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Attorney for Plaintiff  
Isaac Ali

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SACRAMENTO

ISAAC ALI,

Plaintiff,

vs.

KAISER FOUNDATION HOSPITAL, THE  
KAISER PERMANENTE GROUP, JENNA  
TORRES, KAISER LEGAL GROUP  
AND DOES 1-100,

Defendants.

Case No.:

COMPLAINT FOR

1. STATUTORY INVASION OF PRIVACY
2. COMMON LAW INVASION OF PRIVACY
3. STATUTORY DISCLOSURE OF PRIVATE INFORMATION
4. DEFAMATION
5. INTENTION INFLICTION OF EMOTIONAL DISTRESS
6. CONSPIRACY

PLAINTIFF DEMANDS A JURY TRIAL

Plaintiff ISAAC ALI, hereby alleges the following facts which are pertinent to all causes of action:

1. Plaintiff ISAAC ALI is, and at all times mentioned herein was, a resident of the County of Sacramento, State of California. Plaintiff FARISHA ALI is, and at all times mentioned herein was, a resident of the County of Sacramento, State of California.
2. Plaintiff is informed and believes, and thereon alleges, that at all times mentioned in this complaint, defendant KAISER FOUNDATION HOSPITAL (hereinafter referred to as

1       **KAISER**) and Does 1-100 was licensed to do business and was doing business in the County  
2 of Sacramento, California wherein ALI was injured.

- 3       3. Plaintiff is informed and believes, and thereon alleges, that at all times mentioned in this  
4 complaint, defendants **KAISER PERMANENTE MEDICAL GROUP** (hereinafter  
5 collectively referred to as **KAISER PERMANENTE**) and Does 1-100 was licensed to do  
6 business and was doing business in the County of Sacramento, California wherein ALI was  
7 injured.
- 8       4. Plaintiff is informed and believes, and thereon alleges that at all times mentioned in this  
9 complaint, defendant **KAISER LEGAL GROUP** (hereinafter collectively referred to as  
10 **KAISER LEGAL**) and Does 1-100 was licensed to do business and was doing business in  
11 the County of Sacramento, California wherein ALI was injured. This is the Legal Group  
12 Torres alluded to in her arbitration testimony.
- 13       5. Plaintiff is informed and believes, and thereon alleges, that at all time mentioned in complaint,  
14 defendant **JENNA TORRES** (hereinafter **TORRES**) and Does 1-100 resided in, and  
15 continues to reside in Sacramento County, California. She was a care giver for ALI and was  
16 an employee of KAISER, KAISER LEGAL and KAISER PERMENANTE at all pertinent  
17 times herein.
- 18       6. Plaintiff is informed and believes, and thereon alleges, that at all time mentioned in complaint,  
19 defendants **KAISER LEGAL** and Does 1-100 resided in, and continue to reside in Sacramento  
20 County, California. They were legal counsel to **TORRES** and **KAISER** and **KAISER**  
21 **HOSPITAL** at all pertinent times herein.
- 22       7. Plaintiff is ignorant of the true names and capacities of defendants sued in this complaint as  
23 Does 1 through 100, and each of them, and therefore sue these defendants by such fictitious  
24 names. Plaintiff will amend this complaint to allege these defendants' true names and  
25 capacities when ascertained. Plaintiff is informed and believe, and thereon allege, that each  
26 fictitiously-named defendant is complicit in the conspiracy and intentional conduct, negligent  
27 or otherwise responsible in some manner for the occurrences alleged in this complaint, and  
28

1 that Plaintiff injuries and damages were legally caused by the Doe defendants' intentional  
2 conduct, negligence or other conduct.

3 8. At all times mentioned in this complaint, defendants Does 1 through 100, and each of them,  
4 were individuals or business entities, form unknown, who resided in or did business in the  
5 County of Sacramento, State of California.

6 9. Plaintiff is informed and believes, and thereon alleges, that at all times mentioned in this  
7 complaint, each of the defendants was the co- conspirator, agent and employee of each of the  
8 other remaining defendants, and in doing the things alleged in this complaint, was acting  
9 within the course and scope of this agency and employment, and each defendant has ratified  
10 and approved the acts of its agent or agents.

