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Superior Court of California
County of Los Angeles

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Sherri R. Carter, Executive Officer/Clerk
By Cristina Grijalva Deputy
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KELCEY TREFETHEN

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

BC 596934

KELCEY TREFETHEN, an individual,
Plaintiff,

vs.

KAISER FOUNDATION HEALTH PLAN,
INC., a corporation; KAISER
FOUNDATION HOSPITALS, a
corporation; SOUTHERN CALIFORNIA
PERMANENTE MEDICAL GROUP, a
partnership; and DOES 1 through 10,
inclusive.

Defendants.

CCASE NO.:

PLAINTIFF'S COMPLAINT FOR:

1. WRONGFUL TERMINATION IN VIOLATION OF HEALTH AND SAFETY CODE SECTION 1278.5;
2. RETALIATION IN VIOLATION OF HEALTH AND SAFETY CODE SECTION 1278.5;
3. DEFAMATION PER SE
4. DISABILITY DISCRIMINATION - FAILURE TO ENGAGE IN THE INTER-ACTIVE PROCESS;
5. DISABILITY DISCRIMINATION - FAILURE TO REASONABLY ACCOMMODATE

DEMAND FOR JURY TRIAL BY PLAINTIFF

CIT/CASE: BC596934
LER/DEF#:
RECEIPT #: CCH195707036
DATE PAID: 10/07/15 02:11 PM
PAYMENT: \$435.00
RECEIVED:
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

COMPLAINT FOR DAMAGES

By Fax

10/07/2015

1 Plaintiff complains and alleges as follows:

2 **INTRODUCTION & NATURE OF ACTION**

3 1. Until the events set forth herein below took place, Plaintiff Kelcey Trefethen
 4 enjoyed an exceptional professional reputation and work record at Kaiser Permanente.
 5 Following an internship with the California Water Resources Board, she joined the company in
 6 2005 in the Safety Department at the San Rafael Medical Center in Northern California. While
 7 there she distinguished herself winning accolades and advancing in the safety, regulatory and
 8 community outreach and volunteer areas of Kaiser. She founded Kaiser San Rafael Medical
 9 Center's Green Team as well as became a member of the Incident Investigations Team and
 10 taught classes to Labor and Management on Systems of Safety ("SOS"). In April of 2008,
 11 Plaintiff went on to work for Kaiser's National Environmental Health and Safety ("NEHS") unit
 12 expanding her knowledge, experience and expertise. She was a member of the NEHS audit team
 13 conducting audits at Kaiser medical centers across the country.

14 2. In May of 2013, Plaintiff was internally recruited by the Chief Operating Office,
 15 Payam Roshan, for and accepted a position at Kaiser's Baldwin Park Medical Center ("BPMC")
 16 and in reliance on the promises and representations made to her to induce her to accept this
 17 position, she eagerly relocated from Northern California to Southern California to take the
 18 position of Environmental Health and Safety ("EH&S") Director.

19 3. When she arrived at BPMC, she found a dysfunctional EH&S program that was
 20 inadequate, ineffectual, and incestuous, perpetuating conditions that were hazardous to
 21 employees and patients alike. Plaintiff discovered that she would be reporting directly to
 22 Michele Robinson, Assistant Medical Center Administrator ("AMCA") and not directly to the
 23 COO. All previous EH&S Directors had reported to the COO at BPMC. Those in charge were
 24 more interested in protecting themselves than in truly protecting employee and patient safety.
 25 When Plaintiff reported and called attention to the unsafe and hazardous conditions, improper
 26 policies and procedures, including certain employees who were inadequately trained and lacked
 27 the experience to handle the responsibilities assigned to them, delinquent monthly report outs to
 28 the medical center leaders and the Medical Executive Committee ("MEC"), those in power

1 retaliated against her, defaming her, making false accusations and undermining her ability to do
2 her job.

3 4. At all times herein relevant, Plaintiff's job performance was satisfactory. Prior to
4 the events set forth herein below, all of Plaintiff's performance appraisals were uniformly
5 laudatory and positive, reflecting Plaintiff's growing reputation for honesty, integrity, dedication,
6 strong communication skills, and innovative ideas. On June 30, 2014, Cristina Pisa ("Ms. Pisa"),
7 a Kaiser Project Manager, confirmed in a letter to Kaiser Human Resources Department that
8 Plaintiff's boss, Michele Robinson ("Ms. Robinson") plainly stated their attempt to either get
9 Plaintiff "fired" or inflict enough pain on Plaintiff to force her out on a stress leave:

10 "Michele told me to let her know if Kelcey continues to act rude, condescending and
11 inappropriately in the department because Kelcey will have to shape up or get multiple
12 write ups *until Kelcey either gets fired or goes out on a stress leave.*"

13 5. As defendants set about to undermine and destroy plaintiff's career, they falsely
14 accused her of being rude, condescending and acting inappropriately in the department. Finally,
15 they accused her of "fraudulent documentation" in violation of Kaiser's Principles of
16 Responsibility ("POR") to create a justification to terminate her employment on November 17,
17 2014. These false allegations of fraud and misconduct in the workplace so serious as to warrant
18 termination have done terrible emotional and financial damage to Plaintiff and her career.

19 JURISDICTION & VENUE

20 6. This Court has personal jurisdiction over each of the defendants because they are
21 residents of and/or doing business in the State of California.

22 7. Under California Code of Civil Procedure section 395(a), venue is proper in this
23 county because the defendants, or some of them, reside in this county and/or injuries alleged
24 herein occurred in this county.

25 PARTIES

26 8. Plaintiff, at all times relevant hereto, has been a resident of the State of California.

