

FILED
Los Angeles Superior Court

NOV 07 2013

John A. Clarke, Executive Officer/Clerk
By SHAUNYA WESLEY, Deputy

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Attorneys for Plaintiff

FSC: 04 / 23 / 2015 TRIAL: 05 / 07 / 2015 OSC: 11 / 07 / 2015

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

BC526939

SALLY GEURGUES,

CASE NO.

Plaintiff,

COMPLAINT FOR DAMAGES:

vs.

(1) Medical Negligence

KAISER FOUNDATION HEALTH PLAN,
INC.; KAISER FOUNDATION
HOSPITALS; SOUTHERN CALIFORNIA
PERMANENTE MEDICAL GROUP; MARC
J. DAVIDSON, M.D.; GREGORY C.
THOM, M.D.; TERENCE MAYERS,
M.D.; and DOES 1 through 100,
Inclusive,

Defendants.

Plaintiff SALLY GEURGUES alleges as follows:

FIRST CAUSE OF ACTION, FOR MEDICAL MALPRACTICE, by

BY PLAINTIFF SALLY GEURGUES AGAINST ALL DEFENDANTS

1. The true names and capacities, whether individual or
associate, corporate or otherwise, of defendant DOES 1 through
100, inclusive, are unknown to plaintiff who therefore sues them by
such fictitious names. Plaintiff is informed and believes and
thereon alleges that each of the fictitiously named defendant are
responsible in some manner for the occurrences herein alleged, and

1
COMPLAINT FOR DAMAGES

CIT/CLERK: REZ26939
LEAD DEF: 1
RECEIVED: 11/07/13 10:29 AM
DATE PAID: 11/07/13
PAID: \$435.00
CHECK: \$435.00
CASH: \$0.00
CHRG: \$0.00
CPRD: \$0.00

11 / 07 / 2013

93 Samantha Geunel

1 that the acts and omissions of the fictitiously named defendants
2 were a proximate cause of plaintiff's injuries as hereinafter
3 alleged. Plaintiff therefore sues the fictitiously named
4 defendants by such fictitious names and will amend this complaint
5 to show their true names and capacities when same have been
6 ascertained.

7 2. That all of the facts, acts, events and circumstances
8 herein mentioned and described occurred in the County of Los
9 Angeles, State of California, and plaintiff and defendants are
10 believed to be residents of the State of California.

11 3. That at all times herein mentioned, defendants MARC J.
12 DAVIDSON, M.D.; GREGORY C. THOM, M.D.; TERENCE MAYERS, M.D.; and
13 DOES 1 through 20, inclusive, were and now are physicians and
14 surgeons holding themselves out as duly licensed to practice their
15 profession under and by virtue of the laws of the State of
16 California, and were and are now engaged in the practice of their
17 profession in the State of California.

18 4. At all times mentioned herein, defendants MARC J.
19 DAVIDSON, M.D.; GREGORY C. THOM, M.D.; TERENCE MAYERS, M.D.; and
20 DOES 11 through 30, inclusive, held themselves out to the public at
21 large and to plaintiffs herein as qualified physicians and surgeons
22 duly licensed to practice their professions by virtue and under the
23 laws of the State of California, with expertise, specialized
24 knowledge, training, education, learning skill, techniques and
25 expertise in certain specialties of medicine.

26 5. That holding themselves out as experts and specialists in
27 specialized fields of surgery and medicine, possessing skills,
28 learning and experience in said specialties, defendants herein, at

1 all times mentioned herein, represented to plaintiffs that they
2 would, at all times, exercise and use skill, prudence, learning and
3 experience in said specialties. Defendants herein, at all times
4 mentioned herein, represented to plaintiffs that they would at all
5 times exercise and use the skill, prudence, learning, knowledge and
6 expertise in the care and treatment of plaintiff in accordance with
7 the standard of practice among competent, reputable and prudent
8 physicians practicing their specialties in the State of California.

9 6. At all times herein mentioned, defendants KAISER
10 FOUNDATION HEALTH PLAN, INC., KAISER FOUNDATION HOSPITALS, SOUTHERN
11 CALIFORNIA PERMANENTE MEDICAL GROUP and DOES 31 through 40,
12 inclusive, were business organizations, form unknown, organized and
13 existing under the laws of the State of California.

