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TRACY PLITT

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SOLANO SUPERIOR COURT

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SOLANO

TRACY PLITT,

Plaintiff,

vs.

KAISER FOUNDATION HOSPITALS, and
DOES 1 through 50, inclusive,

Defendants.

Case No. FC044722

ASSIGNED FOR ALL PURPOSES TO
JUDGE:

COMPLAINT FOR DAMAGES

**ASSIGNED TO
JUDGE PAUL L. BEEMAN
FOR ALL PURPOSES**

Plaintiff, TRACY PLITT, alleges as follows:

1. At all times herein mentioned defendants KAISER FOUNDATION HOSPITALS and DOES 20-30, inclusive, and each of them were, and now are, corporations or other business organizations which were authorized to do business and were in fact doing business within the County of Solano, State of California.

2. That the true names or capacities, whether individual, corporate, associate or otherwise of defendants, DOES 1 through 50, are unknown to plaintiff who therefore sues said defendants by such fictitious names. Plaintiff is informed and believes and therefore alleges that each of the defendants designated herein as a DOE is legally responsible in some manner for the events and happenings herein referred to, and proximately caused injury and damages proximately thereby to plaintiff as herein alleged. Plaintiff prays leave to amend this complaint to insert their true names and capacities when the same have been ascertained.

3. That at all times herein mentioned, defendants DOES 1 through 10, inclusive, were employees and agents of defendants, and each of them, and were acting within the course and scope of their employment.

4. That defendants are the owners and operators of certain premises known as Kaiser Permanente Vacaville Medical Center, 1 Quality Drive, in the City of Vacaville, County of Solano, State of California.

5. On or about April 5, 2013, while plaintiff was in the pediatric department at 1 Quality Dr in the City of Vacaville, County of Solano, State of California, defendants so carelessly and negligently owned, controlled, inspected, and maintained the premises as to allow a large picture frame to stick out approximately 6 inches from the wall and directly above a children's coloring table and chairs in the waiting room.

6. The dangerous condition was known, or in the exercise of ordinary and reasonable care would have been known, to defendants in adequate time for a reasonably prudent person to warn of, or repair and make safe, the condition.

7. As a proximate result of the negligence of defendants, as plaintiff got up from the chair after coloring on the table with her son, she hit her head on the picture frame that was sticking out from the wall.

8. As a proximate result of the said negligence of defendants, and each of them, and, of plaintiff's incident alleged herein, plaintiff was injured in plaintiff's health, strength and activity, sustaining bodily injury, and shock and injury to plaintiff's nervous system, which said injuries have caused, and continue to cause, plaintiff great mental and physical pain and suffering; plaintiff is informed and believes and thereon alleges that said injuries will result in some permanent disability to plaintiff, all to plaintiff's general damage in a sum within the jurisdiction of this Court.

9. As a further and proximate result of said negligence of defendants, and each of them, and of plaintiff's said injuries, plaintiff was required to, and did, employ physicians and surgeons to examine, treat and care for plaintiff, and incurred medical and incidental expenses for such examination, treatment and care. The exact amount of such expenses is unknown to plaintiff at this time, and plaintiff will amend this pleading to set forth said sums when the same have been

ascertained.

1 10. That as a further proximate result of the aforesaid negligent conduct of defendants, and
2 each of them, plaintiff was prevented from performing household services for a period of time
3 and will likely sustain a loss in the value of household services into the future. This loss of value
4 of household services is in an amount unknown to plaintiff at this time. Plaintiff prays leave of
5 court to insert the correct amount of loss of value of household services when the same have
6 been ascertained.

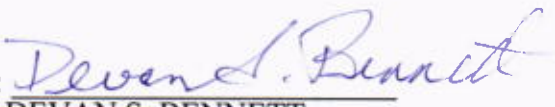
7 11. As a further direct and proximate result of the carelessness and negligence of
8 defendants, and each of them, as aforesaid, plaintiff was prevented from attending to plaintiff's
9 usual occupation for a period of time, sustaining a loss of earnings and profits in an amount
10 unknown to plaintiff at this time. Plaintiff is informed, believes, and thereon alleges that
11 plaintiff will be prevented from attending to plaintiff's usual occupation for an unspecified
12 period of time in the future, sustaining additional loss of earnings, the exact amount of which is
13 unknown. Plaintiff prays for leave of court to amend this complaint to set forth the exact
14 amount of all of such additional loss of earnings at such time as they are ascertained.

15
16 WHEREFORE, plaintiff prays judgment against defendants, and each of them, as follows:

- 17 1. General damages in a sum exceeding the minimum jurisdiction of this court.
18 2. All medical and incidental expenses according to proof;
19 3. For loss of value of household services according to proof;
20 4. For costs of suit herein incurred;
21 5. For loss of earnings and profits according to proof;
22 6. For such other and further relief as the court may deem proper.

23 DATED: January 7, 2015

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25 By: 
26 DEVAN S. BENNETT
27 Attorney for Plaintiff
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