27 9. Plaintiff is informed and believes that Defendants Kaiser Foundation Health Plan,
28 Inc. ("KFHP") and Kaiser Foundation Hospitals ("KFH") are corporations organized and

1 existing under the laws of California, with their principal place of business located at 1 Kaiser
2 Plaza, Oakland, California.

3 10. Plaintiff is informed and believes that Defendant Southern California Permanente
4 Medical Group ("SCPMG") is organized in form only as a partnership under the laws of
5 California, with its principal place of business located in Los Angeles County at 393 East Walnut
6 Street, Pasadena, California.

7 11. Plaintiff is informed and believes KFHP, KFH and SCPMG do business jointly,
8 and with other entities owned and controlled by KFHP under the name "Kaiser Permanente."

9 12. Plaintiff is informed and believes that Kaiser Permanente is an "integrated" health
10 care delivery system comprised of the insurance company, KFHP, its doctors, organized as
11 SCPMG, and its hospitals, which are wholly owned and/or controlled by KFHP through its
12 captive entity, KFH, which has no separate existence or identity apart from KFHP.

13 13. Plaintiff is informed and believes and thereon alleges that Defendant KFHP is an
14 insurance company which purports to provide comprehensive total medical care to its members.
15 KFHP describes itself as the largest Health Maintenance Organization in the country. KFHP
16 exercises total control over Defendants KFH, SCPMG and a number of other corporate and
17 partnership entities such that their very existence as purported separate entities is in fact a sham
18 designed to perpetuate the myth that KFHP and KFH are legitimate "non-profit" corporations.
19 Plaintiff is informed and believes that KFHP and KFH are in fact "for profit" enterprises
20 regularly reporting their profitability publicly. For example, on August 5, 2011, Kaiser reported:

21
22 Kaiser Foundation Hospitals, Kaiser Foundation Health Plan, Inc., and their respective
23 subsidiaries (KFH/HP) reported today a combined operating revenue of \$11.9 billion for
24 the quarter ending June 30, 2011, compared to \$11.0 billion in the same period in 2010.
25 Operating income was \$390 million in the second quarter of 2011, compared to \$313
26 million in the same quarter last year. Net non-operating income was \$273 million in the
27 second quarter of 2011, compared to \$91 million in the same quarter last year. As a
28 result, net income for the second quarter was \$663 million versus net income of \$404
million in the same period last year. These are the combined operating results for Kaiser
Foundation Hospitals, Kaiser Foundation Health Plan, Inc., and their respective
subsidiaries.¹

¹ <http://xnet.kp.org/newscenter/pressreleases/nat/2011/080511q2financials.html>

1 14. KFHP's total dominance over KFH and SCPMG is evidenced by the fact that
2 KFH and SCPMG's entire annual budget is set by, controlled by, and approved by KFHP; all
3 funds for KFH and SCPMG's operations come from KFHP; KFHP determines what "profit" if
4 any SCPMG is allowed to make; money that SCPMG uses to pay bonuses to its doctors comes
5 from KFHP; SCPMG does not bill any patients for most of its services; barring emergencies or
6 extremely rare instances, SCPMG doctors are only allowed to work for KFHP members
7 exclusively; and SCPMG's only source of money is from KFHP. KFHP provides virtually all
8 legal, human resources, insurance, communications, advertising, billing, and other necessary
9 services for KFH and SCPMG. Members buying health care coverage only pay money to
10 KFHP, not to SCPMG; they buy insurance from KFHP and they receive services through
11 SCPMG. Advertising for the health care offered by KFHP as health insurance and provided
12 through SCPMG doctors is done predominantly by KFHP, advertising as "Kaiser Permanente"
13 as seen in the multi-million dollar "Thrive" advertising campaign. SCPMG does not own
14 hospitals, medical buildings, or the clinics where they work; they are owned by KFHP. KFHP
15 provides all telephone, fax, and e-mail services for SCPMG. KFHP also provides health
16 insurance and medical malpractice insurance to SCPMG's doctors. KFHP lawyers routinely
17 render legal advice and counsel to KFHP, SCPMG, and have unfettered access to KFHP and
18 SCPMG's records; KFHP's Human Resources department routinely investigates any
19 EEOC/DFEH or other complaints of discrimination, as well as issues regarding reasonable
20 accommodations, regarding KFHP and SCPMG's practices and employees, reporting to KFHP's
21 legal department on all such investigations; KFHP lawyers and human resources staff do not
22 obtain privacy waivers when seeking records of KFHP and/or SCPMG employees or investigating
23 their claims; KFHP provides and pays for all facilities in which KFHP and SCPMG conduct
24 business.

25 15. Defendants KFHP, KFHP and SCPMG, if not separately noted are hereinafter
26 collectively referred to as "Kaiser." These Defendants are collectively liable under either a joint
27 employer theory or a single enterprise theory.
28

16. The true names and capacities of the defendants named herein as Does 1 through 10, inclusive, whether individual, corporate, associate or otherwise, are unknown to Plaintiff who therefore sues such defendants by fictitious names pursuant to California Code of Civil Procedure section 474. Plaintiff is informed and believes that all of the Doe defendants are California residents. Plaintiff will amend this Complaint to show such true names and capacities when they have been determined.

17. Plaintiff is informed and believes that at all times relevant herein, each defendant designated, including Does 1 through 10, was the agent, managing agent, principal, owner, partner, joint venturer, representative, manager, servant, employee and/or co-conspirator of each of the other defendants, and was at all times mentioned herein acting within the course and scope of said agency and employment, and that all acts or omissions alleged herein were duly committed with the ratification, knowledge, permission, encouragement, authorization and consent of each defendant designated herein.