14 7. At all times herein mentioned, defendants SOUTHERN
15 CALIFORNIA PERMANENTE MEDICAL GROUP and DOES 41 through 50,
16 inclusive, were and at all times herein mentioned are, a
17 partnership. Defendants DOES 11 through 30, inclusive, are, and at
18 all times herein mentioned were, members of the foregoing named
19 partnership and are sued herein individually and by said common
20 name pursuant to the provisions C.C.P. Section 369.5.

21 8. At all times herein mentioned, defendants DOES 51 through
22 60, inclusive, were and are registered nurses, nurse practitioners,
23 licensed vocational nurses, practical nurses, registered
24 technicians and other paramedical personnel, holding themselves out
25 as duly licensed to practice their profession under and by virtue
26 of the law of the State of California, and were and now are engaged
27 in the practice of their profession under and by virtue of the laws
28 of the State of California.

1 9. At all times herein mentioned, defendants DOES 61 through
2 70, inclusive, were aides, attendants, technicians, nursing or
3 medical students, acting as agents, employees or servants of some
4 or all of the other defendants, within the course and scope of said
5 agency or employment.

6 10. Defendants KAISER FOUNDATION HEALTH PLAN, INC., KAISER
7 FOUNDATION HOSPITALS, SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP
8 and DOES 71 through 80, inclusive, were at all times herein
9 mentioned, duly organized California corporations and partnerships
10 existing under and by virtue of the laws of the State of
11 California. Said defendants, and each of them, owned, operated,
12 managed, controlled and administered a general medical facility,
13 hospital or 24-hour care facility within said County, State of
14 California, and held themselves out to the public at large and to
15 plaintiffs herein as properly equipped, fully accredited,
16 competently staffed by qualified and prudent personnel and
17 operating in compliance with the standard of care maintained in
18 other properly equipped and efficiently operated and administered
19 accredited general medical facilities, hospitals and outpatient
20 clinics in said community, offering full, competent and efficient
21 hospital, emergency, clinical, medical, surgical, laboratory, x-
22 ray, anesthesia, paramedical services and outpatient clinics to the
23 general public and to plaintiff herein. Plaintiffs are informed
24 and believe and thereon allege that said defendants, and each of
25 them, administered, governed, controlled, managed and directed all
26 the necessary functions, activities and operations of said general
27 medical facility, hospital or 24-hour care facility, including its
28 nursing care, intern, resident and house staff, physicians and

1 surgeons, medical staff, x-ray, intensive care, recovery room and
2 emergency room departments and clinics, including but not limited
3 to personnel, staff and supplies of said facilities and clinics.

4 11. Plaintiff is informed and believe and upon such
5 information and belief allege that at all times herein mentioned,
6 defendants, and each of them, were the agents, servants, employees
7 and copartners of their said codefendants, and as such, were acting
8 within the course and scope of such agency, partnership, and
9 employment at all times herein mentioned; that each and every
10 defendant, as aforesaid, when acting as a principal, was negligent
11 in the selecting, hiring and maintaining of each and every other
12 defendant, as its agents, servants, partners and employees.

13 12. At all times herein mentioned, plaintiff was in the
14 exclusive custody and control of defendants, and each of them, and
15 at no time prior to the events, conduct, activities, care and
16 treatment herein complained of, did the defendants herein, or any
17 of them, obtain a knowledgeable, informed consent for said care,
18 treatment or conduct. Prior to the initiation of or performance of
19 said care, treatment, procedure or conduct, no opportunity was
20 afforded the plaintiff herein or any authorized agent of plaintiff
21 to exercise voluntary, knowledgeable and informed consent to said
22 care, treatment, procedure or conduct.

23 13. In the treatment and diagnosis performed by the
24 defendants and their employees, and each of them, upon plaintiff,
25 defendants and their employees, and each of them, negligently
26 failed to warn the plaintiff of the risks and hazards and of the
27 harmful consequences that might follow from the care, treatment,
28 diagnosis or surgery.

