, Cath/EP Labs and the Current Department Administrator, Cardio-Vascular Surgery at
17 Kaiser Sunset, who was Plaintiff's prior supervisor wrote a letter of recommendation for her that
18 further demonstrates the falsity of FALCONE's statements:

19 "The department was at a substantial level of disarray upon our arrival...Our stated
20 priorities were to improve efficiency, initially for First-Case Start Times and then turn-
21 around times...We were able to increase 1st case on-time starts from 52% to 94%.
22 Turn-around-times dropped from 46 minutes to 28 minutes." "Malou(sic) led by
23 example, stepping up to cover our Ward Clerk, Charge Nurse or Holding Area Nurses.
24 We worked well together because we kept priorities in order: patient care and staff care.
25 Malou is a very likeable person and staff respond well to her." "I recommend Malou
26 Mendoza to you, without reservation."

27 32. On March 27, 2017, Dr. Vicken J. Aharonian MD, a Kaiser Interventional
28 Cardiologist wrote of Plaintiff:

1 "I have known Malou (sic) since 1991....I have found her to be very engaged as a nurse,
2 resourceful and knowledgeable. She is very caring towards patients, and always puts the
3 patient first. She is indeed a patient advocate to the fullest of its meaning.....She is very
4 knowledgeable regarding running a cath lab on a day-to-day basis and has worked very
5 well with Hospital nursing and in-patient care areas.....Her interpersonal skills are really
6 her strength...."

7 33. On March 30, 2017, Dr. Morris Salem MD, the Regional Interventional Pediatric
8 Cardiologist for Kaiser throughout Southern California, wrote:

9 "I have known (her) for last 18 years in her capacity as a cardiac catheterization lab nurse
10 manager. Marielou has had multiple roles in the catheterization lab since I have known her
11 and is widely regarded as one of the most reliable, conscientious and efficient employees
12 in the catheterization lab."

13 34. It is against the public policy of the State of California to retaliate against an
14 employee for patient advocacy pursuant to California Business and Professions Code section
15 2056 and Health and Safety Code Section 1278.5.

16 35. Plaintiff succumbed to the physical and emotional pain recognizing that it was
17 hopeless for you to return because they would continue to batter, humiliate and abuse her.
18 Recognizing that no reasonable person could continue to work in such a hostile environment, on
19 6/30/17 Plaintiff was constructively terminated and resigned from Kaiser.

20
21 **FIRST CAUSE OF ACTION**

22 **VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE § 1278.5**

23 **(Against All Defendants and Does 1 through 10)**

24 36. Plaintiff incorporates by this reference paragraphs 1 through 35 of this complaint
25 as if set forth herein in full and with the same full force and effect.

26 37. Plaintiff was retaliated against for months prior to her constructive termination in
27 a campaign orchestrated by defendants to inflict pain, humiliation and abuse on Plaintiff in an
28 attempt to either force her to quit or set her up for pretextual termination. This retaliation was

1 because of the patient care and employee safety concerns raised above. This retaliation for
2 patient and safety advocacy was in violation of Health and Safety Code section 1278.5.

3 38. As a proximate result of Defendants' retaliation against Plaintiff, Plaintiff has
4 suffered and continues to suffer substantial losses in earnings, and other employment and
5 retirement benefits and has suffered and continues to suffer embarrassment, humiliation and
6 mental anguish all to her damage in an amount according to proof.

7 39. As a proximate result of Defendants' retaliation against Plaintiff, Plaintiff is
8 entitled to reinstatement pursuant to Health and Safety Code section 1278.5.

9 40. As a proximate result of Defendants' retaliation against Plaintiff, Plaintiff is
10 entitled to reasonable attorneys' fees pursuant to Health and Safety Code section 1278.5.

11 41. Defendants committed the acts alleged herein maliciously, fraudulently and
12 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
13 amounting to despicable conduct, and in conscious disregard of Plaintiff's rights. Plaintiff is thus
14 entitled to recover punitive damages from Defendants in an amount according to proof.