FACTS COMMON TO ALL CAUSES OF ACTION

18. Plaintiff's responsibilities as EH&S Director included specific oversight over any and all environmental and safety threats to patients, visitors and employees alike at Kaiser's Baldwin Park Medical Center ("BPMC"). Under Kaiser's "Principles of Responsibility" it was Plaintiff's duty to report any and all real or potential threats to patient, employee or public safety and to take action to eliminate those threats.

19. When Plaintiff began her employment at BPMC, her direct superior was Michele Robinson, who herself was the newly appointed Area Medical Center Administrator. Ms. Robinson did not have a background or experience in EH&S or WPS. On taking up the EH&S Director position at BPMC, Plaintiff inherited four staff members: EH&S Manager, Carol Bishop ("Ms. Bishop"); Project Manager II Cristina Pisa ("Ms. Pisa"); Ergonomist Soly Djaverehi ("Ms. Djaverehi") (who was off work due to an injury since 8/5/2013); and a part-time Emergency Planner, Michael Albarran ("Mr. Albarran"). Plaintiff's predecessor as EH&S Director, Mark Moreno ("Mr. Moreno"), had a heart attack due to the stress of working at

1 BPMC. Mr. Moreno went out on medical leave and eventually retired months before Plaintiff
2 was transferred and promoted to take over the position.

3 20. When Plaintiff began her work at BPMC, she discovered that many of the existing
4 policies and procedures were out of date, non-existent or incomplete. There was no electronic
5 backup system to reference. The EH&S department itself was out of compliance. The
6 Accreditation and Licensing ("A&L") department informed EH&S that approximately 100
7 policies and procedures were expired. The previous EH&S Director sent them to Environment
8 of Care ("EOC") and the Emergency Preparedness Committees before the 2011 Joint
9 Commission to rush them through for approvals. However, they were not thoroughly reviewed,
10 revised or updated. It was Plaintiff's responsibility to go through and review all existing policies
11 and procedures that were "approved" to ensure their accuracy, applicability and compliance.

12 21. The previous EH&S Director had given all Emergency Preparedness Policies and
13 Procedures to Mr. Albarran to review and revise; however, Mr. Albarran refused to update
14 policies and procedures, claiming that he had no experience in this area and only wanted to
15 "train" staff. In addition to the outdated Emergency Management policies and procedures, the
16 EH&S Director had the responsibility of doing "damage control" by reviewing all policies and
17 procedure under the EOC and all additional policies that were listed under the EH&S
18 departments' responsibilities and ownership.

19 22. The regional internal A&L database systems was annually used to audit and
20 review Joint Commission findings, including the 2011 audit, and ensure that all findings were
21 addressed and closed. Mr. Moreno gave Ms. Pisa access to the system and Ms. Pisa entered the
22 updates prior to the 2011 Joint Commission survey. Upon discovery of this issue, Plaintiff
23 informed the A&L Director that this was not in compliance and that only the EH&S Director
24 could make changes in the system, as the results are reported out to regulatory committees and
25 used by Regional. Ms. Pisa did not have authorization to use or access the system. Plaintiff was
26 the owner of the EH&S findings and the updates needed to be maintained, reported out and
27 identified by the EH&S Director.
28

1 23. Plaintiff was informed by Ms. Robinson that Mr. Moreno was not reporting out to
2 the Medical Executive Committee (MEC) and Medical Center Administration Team (MCAT),
3 including Dr. John Bigley. The EH&S Director was responsible for reporting out to MEC on a
4 monthly basis in order to "catch up" on all the negligent policies and procedures. Plaintiff
5 informed Ms. Robinson that there were no backup files passed on to her and that the A&R
6 database was noncompliant and inaccurate with ownership of the policies and procedures under
7 EH&S.

8 24. Workplace Safety policies and procedures were maintained by the WPS
9 Coordinator who reported to a regional manager. Even though the WPS policies and procedures
10 did not belong under EH&S, the EH&S Director was appointed to report out on the WPS
11 policies and procedures. The EH&S Director was not a chair on the WPS Committee, only a
12 member.

13 25. The full-time ergonomist was not replaced. In fact, Plaintiff discussed the gap
14 with Ms. Robinson several times and was not authorized to hire an ergonomist. The ergonomist
15 was responsible for all staff at the medical center to prevent ergo-related injuries, according to
16 the Injury and Illness Prevention Plan. Ms. Robinson later agreed to allow the EH&S
17 Department to attend a workshop for ergonomics in order to meet the high demand of ergo
18 assessment request as well as equipment that had been ordered but never provided to staff. The
19 EH&S did not have the support or the staffing to maintain the Ergonomics Program. Ms.
20 Robinson did nothing to assist to huge burden, strain and demand on the department. Plaintiff
21 came up with a solution to include the WPS Coordinator as part of the Ergonomics Program and
22 the WPS Coordinator as well as her manager refused to provide ergonomic support to the EH&S
23 Department.

24 26. Plaintiff proposed to Regional WPS Department that the WPS Coordinators at the
25 medical centers be trained and certified as an asset and skill to the organization and that
26 Ergonomics is WPS. The concept and solution was frowned upon by Ms. Robinson and WPS
27 regional director. Senior leadership did not support the EH&S Department with the absence of a
28 full-time ergonomist and the result was noncompliance with OSHA's IIPP. Plaintiff requested

1 injury data from WPS Committee and Improvement Department to show the correlation between
2 injuries and illness reported over the past three years and Safety Observations reported. This
3 request was denied and Plaintiff was told that the data in the Safety Observation Tool did not
4 exist.

