

2014 JAN 22 P 2:17
CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

FILED
Clerk of the Superior Court

JAN 22 2014

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
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ATTORNEY FOR (Name): Plaintiff, Elizabeth Urquhart

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS:
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Central Division

PLAINTIFF: Elizabeth Urquhart

DEFENDANT: Lindy Coyote O'Leary, Southern California Permanente Medical Group, Kaiser Foundation Health Plans, Inc.,

☒ DOES 1 TO 40 Kaiser Hospitals, Inc

COMPLAINT—Personal Injury, Property Damage, Wrongful Death

☐ AMENDED (Number):

Type (check all that apply):

☐ MOTOR VEHICLE ☒ OTHER (specify): Medical Malpractice
☐ Property Damage ☐ Wrongful Death
☒ Personal Injury ☐ Other Damages (specify):

Jurisdiction (check all that apply):

☐ ACTION IS A LIMITED CIVIL CASE

Amount demanded ☐ does not exceed \$10,000

☐ exceeds \$10,000, but does not exceed \$25,000

☒ ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)

☐ ACTION IS RECLASSIFIED by this amended complaint

☐ from limited to unlimited

☐ from unlimited to limited

CASE NUMBER:

37-2014-00084620-CU-MM-CTL

1. Plaintiff (name or names): Elizabeth Urquhart

alleges causes of action against defendant (name or names):

Lindy Coyote O'Leary, Southern California Permanente Medical Group [see additional page]

2. This pleading, including attachments and exhibits, consists of the following number of pages: 5

3. Each plaintiff named above is a competent adult

a. ☐ except plaintiff (name):

(1) ☐ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(5) ☐ other (specify):

b. ☐ except plaintiff (name):

(1) ☐ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE:

Urquhart v. Southern California Permanente Medical Group, et al.

CASE NUMBER:

37-2014-00084620-CU-MM-CTL

4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. ☒ except defendant (name): SCPMG
 (1) ☒ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- b. ☒ except defendant (name): KFHP, Inc.
 (1) ☐ a business organization, form unknown
 (2) ☒ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- c. ☒ except defendant (name): Kaiser Foundation Hosp
 (1) ☒ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- d. ☐ except defendant (name):
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- ☐ Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. ☒ Doe defendants (specify Doe numbers): 1-20 were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☒ Doe defendants (specify Doe numbers): 21-40 are persons whose capacities are unknown to plaintiff.
7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a. ☒ at least one defendant now resides in its jurisdictional area.
- b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
- d. ☐ other (specify):
9. ☒ Plaintiff is required to comply with a claims statute, and
- a. ☒ has complied with applicable claims statutes, or
- b. ☐ is excused from complying because (specify):

SHORT TITLE:

Urquhart v. Southern California Permanente Medical Group, et al.

CASE NUMBER:

37-2014-00084620-CU-MM-CTL

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☐ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☒ Other (specify):

Medical Malpractice (Medical Negligence)

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (specify):

Plaintiff claims economic damages, including past and future wage loss, medical expense, and non-economic damages, including past and future, shock, fright, pain, hospitalizations, surgeries, loss of enjoyment of life, all according to proof.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☒ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

All

Date: January 21, 2014

JOEL SELIK

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE:

Urquhart v. Lindy Coyote O'Leary, SCPMG, Kaiser et al.

CASE NUMBER:

37-2014-00084620-CU-MM-CTL

FIRST

(number)

CAUSE OF ACTION—General Negligence

Page

four

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Elizabeth Urquhart

alleges that defendant (name): SCPMG, Kaiser Foundation Health Plan, Inc., Kaiser Found. Hospitals

☒ Does 1 to 40

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): 1/30/13 & after

at (place): Kaiser Permanente Medical Center, 4647 ZION AVE SAN DIEGO, CA 92120-2507

(description of reasons for liability):

Defendants and each of them provided substandard care for Plaintiff's work injury. Plaintiff is not a Kaiser Plan Member. Due to the negligence of Defendants and each of them, Plaintiff developed life-threatening pulmonary emboli and other conditions and diseases such that she had to be hospitalized, undergo surgeries and other intensive treatment. Plaintiff faces increased risks for future coagulopathy, all due to the negligence of Defendants and each of them. Plaintiff claims damages as described on page three of this complaint.

SHORT TITLE:

Elizabeth Urquhart vs Lindy Coyote O'Leary, SCPMG, Kaiser

CASE NUMBER:

37-2014-00084620-CU-MM-CTL

ATTACHMENT (Number): ONE

(This Attachment may be used with any Judicial Council form.)

Number 1. on page one of this Complaint shall include as a defendants the following:

Kaiser Foundation Health Plans, Inc. and
Kaiser Hospitals, Inc

Courthouse News Service

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this
Attachment are made under penalty of perjury.)

Page 5 of 5

(Add pages as required)