1 14. Plaintiff named the defendants herein, and each of them,
2 because plaintiff is in doubt and does not know exactly from which
3 of the defendants plaintiff is entitled to redress and whether the
4 injuries and damages to the plaintiff herein alleged were caused by
5 the combined negligence of all of the defendants or by the
6 concurrent or successive and separate negligence of the defendants,
7 or one or more of them. For that reason, plaintiff names all of
8 said defendants and asks that the Court determine the liability of
9 each and all of the said defendants in this action and to what
10 extent and what responsibility falls upon each of said defendants,
11 and that the Court award judgment to the plaintiff as against some
12 or all of the defendants, either jointly or severally, as they may
13 be found liable.

14 15. At all times herein mentioned, plaintiff SALLY GEURGUES
15 was in the exclusive control of the defendants, and each of them,
16 and that at no time prior to the events, conduct, activities, care,
17 and treatment herein complained of did the defendants herein or any
18 of them, obtain knowledgeable informed consent for said care,
19 treatment or conduct; that prior to the initiation of or
20 performance of said care, treatment, procedure, or conduct, no
21 opportunity was afforded to plaintiff or any authorized agent of
22 plaintiff to exercise voluntary, knowledgeable and informed consent
23 to said care, treatment, procedure or conduct.

24 16. That prior to the filing of the within Complaint, three
25 years had not elapsed from the date of the injury, and a period of
26 less than one calendar year had elapsed after plaintiff first
27 learned, or had a reasonable opportunity to learn, of the fact that
28 the injuries suffered and complained of herein were a proximate

1 result of the negligent acts or omissions to act on the part of the
2 defendants; and each of them, knew, or should have known, of their
3 own negligence and the relationship between the negligence and
4 plaintiff's injuries and failed negligently or intentionally to
5 disclose these facts and circumstances to plaintiff thereby
6 depriving plaintiff of having a reasonable opportunity to learn of
7 said negligent conduct and acts.

8 17. That as a proximate result of the negligence of
9 defendants and each of them, the plaintiff sustained serious bodily
10 injuries, a portion of which, or all of which, are permanent. As
11 a result of said injuries, plaintiff has had, and in the future
12 will have, pain, suffering, worry, anxiety and incapacitation. By
13 reason of said injuries and consequences, plaintiff has sustained
14 general damages in a sum to be determined according to proof at the
15 time of trial.

16 18. By reason of said injuries, plaintiff has incurred
17 medical and related expenses and in the future will have medical,
18 surgical, hospital, nursing, pharmaceutical and related expenses,
19 the exact amounts of which at this time cannot be ascertained, all
20 to plaintiff's further damage. After said amounts of past medical,
21 hospital, surgical and related expenses are ascertained, plaintiff
22 will ask leave of Court to amend this complaint and insert amounts
23 herein or according to proof at the time of trial.

24 19. By reason of said injuries, plaintiff has incurred past
25 loss of earnings and will incur future loss of earnings and
26 impairment of earning capacity, all to this plaintiff's further
27 damage. Plaintiff at this time cannot ascertain the exact amount
28 of plaintiff's future loss of earnings and impairment of earning

1 capacity which resulted from said inability to do said work. After
2 said amounts can be ascertained, plaintiff will ask leave of Court
3 to amend this complaint and insert said amounts herein or according
4 to proof at the time of trial.

5 20. That as a direct and proximate result of the negligence,
6 carelessness, recklessness and lack of due care and prudence on the
7 part of defendants, and each of them, plaintiff was caused to
8 retain the services, and incur the reasonable expenses of further
9 hospitalization, medical, surgical, nursing and technical care and
10 treatment for the said injuries sustained, and did thereby incur
11 additional expenses for drugs, pharmaceuticals, and medications,
12 all in an amount presently unknown to plaintiff and plaintiff will
13 ask leave of Court to amend this complaint when said sum has been
14 ascertained or according to proof at the time of trial.

15 21. At all times herein mentioned, and prior and subsequent
16 thereto KAISER FOUNDATION HEALTH PLAN, INC., KAISER FOUNDATION
17 HOSPITALS, SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP and DOES 71
18 through 80, inclusive, and each of them, so negligently and
19 carelessly failed to properly ensure the character, quality,
20 ability and competence of individuals treating patients in said
21 centers, hospitals and clinics, that plaintiff was caused to suffer
22 and did suffer, the injuries and damages hereinafter alleged.