15
16 **SECOND CAUSE OF ACTION**

17 **VIOLATION OF CALIFORNIA GOVERNMENT CODE § 12940(k) – FAILURE**
18 **TO PREVENT DISCRIMINATION OR HARASSMENT**

19 **(Against All Kaiser Defendants and Does 1 through 10)**

20 42. Plaintiff incorporates by this reference paragraphs 1 through 35 of this complaint
21 as if set forth herein in full and with the same full force and effect.

22 43. Defendants discriminated against Plaintiff on account of her race and national
23 origin. The acute stress and harassment deliberately inflicted on Plaintiff created a hostile work
24 environment that threatened plaintiff's health and career.

25 44. The KAISER defendants were well aware that Plaintiff was being subjected to
26 ongoing discrimination, harassment and a hostile work environment and did nothing to prevent it
27 in violation of California Government Code Section 12940(k).

1 45. Defendants committed the acts alleged herein maliciously, fraudulently and
2 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
3 amounting to despicable conduct, and in conscious disregard of Plaintiff's rights. Plaintiff is thus
4 entitled to recover punitive damages from Defendants in an amount according to proof.

5
6 **THIRD CAUSE OF ACTION**

7 **RETALIATION IN VIOLATION OF GOVERNMENT CODE § 12940**

8 **(Against All Kaiser Defendants, FALCONE and Does 1 through 10)**

9 46. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

10 47. Defendants committed the acts alleged herein above and other acts maliciously,
11 fraudulently and oppressively, with the wrongful intention of injuring Plaintiff, from an improper
12 and evil motive amounting to despicable conduct, and in conscious disregard of Plaintiff's rights.
13 Plaintiff is thus entitled to recover punitive damages from Defendants in an amount according to
14 proof.

15
16 **FOURTH CAUSE OF ACTION**

17 **DISCRIMINATION AND HARASSMENT IN VIOLATION OF GOVERNMENT CODE**
18 **§ 12940**

19 **(Against the KAISER Defendants, FALCONE and Does 1 through 10)**

20 48. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

21 49. Defendants committed the acts alleged herein maliciously, fraudulently and
22 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
23 amounting to despicable conduct, and in conscious disregard of Plaintiff's rights. Plaintiff is thus
24 entitled to recover punitive damages from Defendants in an amount according to proof.

25
26 **FIFTH CAUSE OF ACTION**

27 **WRONGFUL CONSTRUCTIVE TERMINATION IN VIOLATION OF PUBLIC**
28 **POLICY**

(Against the KAISER Defendants and Does 1 through 10)

50. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

51. It is against the public policy of the State of California to retaliate against an employee for patient advocacy pursuant to B&P code section 2056.

52. It is against the public policy of the State of California pursuant to Health and Safety Code Section 1278.5 to retaliate against Plaintiff for reporting threats to patient and employee safety and health care.

53. Defendants committed the acts alleged herein maliciously, fraudulently and oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive amounting to despicable conduct, and in conscious disregard of Plaintiff's rights. Plaintiff is thus entitled to recover punitive damages from Defendants in an amount according to proof.

SIXTH CAUSE OF ACTION

DEFAMATION

(Against All Defendants, FALCONE and Does 1 through 10)

54. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

55. As alleged herein above, defendants FALCONE and Does 1-5, each falsely accused Plaintiff of multiple acts of misconduct and misbehavior both verbally and in writing in an attempt harm plaintiff in her occupation and profession and to set up a pretextual excuse to discipline and/or terminate Plaintiff's employment or to force her to endure such pain, shame and humiliation that she would quit or retire.

56. Defendants committed the acts alleged herein maliciously, fraudulently and oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive amounting to despicable conduct, and in conscious disregard of Plaintiff's rights. Plaintiff is thus entitled to recover punitive damages from Defendants in an amount according to proof.