11 10. Plaintiff is informed, believes, and thereon alleges, that at all times herein mentioned,  
12 Defendants were the agents and employees of each of their co-defendants and, in doing the  
13 things herein mentioned, were acting in the course and scope of their authority as such agents  
14 and employees, and with the permission and consent of their co-defendants. Plaintiff is  
15 informed and believes, and thereon alleges, that at all times mentioned herein, the defendants,  
16 and each of them, were involved in a joint venture or partnership with one another.

17 11. Plaintiff is informed and believes and thereon alleges the following facts as to all causes of  
18 action:

19 i. On or about April 11, 2016, Plaintiff Ali consulted his physician at the time, Jenna  
20 Torres.

21 ii. Plaintiff Ali specifically complained to TORRES that he had had pain in his swollen  
22 foot for three or more weeks and that he was concerned because he was traveling to Las  
23 Vegas by automobile within the week.

24 iii. As a result of the perceived conduct and negligence of Torres, Plaintiff filed a medical  
25 malpractice action against Kaiser and Torres.

26 iv. The case was arbitrated.

27 v. During the arbitration process, including arbitration discovery, all defendants and  
28 especially Dr. Torres were aware that Dr. Torres was no longer Plaintiff's doctor or

1 primary healthcare provider. In fact, plaintiff had made it very clear that he held Dr.  
2 Torres responsible for him being in the hospital for a week and unable to fully work for  
3 over six months.

- 4 vi. During the discovery process, plaintiff became convinced that his medical record had  
5 been altered to address and protect defendants from litigation over his near death  
6 septicemia caused by the substandard treatment of Doctor Torres.
- 7 vii. Plaintiff expected his Kaiser medical records to be private and protected. He expected  
8 Torres and Defendants Kaiser, Kaiser Legal and Kaiser Permanente and Does 1-100 to  
9 follow all HIPAA laws. Plaintiff had a reasonable expectation of privacy in his medical  
10 records.
- 11 viii. Defendant Torres intentionally entered the electronic medical file of plaintiff without  
12 his authorization and against his wishes. All other defendants ratified this conduct.
- 13 ix. On or about March 20, 2018, Defendant Torres, while illegally accessing plaintiff's  
14 medical records, illegally changed his medical record to reflect he was a depressed drug  
15 abuser in need of psychiatric treatment. This was done while plaintiff was in the  
16 process of suing Torres and Kaiser. It was done to humiliate and intimidate plaintiff.  
17 All other defendants ratified this conduct. Plaintiff does not see this as a medical  
18 treatment issue because Dr. Torres was not his doctor and did not treat him. All other  
19 defendants ratified this conduct. He sees it as a privacy issue.
- 20 x. After accessing plaintiff's medical record, Dr. Torres improperly issued orders for the  
21 psychiatric evaluation of plaintiff because of his supposed depression and drug abuse.  
22 This was done while plaintiff was in the process of suing her and Kaiser. It was done to  
23 humiliate and intimidate plaintiff. All other defendants ratified this conduct. Plaintiff  
24 does not see this as a medical treatment issue because Dr. Torres was not his doctor and  
25 did not treat him. He sees it as a privacy issue.
- 26 xi. On or about March 24, 2018, plaintiff received a notice in the mail indicating Kaiser  
27 was going to be treating him for psychiatric issues. He called the psychiatric  
28 department for an explanation. He was told that his doctor, his primary care physician,

- 1 had indicated he was in need of psychiatric treatment for abusing Wilburton and for  
2 depression. As a result, Kaiser was going to require a psychiatric evaluation.
- 3 xii. Plaintiff immediately challenged the order and indicated he was not even taking  
4 Wilburton and that he was not clinically depressed. When he challenged this  
5 presentation, he was told that Dr. Torres had ordered his psychiatric evaluation. He  
6 was mortified. Dr. Torres had entered his electronic medical record without his  
7 consent. She had evaluated it and she had changed it so that Plaintiff would be seen as  
8 a depressed drug abuser in need of psychiatric evaluation and treatment.
- 9 xiii. Plaintiff was beside himself. He had almost died because Dr. Torres failed to care and  
10 treat him. Now Torres changed plaintiff's medical record and Kaiser Experts relied on  
11 that record in opining in her defense. No doubt his doctors saw his records and were  
12 falsely informed of his supposed need for psychiatric treatment for "drug abuse and  
13 depression."
- 14 xiv. Plaintiff has suffered substantial economic and non-economic harm as a result of  
15 defendant Torres' conduct and the subsequent conduct of Defendants Kaiser, Kaiser  
16 Legal and Kaiser Permanente and Does 1-100 who ratified this travesty and refused to  
17 address and rectify plaintiff's medical record.
- 18 xv. Plaintiff has reason to believe Kaiser's legal counsel broached this invasion with Torres  
19 and they colluded and conspired to invade Plaintiff's privacy.
- 20 xvi. Plaintiff suffered problems with his work because of this issue.
- 21 xvii. Plaintiff suffered problems with his licensing because of this issue.
- 22 xviii. To this day, the depression and drug abuse records have not been taken out of  
23 Plaintiff's record. Defendants, and each of them, continue to defame, intimidate, harass  
24 and attack plaintiff. The idea that the legal team and all Kaiser Personnel see this  
25 record causes plaintiff great mental anguish and distress.
- 26 xix. Plaintiff's wife was mortified when she saw the referral to psychiatric treatment.  
27 Plaintiff was in the throes of still recovering from his foot surgery even two years later.  
28