23 22. That on or before November 27, 2012, and subsequent
24 thereto, plaintiff came under the care and treatment of defendants,
25 and each of them, for medical care and treatment, nursing care and
26 treatment, hospital care and treatment, pre-surgical care and
27 treatment, surgery, as well as other care and treatment. The
28 defendants, and each of them, were negligent in that they:

1 (a) Negligently and carelessly injured the innominate
2 vein using a Harmonic scalpel causing injury to the superior vena
3 cava innominate junction;

4 (b) Negligently and carelessly suturing shut the
5 innominate vein at the repair of the superior vena cava innominate
6 junction;

7 (c) Negligently and carelessly sutured the superior
8 vena cava compromising the superior vena cava lumen and blood flow
9 causing superior vena cava syndrome; and

10 (d) Among other acts and/or omissions.

11 23. That on or before November 27, 2012, and subsequent
12 thereto, during the course of the care, treatment, evaluation, and
13 other care and treatment, the defendants, and each of them, so
14 negligently, wrongfully, carelessly and recklessly diagnosed and
15 treated plaintiff and failed to treat plaintiff that plaintiff
16 suffered profound and serious injuries and damages including, but
17 not limited to: multiple hospitalizations, pericardial effusion,
18 wound infections, severe blood loss with multiple transfusions,
19 hypotension, respiratory failure with extended intubation, anemia,
20 coagulopathy and thrombosis of vessels, pulmonary embolus, pleural
21 effusions, multiple antibiotics, extended anticoagulation therapy,
22 scarring as well as pain and suffering.

23 24. On October 15, 2013, plaintiff served Notice of Intent
24 letters on the named defendants pursuant to C.C.P. Section 364.

25 WHEREFORE, plaintiff SALLY GEURGUES prays judgment against
26 defendants, and each of them, as follows:

- 27 1. General damages according to proof at the time of trial.
28 2. Medical expenses according to proof at the time of trial.

1 3. Past and future loss of wages, and loss of earning
2 capacity according to proof at the time of trial.

3 4. Special damages according to proof at the time of trial.

4 5. For a declaration by this Court as to the liability of
5 the defendants for the damages and injuries sustained by
6 plaintiffs, and to what extent and what responsibility falls upon
7 each of said defendants, and that the Court award judgment to the
8 plaintiffs as against some or all of the defendants, either jointly
9 or severally as they may be found liable to plaintiffs.

10 6. Pre-judgment interest according to proof.

11 7. For all costs of suit herein incurred.

12 8. For such other and further relief as this Court may deem
13 just and proper.

14 DATED: November 1, 2013 LAW OFFICES OF MICHAEL L. ORAN

15
16 BY: 

17 MICHAEL L. ORAN
18 Attorney for Plaintiff
19 SALLY GEURGUES
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27
28

OR PARTY WITHOUT ATTORNEY (Name, State, number, and address):

FOR COURT USE ONLY

Michael Oran, Esq. (SBN: 110970)
LAW OFFICES OF MICHAEL ORAN
801 South Grand Avenue
11th Floor
Los Angeles, CA 90017

TELEPHONE NO.: (213) 624-1177 FAX NO.: (213) 624-1161

ATTORNEY FOR (Name): Plaintiff

FILED
Los Angeles Superior Court

NOV 07 2013

John A. Clarke, Executive Officer/Clerk
By SHAUNYA WESLEY Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 North Hill Street

MAILING ADDRESS: 111 North Hill Street

CITY AND ZIP CODE: Los Angeles, CA 90012-3014

BRANCH NAME: Central District - Stanley Mosk Crthse.

CASE NAME: SALLY GEURGUES vs. KAISER FOUNDATION HEALTH PLAN, INC.; et al.