5 27. Plaintiff learned that BPMC had the highest injury and illness rates of any
6 similarly sized facility in the Kaiser system in 2013. Plaintiff began her BPMC assignment with
7 the goal to get the EH&S and WPS programs up and running efficiently, to rebuild the health and
8 safety programs with secure and strong foundations and to create sustainable systems which
9 would lead to successful and compliant programs throughout the medical center. Plaintiff
10 requested the WPS Committee demonstrate the correlation between Safety Observations and
11 reported injuries and illnesses. Plaintiff was determined to build a healthy workforce in order to
12 prevent the types of injuries and illness reported to WPS Committee, including a high stress-
13 leave population and other unidentified injuries caused by "distracted" employees.

14 28. Plaintiff learned that many BPMC employees were laboring under enormous
15 pressure and stress due in part to growing patient workloads, chronic understaffing, and poor
16 morale. Plaintiff tried to introduce a new approach to workplace safety and EH&S: "A Healthy
17 Workforce is a Safer Workforce (Injury and Illness/Stress free). Plaintiff reached out to Kaiser's
18 overwhelmed Employee Assistance Program ("EAP") to see if they could collaborate to reduce
19 the number of "stressors" for Kaiser employees at BPMC that were leading to higher indemnity
20 claims and injuries.

21 29. Plaintiff presented well documented correlations between sleep deprivation and
22 injuries asking the EAP to add trigger words like "Exhausted" and "Burnout" to the EAP posters
23 in the building as a proactive resource for the staff. Plaintiff recognized that the EAP was a
24 potential first line of defense against employees becoming mentally or emotional ill or physically
25 injured.

26 30. In addition to her duties as the EH&S Director at BPMC, Plaintiff created an
27 Innovation Project called K-Bay which was approved by the MCAT at BPMC.
28

1 31. Instead of embracing Plaintiff's efforts to make the Kaiser environment safe for
2 Patients and employees alike, Ms. Robinson and others in Kaiser management rejected Plaintiff's
3 efforts and instead turned on her with a campaign of defamation, harassment, bullying, and
4 retaliation when they realized that Plaintiff would not remain silent or "look the other way" when
5 it came to patient/employee safety. They did this because Kaiser did not want to spend the
6 money, hire additional necessary staff or acquire the necessary resources to make the
7 environment at BPMC safer and come into compliance with state and federal law and Kaiser's
8 own stated policies. Another contributing factor was the refusal of Ms. Robinson and her
9 superiors to acknowledge or admit that they had for years, either intentionally or negligently,
10 ignored their duties to create and maintain a safe environment at BPMC.

11 32. On or about January of 2014, in order to protect Kaiser and herself, Ms. Robinson
12 began a campaign to inflict enough pain and humiliation on Plaintiff so as to force her to resign,
13 or, in the alternative, to set her up for termination. To do this, Ms. Robinson acting for and on
14 behalf of Kaiser began defaming, harassing, and humiliating Plaintiff in front of doctors,
15 coworkers and subordinates. In one episode, Ms. Robinson falsely stated as fact that Plaintiff
16 failed to do her job properly in front of Dr. Ramin Davidoff, M.D. ("Dr. Davidoff"), Chief
17 Physician at BPMC, a highly respected and well known AMCA, and Plaintiff's mentor. This
18 directly injured Plaintiff's credibility and status in Dr. Davidoff's eyes and deeply embarrassed
19 Plaintiff. Dr. Davidoff reached out to Plaintiff after the incident and asked if she was doing as he
20 had concern over Robinson's actions to the Plaintiff and did not agree or know why Robinson
21 had said damaging things about the Plaintiff in his office on speaker phone.

22 33. Later that same day, Ms. Robinson called Plaintiff into her office and told
23 Plaintiff that she was not allowed to ask any questions when Robinson tells her to do something.
24 This demeaning further assault was intended to interfere with Plaintiff's ability to do her job and
25 make her appear inept and impotent to others. Plaintiff responded that the health and safety of
26 the medical center was her first priority and she would have to ask questions if she believed
27 Robinson's orders might compromise that mission.
28

1 34. In February of 2014, Robinson continued her attack on Plaintiff with a series of
2 unprofessional, defamatory, harassing and belittling emails and text messages. In one
3 particularly egregious incident, Ms. Robinson placed staff, patients and visitors at risk of serious
4 injury by allowing an air ambulance to attempt to rescue a bleeding pediatric patient without the
5 appropriate safety protocols in place. Seeing the obvious danger, Plaintiff intervened since Ms.
6 Robinson had no idea what really needed to be done to safely save the patient. Thereafter, in
7 direct retaliation, Ms. Robinson again defamed the Plaintiff sending an email to many of
8 Plaintiff's colleagues falsely stating as fact that Plaintiff "was not available to help in a time of
9 crisis." These words were understood by the readers as an accusation that Plaintiff failed in her
10 duty to the Kaiser, the patients and visitors, directly tending to hurt Plaintiff in her career and to
11 inflict emotional pain on Plaintiff in an attempt to force Plaintiff to resign or further set Plaintiff
12 up for termination. This campaign of harassment and defamation continued. Plaintiff, by this
13 time, was experiencing increasing levels of fear and insecurity in the workplace. She began
14 having nightmares, migraines, and sleepless nights as well as physical symptoms which impacted
15 Plaintiff on a daily basis. Nevertheless, Plaintiff attempted to continue to do her job knowing
16 that every day put her at risk of being victimized by Ms. Robinson and her agents.