1 Mrs. Ali had postponed children because of the foot problem and when she was  
2 "informed" by Kaiser of her husband's drug abuse, she was damaged forever.

3 **FIRST CAUSE OF ACTION**  
4 **VIOLATION OF CONFIDENTIALITY OF MEDICAL INFORMATION ACT**  
5 **AGAINST ALL DEFENDANTS**

- 6 12. Plaintiff is a patient whose medical information has been disclosed in violation of Sections  
7 56.10 and 56.35 and 3422 of the Civil Code, and who consequently has suffered economic  
8 loss, non-economic loss *and/or* personal injury.
- 9 13. Plaintiff is a patient whose medical information has been disclosed in violation of Sections  
10 425.10, 526 and 527 of the Civil Procedure Code, and who consequently has  
11 suffered economic loss, non-economic loss *and/or* personal injury.
- 12 14. Defendant Torres is and at all times herein mentioned was a physician engaged in the practice  
13 of medicine. She was at all relevant times employed by Defendants Kaiser, Kaiser  
14 Permanente and Does 1-100. At the time of her conduct complained of here, she was not  
15 providing medical care to plaintiff and was not acting as his doctor in any way. Her acts were  
16 intentional and were done with the intent of harming plaintiff.
- 17 15. Defendant Torres is and at all times herein mentioned was an employee *or* agent  
18 of Defendants Kaiser, Kaiser Permanente and Does 1-100 and during the course of her  
19 employment *or* agency with said defendants had access to the information concerning  
20 plaintiff as alleged below.
- 21 16. Defendants Kaiser, Kaiser Permanente and Does 1-100 are, and at all times herein mentioned  
22 were, a medical corporations duly organized and existing under the laws of the State of  
23 California with a principal place of business in Sacramento, County, California.
- 24 17. Plaintiff was a patient of and/or was admitted as a patient at *or* obtained health care services at  
25 Defendants Kaiser, Kaiser Permanente and Does 1-100 and with TORRES from  
26 approximately November 2015 through April 2016. Prior to or about May 5, 2016, Plaintiff  
27 terminated his doctor -patient relationship with TORRES as a result of her substandard care  
28



1 and treatment. Plaintiff believed TORRES had been negligent and was responsible for his  
2 extensive injuries.

3 18. As a result of plaintiff's obtaining health care services from Defendants Kaiser, Kaiser  
4 Permanente and Does 1-100, defendant TORRES improperly obtained and had in her  
5 possession certain medical information concerning plaintiff's medical malpractice claim  
6 against TORRES, to-wit: multiple medical information contacts with TORRES to which  
7 Defendants Kaiser, Kaiser Permanente and Does 1-100 had access.

8 19. On or about March 9, 2018, Defendants Kaiser, Kaiser Legal and Kaiser Permanente and  
9 Does 1-100 disclosed to TORRES and on or about March 20, 2018, Defendants TORRES,  
10 Kaiser and Kaiser Permanente and Does 1-100 improperly acted; TORRES entered and  
11 reviewed Plaintiff's medical record without proper authority and further, she knew better.  
12 TORRES had not been Plaintiff's doctor for nearly two years and she had been sued by  
13 Plaintiff for medical malpractice. Yet TORRES entered Plaintiff's Kaiser electronic file and  
14 altered it. TORRES then inexplicably and improperly referred to and defamed Plaintiff by  
15 referring him to psychological counseling for drug abuse and depression. Kaiser also  
16 improperly informed Plaintiff's wife that he was being referred for psychological treatment  
17 based on drug abuse and depression. The aforementioned medical information was disclosed  
18 to Plaintiff's medical treaters and other Kaiser employees. Plaintiff did not and has not  
19 authorized that disclosure. In fact, Plaintiff informed Kaiser at the arbitration of this matter in  
20 May of 2018 that he was very upset and had not authorized any such disclosure.