JURY TRIAL DEMANDED

57. Plaintiff demands a jury as to all causes of action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests relief as follows:

1. For compensatory economic damages according to proof including losses incurred in seeking substitute employment and loss of earnings, and other employment benefits;
2. For compensatory non-economic damages for losses resulting from humiliation, mental anguish, and emotional distress according to proof;
3. For interest on the amount of losses incurred in earnings, deferred compensation and other employee benefits at the prevailing legal rate;
4. For a \$25,000 civil penalty pursuant to Health and Safety Code section 1278.5;
5. For punitive damages according to proof;
6. For restitution and injunctive relief;
7. For reinstatement;
8. For costs incurred by plaintiff, including reasonable attorneys' fees;
9. For such other and further relief as the Court may deem proper.

Date: June 28, 2018.

THE MATHEWS LAW GROUP

By 

Charles T. Mathews
Attorneys for Plaintiff;

Courthouse News Service

06/29/2018

EXHIBIT A

Courthouse News Service

EXHIBIT A

06/29/2018



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.
DIRECTOR KEVIN KISH

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove, CA 95758
(800) 884-1684 | TDD (800) 700-2320
<http://www.dfeh.ca.gov> | email: contact.center@dfeh.ca.gov

June 26, 2018

Charles Mathews
45 East Huntington Drive, Suite 45C
Arcadia, California 91006

RE: **Notice to Complainant's Attorney**
DFEH Matter Number: 201806-02724426
Right to Sue: Mendoza / Kaiser Foundation Health Plan, Inc. et al.

Dear Charles Mathews:

Attached is a copy of your complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer. You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the DFEH does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Department of Fair Employment and Housing

06/29/2018



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency
DEPARTMENT OF FAIR EMPLOYMENT & HOUSING
2218 Keusen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 | TDD (800) 700-2320
<http://www.dfeh.ca.gov> | email: contact.center@dfeh.ca.gov

GOVERNOR EDMUND G. BROWN JR.
DIRECTOR KEVIN KISH

June 26, 2018

RE: **Notice of Filing of Discrimination Complaint**

DFEH Matter Number: 201806-02724426

Right to Sue: Mendoza / Kaiser Foundation Health Plan, Inc. et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. This case is not being investigated by DFEH and is being closed immediately. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to DFEH is requested or required.

Sincerely,

Department of Fair Employment and Housing

06/29/2018



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95756
(800) 884-1684 | TDD (800) 700-2320
<http://www.dfeh.ca.gov> | email: contact.center@dfeh.ca.gov

GOVERNOR EDMUND G. BROWN JR.
DIRECTOR KEVIN KISH

June 26, 2018

Marielou Mendoza
1013 Edgemont St.
Los Angeles, California 90029

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201806-02724426
Right to Sue: Mendoza / Kaiser Foundation Health Plan, Inc. et al.

Dear Marielou Mendoza,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 26, 2018 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing

06/29/2018

COMPLAINT OF EMPLOYMENT DISCRIMINATION
BEFORE THE STATE OF CALIFORNIA
DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
Under the California Fair Employment and Housing Act
(Gov. Code, § 12900 et seq.)

In the Matter of the Complaint of
Marielou Mendoza

DFEH No. 201806-02724426

Complainant,

vs.

Kaiser Foundation Health Plan, Inc.
393 E. Walnut Street
Pasadena, California 91188

Kaiser Foundation Hospitals
393 E. Walnut Street
Pasadena, California 91188

Southern California Permanente Medical Group
(SCPMG)
393 E. Walnut Street
Pasadena, California 91188

Sheri Falcone
c/o Southern California Permanente Medical
Group 1515 Vermont Ave.
Los Angeles, California 90027

Respondents

1. Respondent **Kaiser Foundation Health Plan, Inc.** is an employer subject to suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

2. Complainant **Marielou Mendoza**, resides in the City of **Los Angeles** State of **California**.

3. Complainant alleges that on or about **May 30, 2017**, respondent took the following adverse actions:

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Complaint - DFEH No. 201806-02724426

Date Filed: June 26, 2018

1 **Complainant was harassed** because of complainant's race, ancestry, national
2 origin (includes language restrictions), color, age (40 and over).