17 35. In March 2014, after the approval of the K-Bay project plaintiff created was
18 approved by the MCAT, Robinson assigned Ms. Pisa to the K-Bay Project as its "Improvement
19 Advisor." After three months of observation, it became apparent to Plaintiff that Ms. Pisa lacked
20 the training and experience to do this job. Plaintiff privately and confidentially asked Ms.
21 Robinson to remove Pisa from the K-Bay team and replace her with a properly trained
22 Improvement Advisor. Ms. Robinson became very upset at this request and refused to remove
23 Pisa. Plaintiff is informed and believes and thereon alleges, that Ms. Robinson put Ms. Pisa on
24 the job to undermine Plaintiff's efforts to make the K-Bay program a success and with the
25 intention of further embarrassing Plaintiff by impeding or blocking the success of the K-Bay
26 program.

27 36. After refusing Plaintiff's request to remove Ms. Pisa from the K-Bay project, Ms.
28 Robinson met with Ms. Pisa to tell her that Plaintiff asked for her removal from the project

1 because she lacked the training and experience necessary to do the job properly. Robinson did
2 this to create further tension between Plaintiff and Pisa and to inflict further stress, worry and
3 fear on Plaintiff.

4 37. On or about June 2-5, 2014, while Plaintiff was in Cleveland, Ohio to accept the
5 Practice Green Health Environmental Stewardship Award for BPMC, Ms. Robinson met with a
6 number of Plaintiff's subordinates including, specifically, Ms. Pisa and Mr. Albarran, in secret
7 attempting to get negative information about Plaintiff as the EH &S Director. Robinson's
8 conduct and questioning Plaintiff's subordinates seeking negative information was understood by
9 these subordinates as a statement of fact from Ms. Robinson that Plaintiff's performance as
10 EH&S director was deficient and unsatisfactory. Plaintiff's subordinates understood Ms.
11 Robinson's message and being fearful of Ms. Robinson turning on them, they were forced to
12 accede to Ms. Robinson's demands at Plaintiff's expense.

13 38. Upon Plaintiff's return from the conference in Cleveland, Ms. Robinson called
14 Plaintiff into her office to discuss "numerous complaints made about (her) management style and
15 whereabouts." Ms. Robinson stated that she ran Plaintiff's "badge swipes" for a second time
16 since Plaintiff started working at BPMC to investigate whether she was at the medical center full
17 time - despite the fact that Plaintiff was an "exempt" employee and also despite the fact that Ms.
18 Robinson had direct access to Plaintiff's daily calendar through Kaiser's Lotus Notes
19 application.

20 39. Plaintiff complained about the retaliation, harassment and abuse she was
21 experiencing from Ms. Robinson to Payman Roshan ("Mr. Roshan"), Kaiser's Chief Operating
22 Officer. Plaintiff advised Mr. Roshan that Ms. Robinson's actions and behavior were making
23 Plaintiff's work life a living hell, causing her great stress, sleeplessness and making her
24 physically ill, and requested to be removed from Ms. Robinson's department on two separate
25 occasions. As a result of Kaiser's relentless campaign to inflict pain and suffering on Plaintiff,
26 she sought assistance from the Employee Assistance Program ("EAP"). On more than one
27 occasion, Plaintiff sought a reasonable accommodation to ease her stress and suffering by a
28 request to transfer away to another supervisor and, later in 2014, as an alternative

1 accommodation to take a different position in Oakland, California. These requests were denied.
2 To add insult to injury, Kaiser advised Ms. Robinson that Plaintiff had sought these reasonable
3 accommodations, further incurring Ms. Robinson's wrath.

4 40. On or between May 26, 2014 and June 2, 2014, while Plaintiff was out of town
5 attending a conference, Ms. Robinson repeatedly questioned Ms. Pisa in a "private and secretive
6 manner" asking Ms. Pisa to "report on" and "tattletale" on Plaintiff.

7 41. In a letter dated June 30, 2014, Ms. Pisa confirmed that Ms. Robinson told her to
8 report "If Kelcey continues to act rude, condescending and inappropriately, in the department
9 because Kelcey will have to shape up or get multiple write ups until Kelcey either gets fired or
10 goes out on stress leave." Ms. Pisa and the others who read this letter understood as fact that Ms.
11 Robinson was claiming that Plaintiff was rude, condescending and acting inappropriately in the
12 work place. Ms. Robinson made these statements intending to inflict emotional harm and to hurt
13 Plaintiff in her profession and career.

14 42. At no time prior to June 30, 2014 had Plaintiff ever been written up for allegedly
15 being rude, condescending or acting inappropriately in the work place at Kaiser.

16 43. Plaintiff is informed and believes and thereon alleges that Ms. Robinson revealed
17 to Ms. Pisa and others that Plaintiff had sought the assistance of Kaiser's Employee Assistance
18 Program to cope with the stress and abuse she had been experiencing at Ms. Robinson's hands in
19 direct violation of Kaiser's policy of confidentiality and in violation of HIPAA.

20 44. In August 2014, Plaintiff drafted a MOC for Ms. Pisa's lack of performance, poor
21 attendance record and forwarded it to the Kaiser Human Resources Department.

22 45. In an attempt to escape Ms. Robinson's continuing attempts to force Plaintiff to
23 resign or be terminated, Plaintiff applied for a position with Kaiser's National Compliance Office
24 to become the Hotline Case Manager in Oakland, California. In the course of attempting to
25 transfer to the Hotline position in Oakland, Plaintiff learned that she was substantially underpaid
26 as EH&S Director.