21 20. As a proximate result of defendants' improper disclosure of the aforementioned medical  
22 information and other conduct as mentioned above, plaintiff has sustained economic damages  
23 in an amount in excess of the jurisdictional limits of this court.

24 21. As a proximate result of defendants' improper disclosure of the aforementioned medical  
25 information and other conduct as mentioned above, plaintiff has sustained non-economic  
26 damages in an amount in excess of the jurisdictional limits of this court.

27 22. Plaintiff has incurred reasonable attorney's fees in maintaining this action and is entitled to  
28 recover the same under the civil code and the code of civil procedure.

1 23. As a legal result of the improper violation of her privacy plaintiff was required to and did  
2 employ physicians, surgeons, and other medical personnel for medical treatment, and incurred  
3 expenses for this and other medically-related treatment.

4 24. Defendants' conduct was a malicious, oppressive or fraudulent intent to vex, injure, annoy,  
5 humiliate and embarrass Plaintiff because he had sued for medical malpractice. Further,  
6 Defendants Torres, Kaiser, Kaiser Legal and Kaiser Permanente and Does 1-100, and/or in  
7 conscious disregard of the rights or safety of Plaintiff, invaded his privacy and caused him to  
8 be labeled a drug abuser in the Kaiser system. Further, Defendants Kaiser, Kaiser Legal and  
9 Kaiser Permanente and Does 1-100 ratified the wrongful conduct of Torres and Kaiser Legal  
10 by not taking any action after learning of the violation of Plaintiff's privacy. Accordingly,  
11 Plaintiff is entitled to recover punitive damages from Defendants.

12 **SECOND CAUSE OF ACTION**  
13 **COMMON LAW INVASION OF PRIVACY**  
14 **AGAINST ALL DEFENDANTS**

15 25. Plaintiff incorporates the factual allegations of paragraphs 1 through 24 above as though  
16 alleged in full in this cause of action.

17 26. Plaintiff had a reasonable expectation of privacy in his medical records. All people have a  
18 reasonable expectation of privacy in their medical records and all reasonable people believe  
19 they have an expectation of privacy in their medical records.

20 27. Defendants, and each of them, intentionally participated or ratified the intrusion into  
21 plaintiff's private medical records without his authority or consent.

22 28. Defendants, and each of them, intentionally participated or ratified the intrusion into  
23 plaintiff's private medical records and the illegal changing of his medical records without his  
24 authority or consent.

25 29. Defendants, and each of them, intended to intimidate and embarrass plaintiff so that he would  
26 be negatively affected, abandon or lose confidence and hope in his medical malpractice case  
27 against defendants. Furthermore, Torres' act of changing the medical record undermined the  
28 medical malpractice case and confused the arbitrator about what was in the actual record.



- 1 30. Even though the arbitrator came to the wrong decision, he concluded that Kaiser Doctors had  
2 either lied or been mistaken in their testimony about what happened.
- 3 31. Plaintiff was offended, mortified and intimidated. The motives of the defendants were all tied  
4 to the litigation. Intimidating plaintiff and smearing his name was an easy way to attack him.  
5 Dr. Torres' care and treatment was below the standard of care, but defendants felt they had  
6 also saved plaintiff's life and he should be appreciative. Defendants were angry when he filed  
7 his lawsuit and they did everything in their power to destroy plaintiff including, but not  
8 limited to, labeling him as a depressive drug abuser.
- 9 32. As a direct and legal result of the foregoing, plaintiff was injured and sustained personal  
10 injury in a sum according to proof at trial.
- 11 33. The conduct of Defendants, and each of them, was a legal, proximate and substantial factor in  
12 causing plaintiff's harm.
- 13 34. By virtue of the foregoing, Defendants and each of them have acted in conscious disregard of  
14 the probability of injury to the plaintiff because he was targeted for intimidation during his  
15 law suit. Accordingly, Defendants have each acted with malice.
- 16 35. By virtue of the foregoing, Defendants and each of them have acted despicably, and have  
17 subjected plaintiff to cruel and unjust hardship in conscious disregard of his rights and safety.  
18 They labeled plaintiff a depressed drug abuser to intimidate him and attack him. Accordingly,  
19 Defendants have each acted with oppression.
- 20 36. By virtue of the foregoing, punitive damages should be assessed against Defendants and each  
21 of them, in a sum according to proof at trial.