CASE NUMBER
BC 526939

CIVIL CASE COVER SHEET

☒ **Unlimited** (Amount demanded exceeds \$25,000) ☐ **Limited** (Amount demanded is \$25,000 or less)

Complex Case Designation

☐ **Counter** ☐ **Joinder**
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

JUDGE:

DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

- ☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- ☐ Asbestos (04)
☐ Product liability (24)
☒ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

- ☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

- ☐ Wrongful termination (36)
☐ Other employment (15)

Contract

- ☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

- ☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

- ☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

- ☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation
(Cal. Rules of Court, rules 3.400-3.403)

- ☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

- ☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint

- ☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

- ☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

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. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. ☐ Substantial amount of documentary evidence f. ☐ 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): ONE

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: November 7, 2013

Michael Oran, Esq. (SBN: 11070)

(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

To Parties and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (not asbestos or toxic/environmental) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (not medical or legal)
Other Non-PI/PD/WD Tort (35)
Employment
Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (not unlawful detainer or wrongful eviction)
Contract/Warranty Breach—Seller Plaintiff (not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (not provisionally complex) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (non-domestic relations)
Sister State Judgment
Administrative Agency Award (not unpaid taxes)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (not specified above) (42)
Declaratory Relief Only
Injunctive Relief Only (non-harassment)
Mechanics Lien
Other Commercial Complaint Case (non-tort/non-complex)
Other Civil Complaint (non-tort/non-complex)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (not specified above) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

SHORT TITLE: SALLY GEURGUES vs. KAISER FOUNDATION HEALTH
PLAN, INC.; et al.

CASE NUMBER

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

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL? ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)
Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Asbestos (04)	☐ A6070 Asbestos Property Damage	2.
	☐ A7221 Asbestos - Personal Injury/Wrongful Death	2.
Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
Medical Malpractice (45)	☒ A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
	☐ A7240 Other Professional Health Care Malpractice	1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall)	1., 4.
	☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
	☐ A7270 Intentional Infliction of Emotional Distress	1., 3.
	☐ A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE: SALLY GEURGUES vs. KAISER FOUNDATION
HEALTH PLAN, INC.; et al.

CASE NUMBER

Non-Personal Injury/Property
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	☐ A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	☐ A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	☐ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	☐ A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)	☐ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) ☐ A6008 Contract/Warranty Breach - Seller Plaintiff (no fraud/negligence) ☐ A6019 Negligent Breach of Contract/Warranty (no fraud) ☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	☐ A6009 Contractual Fraud ☐ A6031 Tortious Interference ☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	☐ A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	☐ A6018 Mortgage Foreclosure ☐ A6032 Quiet Title ☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	☐ A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: SALLY GEURGUES vs. KAISER FOUNDATION
HEALTH PLAN, INC.; et al.

CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)		
Judicial Review	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2., 6.		
	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.		
	Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus ☐ A6152 Writ - Mandamus on Limited Court Case Matter ☐ A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.		
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2., 8.		
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1., 2., 8.		
	Construction Defect (10)	☐ A6007 Construction Defect	1., 2., 3.		
	Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1., 2., 8.		
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1., 2., 8.		
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1., 2., 3., 8.		
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.		
Enforcement of Judgment	Enforcement of Judgment (20)	☐ A6141 Sister State Judgment ☐ A6160 Abstract of Judgment ☐ A6107 Confession of Judgment (non-domestic relations) ☐ A6140 Administrative Agency Award (not unpaid taxes) ☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax ☐ A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.		
	RICO (27)	☐ A6033 Racketeering (RICO) Case	1., 2., 8.		
	Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only ☐ A6040 Injunctive Relief Only (not domestic/harassment) ☐ A6011 Other Commercial Complaint Case (non-tort/non-complex) ☐ A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.	
		Partnership Corporation Governance (21)	☐ A6113 Partnership and Corporate Governance Case	2., 8.	
		Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment ☐ A6123 Workplace Harassment ☐ A6124 Elder/Dependent Adult Abuse Case ☐ A6190 Election Contest ☐ A6110 Petition for Change of Name ☐ A6170 Petition for Relief from Late Claim Law ☐ A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: SALLY GEORGUES vs. KAISER FOUNDATION HEALTH
PLAN, INC.; et al.

CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.

☒ 1. ☐ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10.

ADDRESS: Effective March 18, 2013, all general jurisdiction personal injury cases must be filed in the Stanley Mosk Courthouse.

CITY:

Los Angeles

STATE:

CA

ZIP CODE:

90012

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: Nov. 1, 2013

(SIGNATURE OF ATTORNEY/FILING PARTY)

Michael Oran, Esq.

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. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
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.

11/07/2013