27 46. Ms. Robinson continued to subject Plaintiff to excessive scrutiny and would take
28 out Plaintiff's personnel file virtually every time they met, making notes and keeping them in her

1 file. Upon hire, Robinson told Plaintiff to "keep an eye on her Minions (EH&S staff) as they are
2 not to be trusted and would refer to EH&S staff as Minions during monthly 1:1 visits.

3 47. Plaintiff met with Mr. Roshan twice more to ask that she no longer work under
4 Robinson due to the hostile work environment, stress and anxiety that Robinson was imposing.
5 Thereafter, things got worse.

6 48. On or about September 25, 2014, Plaintiff met with Marita Janiga, the hiring
7 manager for the NCO Compliance Hotline Case Manager position at a Café near Kaiser's
8 Oakland Headquarters. Plaintiff previously had requested and been granted two days off
9 following the California Healthcare Association Conference. Ms. Robinson sent Plaintiff
10 multiple texts and emails harassing plaintiff about having taken these two days off. Only after
11 Plaintiff was able to produce proof that Ms. Robinson herself had authorized the time off did she
12 stop harassing Plaintiff on this issue. Plaintiff was also recruited for a position at the new
13 Cleveland Clinic in Abu Dhabi as the EH&S Director in June while at the conference.

14 49. On October 1, 2014, Plaintiff attended a "one on one" meeting with Ms.
15 Robinson. During this meeting, Ms. Robinson told Plaintiff to "be less plastic." Ms. Robinson
16 stated that Mr. Roshan had received two calls for job references about Plaintiff. Then, Ms.
17 Robinson asked if Plaintiff was looking for another job. The monthly one-on-one did not cover
18 any work-related topics.

19 50. On October 3, 2014, Plaintiff met with Roshan to ask about the accusations Ms.
20 Robinson had referenced. Mr. Roshan denied that any such calls had been made and stated that
21 nobody contacted him about the Plaintiff thus confirming that Ms. Robinson lied. Plaintiff asked
22 Mr. Roshan to intervene to stop the ongoing harassment and abuse and Ms. Robinson's efforts to
23 use Ms. Pisa to lower and destroy the morale at EH&S and Plaintiff's reputation.

24 51. After Kaiser and Ms. Robinson knew that they had inflicted enough suffering on
25 Plaintiff such that Plaintiff became disabled, Kaiser had a duty to engage in the inter active
26 process and to reasonably accommodate Plaintiff's disability. Kaiser failed to engage in the
27 inter-active process and ignored Plaintiff's need for a reasonable accommodation.
28

1 52. On October 7, 2014, Plaintiff was unexpectedly called into a meeting with
2 Arelene Zepeda of Kaiser Human Resources and a woman named Lorena from BPMC
3 Compliance. During this meeting, they accused Plaintiff of "Fraudulent Documentation." They
4 claimed an employee called the hotline stating that Plaintiff used the name of Christina Pisa as
5 the secondary person in the Safety Observation program fraudulently. Plaintiff explained that
6 she had been instructed to do so by Mandy Sly, Alex Lopez and Ms. Pisa herself. Plaintiff
7 further advised them that she had been performing safety observations in this manner since she
8 began at BPMC and no one ever claimed it was improper to do so. Plaintiff asked them that if
9 this was in fact improper, why she wasn't given the opportunity to correct her method. The
10 atmosphere at this meeting was severe. Plaintiff advised them both that she believed this was a
11 clear case of retaliation by Ms. Robinson and Ms. Pisa.

12 53. After the meeting with HR and Compliance, Plaintiff returned to her office to find
13 everyone was gone. Plaintiff let Ms. Robinson know that she had returned to her office. Ms.
14 Robinson told her to "stay there." Ms. Robinson came to Plaintiff's office with HR
15 Representative Sam Parks informing her that she was being placed on paid investigatory
16 suspension effective immediately.

17 54. On October 10, 2014, Plaintiff was scheduled to present the K-Bay Innovation
18 Project to an offsite Leadership Conference in Laguna Beach. Instead, Plaintiff was summarily
19 suspended by Ms. Robinson and sent home. Ms. Robinson stated that she would be telling
20 fellow employees that Plaintiff was out on a "Medical Emergency." This was in fact a lie. Ms.
21 Robinson told Ms. Pisa that Plaintiff wanted to remove her as the Improvement Advisor which
22 created the tension and retaliation in the EH&S Department. Ms. Pisa was gossiping about the
23 Director to colleagues and started a "witch hunt" to get her fired. The EH&S Manager overheard
24 the staff talking to others saying that the "EH&S Director does not do anything and should be
25 terminated." The EH&S Manager also spoke to the Plaintiff and informed her that these things
26 were being said about her.

1 55. On November 17, 2014, following the entire ordeal of defamation, harassment,
2 bullying and retaliation described above, Plaintiff was terminated and further defamed for having
3 allegedly violated Kaiser's Code of Conduct and for "Fraudulent Documentation."

4 **FIRST CAUSE OF ACTION**

5 **WRONGFUL TERMINATION INVIOATION OF PUBLIC POLICY**

6 **(Against KAISER FOUNDATION HEALTH PLAN, INC. ("KFHP"), KAISER**
7 **FOUNDATION HOSPITALS, and Does 1 through 10)**

8 56. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

9 57. Plaintiff was employed by Defendants.

10 58. Up to, and including November 17, 2014 Plaintiff's performance was at all times
11 satisfactory.