22 **THIRD CAUSE OF ACTION**

23 **DISCLOSURE OF IMPROPERLY MAINTAINED PERSONAL INFORMATION**  
24 **AGAINST KAISER AND KAISER PERMANENTE**

- 25 37. Plaintiff incorporates the factual allegations of paragraphs 1 through 35 above as though  
26 alleged in full in this cause of action. On or about March 23, 2018, defendants Kaiser and/or  
27 Kaiser Permanente disseminated the above-described information to Dr. Torres and  
28 others, who are not an agency of the State Government.

1 38. At the time defendants Kaiser and/or Kaiser Permanente disseminated the purported  
2 information, defendants knew or had reason to believe that the information was inaccurate but  
3 failed to correct the defect.

4 39. Defendants Kaiser and/or Kaiser Permanente violated Civ. Code §§ 1798.18, 1798.45(b), (c),  
5 and 1798.48.

6 40. Defendants Kaiser and/or Kaiser Permanente did not maintain all plaintiff's medical records,  
7 to the maximum extent possible, with accuracy, relevance, timeliness, and completeness.

8 41. Furthermore, such records were used to make important determinations about plaintiff.

9 42. Moreover, defendants Kaiser and/or Kaiser Permanente violated the law when they  
10 transferred plaintiff's medical record outside of state government without correcting updating,  
11 withholding, or deleting the portion of the record that it knew or has reason to believe was  
12 inaccurate or untimely.

13 43. In fact, Kaiser and/or Kaiser Permanente failed to rectify the label placed on plaintiff and  
14 refused to remove the psychiatric referral from his file. This has caused him great emotional  
15 upset in his life because he is required to have valid licenses. Being labeled a depressed drug  
16 abuser is disgusting and intentionally harmful.

17 44. As a legal result of the conduct of defendants Kaiser and/or Kaiser Permanente and each of  
18 them, plaintiff has incurred and will incur economic damages in an amount according to  
19 proof.

20 45. As a legal result of the conduct of defendants Kaiser and/or Kaiser Permanente and each of  
21 them, plaintiff has incurred and will incur non-economic damages in an amount according to  
22 proof.

23 46. Plaintiff has and will incur reasonable attorney fees and costs and is entitled to reasonable  
24 attorney's fees and other litigation costs reasonably incurred in this suit.

25 47. Under the provisions of subdivision (b) or (c) of Section 1798.45, Defendants Kaiser and/or  
26 Kaiser Permanente shall be liable to plaintiff in an amount equal to the sum of: (a) Actual  
27 damages sustained by the individual, including damages for mental suffering. (b) The costs of  
28 the action together with reasonable attorney's fees as determined by the court.

- 1 48. Defendants Kaiser and/or Kaiser Permanente, and each of them, intentionally participated or  
2 ratified the intrusion into plaintiff's private medical records and the illegal changing of his  
3 medical records without his authority or consent.
- 4 49. Defendants Kaiser and/or Kaiser Permanente, and each of them, intended to intimidate and  
5 embarrass plaintiff so that he would be negatively affected, abandon or lose confidence and  
6 hope in his medical malpractice case against defendants. Furthermore, Torres' act of  
7 changing the medical record undermined the medical malpractice case and confused the  
8 arbitrator about what was in the actual record.
- 9 50. Even though the arbitrator came to the wrong decision, he concluded that Kaiser Doctors had  
10 either lied or been mistaken in their testimony about what happened.
- 11 51. Plaintiff was offended, mortified and intimidated. The motives of the defendants were all tied  
12 to the litigation. Intimidating plaintiff and smearing his name was an easy way to attack him.  
13 Dr. Torres' care and treatment was below the standard of care, but defendants felt they had  
14 also saved plaintiff's life and he should be appreciative. Defendants were angry when he filed  
15 his lawsuit and they did everything in their power to destroy plaintiff including, but not  
16 limited to, labeling him as a depressive drug abuser.
- 17 52. As a direct and legal result of the foregoing, plaintiff was injured and sustained personal  
18 injury in a sum according to proof at trial.
- 19 53. The conduct of Defendants Kaiser and/or Kaiser Permanente, and each of them, was a legal,  
20 proximate and substantial factor in causing plaintiff's harm.
- 21 54. By virtue of the foregoing, Defendants Kaiser and/or Kaiser Permanente and each of them  
22 have acted in conscious disregard of the probability of injury to the plaintiff because he was  
23 targeted for intimidation during his law suit. Accordingly, Defendants have each acted with  
24 malice.
- 25 55. By virtue of the foregoing, Defendants Kaiser and/or Kaiser Permanente and each of them  
26 have acted despicably, and have subjected plaintiff to cruel and unjust hardship in conscious  
27 disregard of his rights and safety. They labeled plaintiff a depressed drug abuser to intimidate  
28 him and attack him. Accordingly, Defendants Kaiser and/or Kaiser Permanente have each