3 **Complainant was discriminated against** because of complainant's race, ancestry,
4 national origin (includes language restrictions), color, age (40 and over) and as a
5 result of the discrimination was terminated, denied a work environment free of
6 discrimination and/or retaliation.

7 **Complainant experienced retaliation** because complainant reported or resisted
8 any form of discrimination or harassment and as a result was terminated, forced to
9 quit, denied a work environment free of discrimination and/or retaliation.

10 **Additional Complaint Details:** After having an excellent career at Kaiser for 25
11 years receiving excellent written performance evaluations I was terminated by a new
12 supervisor who began a campaign of harassment and abuse, undermining my job
13 and threatening my position. This supervisor gave me the first negative
14 performance review I had ever received, filling it with distortions and false
15 statements about my performance. After sustaining an injury which caused me to
16 take sick leave, that made matters worse, to the point I was forced to quit on June
17 30, 2017.

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Complaint - DFEH No. 201806-02724426

Date Filed: June 26, 2018

06/28/2018

1 VERIFICATION

2 I, **Charles Mathews**, am the **Attorney** in the above-entitled complaint. I have read
3 the foregoing complaint and know the contents thereof. The matters alleged are
4 based on information and belief, which I believe to be true.

5 On June 26, 2018, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

7 Arcadia, CA

Courthouse News Service

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Complaint - DFEH No. 201806-02724426

Date Filed: June 26, 2018

06/29/2018

ORIGINAL

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Charles T. Mathews (SBN 055889) The Mathews Law Firm 43 E. Huntington Drive, Suite 45C Arcadia, CA 91006 TELEPHONE NO.: 626.683.8291 FAX NO.: 626.683.8295 ATTORNEY FOR (Name): Plaintiff, Marielou Mendoza		CM-010 FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles JUN 29 2018 Sherri R. Carter, Executive Officer/Clerk of Court By <u>Judi Lara</u> , Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District - Stanley Mosk Courthouse		
CASE NAME: Mendoza v Kaiser Foundation Health Plan, Inc. et al		CASE NUMBER: JUDGE: 88712268 DEPT:
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"/> 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 (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 type="checkbox"/> Civil rights (08) <input checked="" 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 checked="" type="checkbox"/> Wrongful termination (36) <input checked="" 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	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): 7

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: 06/28/18

Charles T. Mathews

(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

SHORT TITLE: MENDOZA v. KAISER FOUNDATION HEALTH PLAN, et al	CASE NUMBER: BC 7 12 268
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**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. | 7. Location where petitioner resides. |
| 2. Permissive filing in central district. | 8. Location wherein defendant/respondent functions wholly. |
| 3. Location where cause of action arose. | 9. Location where one or more of the parties reside. |
| 4. Mandatory personal injury filing in North District. | 10. Location of Labor Commissioner Office. |
| 5. Location where performance required or defendant resides. | 11. Mandatory filing location (Hub Cases - unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle. | |

	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, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1, 4, 11
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	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 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: MENDOZA v. KAISER FOUNDATION HEALTH PLAN, et al	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 Damage/ Wrongful Death Tort	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 checked="" 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
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<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 (not insurance) (06)	<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	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

LACIV 109 (Rev. 2/16)
LASC Approved 03-04

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

Local Rule 2.3
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SHORT TITLE: MENDOZA v. KAISER FOUNDATION HEALTH PLAN, et al	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
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
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 (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 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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CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

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SHORT TITLE: MENDOZA v. KAISER FOUNDATION HEALTH PLAN, 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 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: 393 E. Walnut Street - 2nd Floor (Legal)
CITY: Pasadena	STATE: CA	ZIP CODE: 91108	

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: June 28, 2018.

(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.

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**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

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