12 59. It is against the public policy of the State of California and the federal government
13 for Kaiser to retaliate against Plaintiff for reporting unsafe conditions and/or advocating for
14 better patient care and safety under California Health and Safety Code Section 1278.5

15 60. In retaliation for having reported unsafe practices and conditions at Kaiser's
16 Baldwin Park Medical Center, defendants wrongfully terminated Plaintiff's employment on
17 November 17, 2014.

18 61. As a direct and proximate result of defendants' retaliation against plaintiff,
19 plaintiff has suffered and continues to suffer substantial losses in earnings, and other
20 employment and retirement benefits and has suffered and continues to suffer embarrassment,
21 humiliation and mental anguish all to her damage in an amount according to proof.

22 62. Defendants committed the acts alleged herein maliciously, fraudulently and
23 oppressively, with the wrongful intention of injuring plaintiff, from an improper and evil motive
24 amounting to despicable conduct, and in conscious disregard of plaintiff's rights. Plaintiff is thus
25 entitled to recover punitive damages from defendants in an amount according to proof.

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SECOND CAUSE OF ACTION

RETALIATION IN VIOLATION OF HEALTH AND SAFETY CODE SECTION 1278.5

(Against All Defendants and Does 1 through 10)

63. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

64. Plaintiff was retaliated against for months prior to her termination in a campaign orchestrated by defendants to inflict pain, humiliation and abuse on Plaintiff in an attempt to either force her to quit or set her up for pretextual termination.. This retaliation was because of the patient care and employee safety concerns raised above. This retaliation for patient and safety advocacy was in violation of Health and Safety Code section 1278.5.

65. As a proximate result of Defendants' retaliation against Plaintiff, Plaintiff has suffered and continues to suffer substantial losses in earnings, and other employment and retirement benefits and has suffered and continues to suffer embarrassment, humiliation and mental anguish all to her damage in an amount according to proof.

66. As a proximate result of Defendants' retaliation against Plaintiff, Plaintiff is entitled to reinstatement pursuant to Health and Safety Code section 1278.5.

67. As a proximate result of Defendants' retaliation against Plaintiff, Plaintiff is entitled to reasonable attorneys' fees pursuant to Health and Safety Code section 1278.5.

68. Defendants committed the acts alleged herein maliciously, fraudulently and oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive amounting to despicable conduct, and in conscious disregard of Plaintiff's rights. Plaintiff is thus entitled to recover punitive damages from Defendants in an amount according to proof.

THIRD CAUSE OF ACTION

DEFAMATION PER SE

(Against KFHP and KAISER FOUNDATION HOSPITALS, and Does 1 through 10)

69. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

70. As alleged herein above, defendants repeatedly defamed Plaintiff by, inter alia, accusing her of :

- a. Failing to do her job properly;
- b. Not being available to help in a time of crisis;
- c. Engaging in Fraudulent Documentation;
- d. Being Rude in the workplace;
- e. Being condescending in the workplace;
- f. Acting inappropriately in the workplace.

The recipients of this information understood that it referred to Plaintiff.

71. Defendants knew the statements were false at the time they made them and/or failed to use reasonable care to determine the truth or falsity of the aforementioned statements.

72. The statements constitute defamation per se.

73. As a proximate result of defendants' conduct Plaintiff has been damaged and continues to suffer substantial losses incurred in earnings, bonuses, deferred compensation and other employment benefits.

74. As a further proximate result of defendants' actions, plaintiff has suffered and continues to suffer emotional distress, mental anguish, embarrassment, humiliation and anxiety all to his damage in an amount in excess of the minimum jurisdictional limits of this court. Plaintiff will seek leave of court to amend his complaint to allege the correct amount at the time of trial or according to proof at trial.

75. Defendants, and each of them, did the acts herein alleged maliciously, fraudulently and oppressively, amounting to despicable conduct, and in conscious disregard of plaintiff's rights. The acts alleged herein were known to, authorized and ratified by defendants. Plaintiff is thus entitled to recover punitive damages from defendants, and each of them, in an amount according to proof.

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FOURTH CAUSE OF ACTION

DISABILITY DISCRIMINATION:

FAILURE TO ENGAGE IN THE INTERACTIVE PROCESS

(Against KFHP and KAISER FOUNDATION HOSPITALS, and Does 1 through 10)

76. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

77. Defendants had a duty to engage in the inter-active process under California's Fair Employment and Housing Act and failed to do so.

78. As a proximate result of defendants' conduct Plaintiff has been damaged and continues to suffer substantial losses incurred in earnings, bonuses, deferred compensation and other employment benefits.

79. As a further proximate result of defendants' actions, plaintiff has suffered and continues to suffer emotional distress, mental anguish, embarrassment, humiliation and anxiety all to his damage in an amount in excess of the minimum jurisdictional limits of this court. Plaintiff will seek leave of court to amend his complaint to allege the correct amount at the time of trial or according to proof at trial.

80. Defendants, and each of them, did the acts herein alleged maliciously, fraudulently and oppressively, amounting to despicable conduct, and in conscious disregard of plaintiff's rights. The acts alleged herein were known to, authorized and ratified by defendants. Plaintiff is thus entitled to recover punitive damages from defendants, and each of them, in an amount according to proof.

81. As a proximate result of defendants' conduct Plaintiff has been damaged and continues to suffer substantial losses incurred in earnings, bonuses, deferred compensation and other employment benefits.

82. As a further proximate result of defendants' actions, plaintiff has suffered and continues to suffer emotional distress, mental anguish, embarrassment, humiliation and anxiety all to his damage in an amount in excess of the minimum jurisdictional limits of this court. Plaintiff will seek leave of court to amend his complaint to allege the correct amount at the time of trial or according to proof at trial.