1 acted with oppression.

2 56. By virtue of the foregoing, punitive damages should be assessed against Defendants Kaiser  
3 and/or Kaiser Permanente and each of them, in a sum according to proof at trial.

4 **FOURTH CAUSE OF ACTION**

5 **DEFAMATION**

6 **AGAINST ALL DEFENDANTS**

7 57. Plaintiff incorporates the factual allegations of paragraphs 1 through 57 above as though  
8 alleged in full in this cause of action.

9 58. Plaintiff is informed, believes, and thereon alleges, that ALL DEFENDANTS, and each of  
10 them, falsely stated and continued to state that plaintiff was a drug abuser, that plaintiff was  
11 depressed and that plaintiff needed psychiatric treatment. Further, Defendants, and each of  
12 them, stated to other third parties, including plaintiff's wife, who understood the statements to  
13 state or imply that Plaintiff a drug abuser, depressed and/or in need of psychiatric treatment.  
14 Further, this implied that plaintiff was not fit to do his job and was unable to handle stress.

15 59. Plaintiff is informed, believes, and thereon alleges, that said statements were false and  
16 defamatory as the statements were made in connection with his reputation, character, personal  
17 proclivities, work habits, conduct and employability.

18 60. Plaintiff is informed, believes, and thereon alleges, that said statements were not privileged or  
19 excused.

20 61. Plaintiff is informed, believes, and thereon alleges, that at all times herein mentioned, as a  
21 result of Defendants and each of their actions, Plaintiff sustained economic damages in an  
22 amount in excess of the jurisdictional limits of this court and in an amount to be proven at  
23 trial.

24 62. As a result of Defendants' and each of their actions, Plaintiff sustained non-economic  
25 damages in an amount to be proven at trial. As a further result of Defendants' and each of  
26 their actions, Plaintiff suffered severe emotional distress damages in an amount to be proven  
27 at trial.

1 63. Defendants' acts were malicious, oppressive or fraudulent with intent to vex, injure, annoy,  
2 humiliate, intimidate plaintiff in his lawsuit against defendants and embarrass Plaintiff, and in  
3 conscious disregard of the rights or safety of Plaintiff and other employees of Defendants, and  
4 in furtherance of Defendants' ratification of the wrongful conduct of the employees and  
5 managers of Defendants. Accordingly, Plaintiff is entitled to recover punitive damages from  
6 Defendants.

7 **FIFTH CAUSE OF ACTION**  
8 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
9 **AGAINST ALL DEFENDANTS**

10 64. Plaintiff incorporates the factual allegations of paragraphs 1 through 64 above as though  
11 alleged in full in this cause of action.

12 65. Plaintiff is informed, believes, and thereon alleges, that the aforementioned conduct of  
13 Defendants, and each of them, was extreme and outrageous.

14 66. Plaintiff is informed, believes, and thereon alleges that the conduct of Defendants, and each of  
15 them, was intended to ultimately humiliate and/or intimidate Plaintiff and destroy his marriage  
16 and his health and intentionally cause him severe emotional distress. And further acted with  
17 reckless disregard of the probability that Plaintiff would suffer severe emotional distress.

18 67. Plaintiff is informed, believes, and thereon alleges, that he suffered severe emotional distress.

19 68. Plaintiff is informed, believes, and thereon alleges, that the conduct of Defendants and each of  
20 them was a substantial factor in actually and proximately causing Plaintiff's severe emotional  
21 distress.

