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AUG 20 2012

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**FILED**  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF RIVERSIDE

AUG 13 2012

M. Prociado

7 Attorneys for Plaintiff, MICHON FORTE

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 9 FOR THE COUNTY OF RIVERSIDE

10 MICHON FORTE,  
 11

12 Plaintiff,

13 vs.

14 KAISER FOUNDATION HOSPITALS, A  
 15 California Corporation; and DOES 1 through  
 16 50, inclusive,

17 Defendants  
 18  
 19

Case No.: **RIC 1212665**

COMPLAINT FOR PERSONAL INJURIES

(Unlimited Jurisdiction)

20 Plaintiff, MICHON FORTE, alleges:  
 21

22 **FIRST CAUSE OF ACTION**

23 **(NEGLIGENCE--Against all Defendants)**

24 1. Plaintiff, MICHON FORTE is, and at all times herein relevant was, a resident  
 25 of the County of Riverside, State of California.

26 2. Plaintiff is informed and believes and thereon alleges that at all times herein  
 27 relevant, defendant KAISER FOUNDATION HOSPITALS, ("KAISER") was, and currently  
 28

1 is a corporation licensed and existing pursuant to the laws of the state of California. Plaintiff  
2 is further informed and believes and thereon alleges that at all times herein relevant, defendant  
3 KAISER was licensed to do and doing business in the County of Riverside, State of  
4 California.  
5

6 3. The true names and capacities, whether individual, corporate, associate or  
7 otherwise of defendants DOES 1 through 50, inclusive, are unknown to plaintiff, who  
8 therefore sues said defendants by such fictitious names. Plaintiff will seek leave to amend  
9 this complaint to show their true names and capacities when the same have been ascertained.  
10

11 4. Plaintiff is informed and believes and thereon alleges that each of the defendants  
12 designated herein as a DOE is legally responsible in some manner for the events and  
13 happenings herein referred to, and legally caused injury and damages proximately thereby to  
14 plaintiff as herein alleged.  
15

16 5. At all times herein relevant, defendants, and each of them, were the agents,  
17 servants, employees and authorized representatives of each of the other defendants, and were  
18 at all times herein relevant acting within the purpose, course and scope of their agency,  
19 service, employment and representation, and with the knowledge, permission, consent and  
20 ratification of their principal(s), employer(s) and co-defendants.  
21

22 6. At all times herein relevant, defendants, and each of them, were in possession of,  
23 and owned, operated, maintained, leased, and/or controlled the commercial premises located  
24 at 27300 Iris Avenue in the City of Moreno Valley, CA, County of Riverside, State of  
25 California (hereinafter "the subject property").  
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1           7. On or about November 19, 2010, plaintiff was on the premises of the subject  
2 property for the purpose of visiting her daughter who was having a baby at the Kaiser  
3 Hospital.  
4

5           8. Just before plaintiff was going to enter her daughter's room, plaintiff went to a  
6 hand sanitizing machine mounted on the wall in order to sanitize her hands. Plaintiff put her  
7 hands under the machine, but instead of spraying the sanitizing liquid in plaintiff's hands, the  
8 machine sprayed the liquid up and out into plaintiff's face and eyes, and plaintiff suffered  
9 serious and severe injuries as set forth herein.  
10

11           9. Plaintiff's incident (as described hereinabove) was caused by, and her injuries were  
12 sustained as, a proximate result of the negligence of defendants, and each of them, in that  
13 defendants, and each of them, failed to maintain the premises in a good, safe and usable  
14 condition by allowing the defective hand sanitizing machine to be mounted on the wall;  
15 defendants, and each of them, maintained said premises in a defective, dangerous and  
16 hazardous condition; defendants, and each of them, knew, or in the exercise of ordinary care,  
17 should have known, of the condition of the premises; defendants, and each of them, failed to  
18 warn plaintiff of said defective, dangerous and hazardous condition, although defendants, and  
19 each of them, knew, or in the exercise of ordinary care should have known of the condition of  
20 said premises.  
21

22           10. As a direct and proximate result of the negligence of defendants, and each of  
23 them, plaintiff was hurt and injured in her health, strength, and activity, sustaining injury to  
24 her body and shock and injury to her nervous system and person, all of which said injuries  
25 have caused, and continue to cause plaintiff great mental, physical and nervous pain and  
26 suffering. Plaintiff is informed and believes and thereon alleges that said injuries will result  
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1 in some permanent disability to said plaintiff, all to her general damage in an amount  
2 according to proof.

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4 11. As a further direct and proximate result of the negligence of defendants, and each  
5 of them, plaintiff was required to and did incur, and will continue to incur, medical and other  
6 related expenses, all to plaintiff's damage in an amount according to proof.

7 12. As a further direct and proximate result of the negligence of said defendants, and  
8 each of them, plaintiff has incurred, and will incur loss of income and wages, and other  
9 pecuniary losses, in an amount according to proof.

10  
11 13. As a further direct and proximate result of the negligence of defendants, and each  
12 of them, plaintiff has suffered, and will in the future suffer, an impairment of earning  
13 capacity, all to plaintiff's damage in an amount according to proof.

14 14. As a further direct and proximate result of the negligence of defendants, and each  
15 of them, plaintiff has suffered property damages and losses in an amount according to proof.

16  
17 **WHEREFORE, plaintiff prays for judgment against defendants, and each of**  
18 **them as follows:**

- 19 1. For general damages according to proof;  
20 2. For medical and related expenses according to proof;  
21 3. For loss of income, wages, and impairment of future earning capacity according to  
22 proof;  
23 4. For property damages and losses according to proof;  
24 5. For costs of suit incurred herein; and  
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1           6. For such other and further relief as the court may deem just and proper.

2           DATED: July 13, 2012           LAW OFFICES OF ANDREW R. STEIKER

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5           By:



6           ANDREW R. STEIKER  
7           Attorneys for Plaintiff,  
8           MICHON FORTE  
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