83. Defendants, and each of them, did the acts herein alleged maliciously, fraudulently and oppressively, amounting to despicable conduct, and in conscious disregard of plaintiff's rights. The acts alleged herein were known to, authorized and ratified by defendants. Plaintiff is thus entitled to recover punitive damages from defendants, and each of them, in an amount according to proof.

FIFTH CAUSE OF ACTION

DISABILITY DISCRIMINATION:

FAILURE TO REASONABLY ACCOMMODATE PLAINTIFF'S DISABILITY

(Against KFHP and KAISER FOUNDATION HOSPITALS, and Does 1 through 10)

84. Plaintiff incorporates by this reference all preceding and subsequent paragraphs.

85. Kaiser had a duty to reasonably accommodate Plaintiff's medical condition under the California Fair Employment and Housing Act and failed to do so.

86. As a proximate result of defendants' conduct Plaintiff has been damaged and continues to suffer substantial losses incurred in earnings, bonuses, deferred compensation and other employment benefits.

87. As a further proximate result of defendants' actions, plaintiff has suffered and continues to suffer emotional distress, mental anguish, embarrassment, humiliation and anxiety all to his damage in an amount in excess of the minimum jurisdictional limits of this court. Plaintiff will seek leave of court to amend his complaint to allege the correct amount at the time of trial or according to proof at trial.

88. Defendants, and each of them, did the acts herein alleged maliciously, fraudulently and oppressively, amounting to despicable conduct, and in conscious disregard of plaintiff's rights. The acts alleged herein were known to, authorized and ratified by defendants. Plaintiff is thus entitled to recover punitive damages from defendants, and each of them, in an amount according to proof.

1 89. As a proximate result of defendants' conduct Plaintiff has been damaged and
2 continues to suffer substantial losses incurred in earnings, bonuses, deferred compensation and
3 other employment benefits.

4 90. As a further proximate result of defendants' actions, plaintiff has suffered and
5 continues to suffer emotional distress, mental anguish, embarrassment, humiliation and anxiety
6 all to his damage in an amount in excess of the minimum jurisdictional limits of this court.
7 Plaintiff will seek leave of court to amend his complaint to allege the correct amount at the time
8 of trial or according to proof at trial.

9 91. Defendants, and each of them, did the acts herein alleged maliciously,
10 fraudulently and oppressively, amounting to despicable conduct, and in conscious disregard of
11 plaintiff's rights. The acts alleged herein were known to, authorized and ratified by defendants.
12 Plaintiff is thus entitled to recover punitive damages from defendants, and each of them, in an
13 amount according to proof.

14 **JURY TRIAL DEMANDED**

15 92. Plaintiff demands a jury as to all causes of action.

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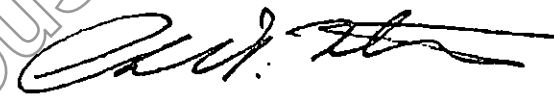
PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests relief as follows:

1. For compensatory economic damages according to proof including losses incurred in seeking substitute employment and loss of earnings, and other employment benefits;
2. For compensatory non-economic damages for losses resulting from humiliation, mental anguish, and emotional distress according to proof;
3. For interest on the amount of losses incurred in earnings, deferred compensation and other employee benefits at the prevailing legal rate;
4. For a \$25,000 civil penalty pursuant to Health and Safety Code section 1278.5;
5. For punitive damages according to proof;
6. For restitution and injunctive relief;
7. For reinstatement;
8. For costs incurred by plaintiff, including reasonable attorneys' fees;
9. For such other and further relief as the Court may deem proper.

Date: October 7, 2015

THE MATHEWS LAW GROUP



By _____
Charles T. Mathews
Attorneys for Plaintiff,
KELCEY TREFETHEN

ORIGINAL

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Charles T. Mathews (SBN 055889) The Mathews Law Firm 8522 National Blvd., Suite 107 Culver City, California 90232 TELEPHONE NO.: (626) 683-8291 FAX NO.: (626) 683-8295 ATTORNEY FOR (Name): Plaintiff, KELCEY TREFETHEN		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles OCT 07 2015 Sherri R. Carter, Executive Officer/Clerk By <u>Cristina Grijalva</u> Deputy Cristina Grijalva
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Central District - Stanley Mosk Courthouse		CASE NUMBER: 52596934 JUDGE: DEPT:
CASE NAME: TREFETHEN v. SCPMG, et al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

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 <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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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. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> 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): 5
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: 10/07/2015

Charles T. Mathews

(C) (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

 Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

 Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
 Cal. Standards of Judicial Administration, std. 3.10
 www.courtinfo.ca.gov

ORIGINAL

SHORT TITLE:

TREFETHEN v. SCPMG, et al.

CASE NUMBER

BC 596924

**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 7-10 ☐ 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 Tort Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1., 2., 4.
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
	<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
	<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

LACIV 109 (Rev. 03/11)

LASC Approved 03-04

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION.**

Local Rule 2.0

Page 1 of 4

SHORT TITLE: TREFETHEN v. SCPMG, et al.	CASE NUMBER
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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)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input checked="" type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach - Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case - Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> 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)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: TREFETHEN v. SCPMG, et al.

CASE NUMBER

	A Civil Case Cover Sheet Case Category/No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (23)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort/Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: TREFETHEN v. SCPMG, et al.	CASE NUMBER
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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. <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 393 E. Walnut Street
CITY: Pasadena	STATE: CA	ZIP CODE: 91188

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: 10/07/2015


(SIGNATURE OF ATTORNEY/FILING PARTY)

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.

10/07/2015