22 69. As a result of Defendants' and each of their actions, Plaintiff sustained economic damages in  
23 an amount in excess of the jurisdictional limits of this court and in an amount to be proven at  
24 trial.

25 70. As a result of Defendants' and each of their actions, Plaintiff sustained non-economic  
26 damages in an amount to be proven at trial. As a further result of Defendants' and each of  
27 their actions, Plaintiff suffered severe emotional distress damages in an amount to be proven  
28 at trial.

1 71. Defendants' acts were malicious, oppressive or fraudulent with intent to vex, injure, annoy,  
2 humiliate and embarrass Plaintiff, and in conscious disregard of the rights or safety of Plaintiff  
3 and other employees of Defendants, and in furtherance of Defendants' ratification of the  
4 wrongful conduct of the employees and managers of Defendants. Accordingly, Plaintiff is  
5 entitled to recover punitive damages from Defendants.

6 **SIXTH CAUSE OF ACTION**  
7 **CONSPIRACY**  
8 **AGAINST ALL DEFENDANTS**

9 72. Plaintiff incorporates the factual allegations of paragraphs 1 through 71 above as though  
10 alleged in full in this cause of action.

11 73. Defendants Torres and Kaiser Legal agree to commit a violation of plaintiff's privacy. Kaiser  
12 and Kaiser Permanente controlled Kaiser Legal and are responsible as masters or as co-  
13 conspirators. Kaiser and Kaiser Permanente ratified the conduct afterword and endorsed the  
14 conduct of Kaiser Legal and Torres.

15 74. Defendants Torres and Kaiser Legal were each aware that Torres planned to violate plaintiff's  
16 privacy.

17 75. Defendants Torres and Kaiser Legal agreed to violate plaintiff's privacy and intended that  
18 plaintiff's privacy be violated. Torres did so in response to the litigation filed against her and  
19 Kaiser and with the intent of destroying plaintiff.

20 76. Plaintiff is informed, believes, and thereon alleges that the conduct of Defendants, and each of  
21 them, was intended to ultimately humiliate and/or intimidate Plaintiff and destroy his health  
22 and intentionally cause him severe emotional distress. And Defendants, and each of them,  
23 further acted with reckless disregard of the probability that Plaintiff would suffer severe  
24 emotional distress.

25 77. As a result of Defendants' and each of their actions, Plaintiff sustained economic damages in  
26 an amount in excess of the jurisdictional limits of this court and in an amount to be proven at  
27 trial.  
28



1 78. As a result of Defendants' and each of their actions, Plaintiff sustained non-economic  
2 damages in an amount to be proven at trial. As a further result of Defendants' and each of  
3 their actions, Plaintiff suffered severe emotional distress damages in an amount to be proven  
4 at trial.

5 79. Defendants' acts were malicious, oppressive or fraudulent with intent to vex, injure, annoy,  
6 humiliate and embarrass Plaintiff, and in conscious disregard of the rights or safety of Plaintiff  
7 and other employees of Defendants, and in furtherance of Defendants' ratification of the  
8 wrongful conduct of the employees and managers of Defendants. Accordingly, Plaintiff is  
9 entitled to recover punitive damages from Defendants.

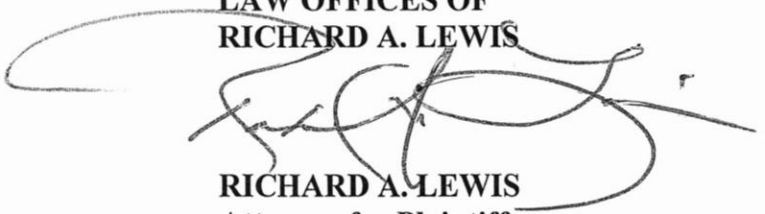
10 **PRAYER**

11 **WHEREFORE, Plaintiff prays for damages as to each defendant as follows:**

- 12 1. General non- economic damages in an amount to be determined by proof at trial;  
13 2. Special economic damages in an amount to be determined by proof at trial;  
14 3. Punitive Damages;  
15 4. Pre-judgment and post-judgment Interest as permitted by law;  
16 5. Costs of suit in this action;  
17 6. Any other and further relief that the court considers lawful and proper.

18 **Dated: March 19, 2019**

19 **LAW OFFICES OF**  
20 **RICHARD A. LEWIS**

21   
22 **RICHARD A. LEWIS**  
23 **Attorney for Plaintiffs**