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**FILED**  
Superior Court Of California  
County Of Los Angeles

MAY 03 2017

Sherri R. Carter, Executive Officer/Clerk  
By Charles L. Coleman, Deputy

Attorneys for PLAINTIFF ALMA VEGA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

(STANLEY MOSK COURTHOUSE)

ALMA VEGA, an individual.

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,  
INC., a California Corporation, and DOES  
1-10, inclusive,

Defendants.

CASE NO. BC

BC 660061

COMPLAINT FOR DAMAGES:

[Unlimited Jurisdiction -- Amount  
demanded exceeds \$25,000]

1. DISCRIMINATION (WRONGFUL  
TERMINATION) BASED ON  
PHYSICAL DISABILITY IN  
VIOLATION OF FEHA;

2. FAILURE TO PREVENT  
DISCRIMINATION BASED ON  
DISABILITY IN VIOLATION OF  
FEHA;

3. FAILURE TO ENGAGE IN THE  
INTERACTIVE PROCESS IN  
VIOLATION OF FEHA;

4. FAILURE TO PROVIDE  
REASONABLE ACCOMMODATION  
IN VIOLATION OF FEHA;

5. COMMON LAW CLAIM FOR  
WRONGFUL TERMINATION IN  
VIOLATION OF PUBLIC POLICY  
(FEHA);

RECEIPT #: CCH243111063  
DATE PAID: 05/03/17 12:17 PM  
PAYMENT: \$435.00  
RECEIVED: 310  
CHECK: \$0.00  
CASH: \$0.00  
CHANGE: \$0.00  
CARD: \$435.00

CIT/CASE: BC660061  
LEA/DEF#:

COMPLAINT FOR DAMAGES

6. RETALIATION FOR ENGAGING  
IN PROTECTED ACTIVITY  
(EXERCISING RIGHT TO CFRA  
LEAVE); AND

7. INJUNCTIVE RELIEF

**DEMAND FOR JURY TRIAL**

Plaintiff ALMA VEGA ["Alma Vega" or "Plaintiff"] brings this action against  
Defendant KAISER FOUNDATION HEALTH PLAN, INC., ["KAISER FOUNDATION"]  
and DOES 1-10 for: general, compensatory, punitive, and statutory damages, costs, and  
attorneys' fees, resulting from defendants' unlawful and tortious conduct, and as ground  
therefore alleges:

**PARTIES AND JURISDICTION**

1. Plaintiff Alma Vega was at all times relevant hereto and is an individual  
residing in the State of California, County of Los Angeles.
2. At all times relevant hereto, Plaintiff Alma Vega was an "employee" as defined  
by California Government Code Section 12926. At all times relevant hereto, Plaintiff Alma  
Vega was employed by Defendant KAISER FOUNDATION and worked at the Kaiser  
Permanente Woodland Hills Medical Center located at 5601 De Soto Ave, Woodland Hills,  
CA 91367.
3. Plaintiff Alma Vega is informed and believes and thereby alleges that  
Defendant KAISER FOUNDATION is, and at all times relevant hereto, was a California  
business, and is and at all times relevant hereto was existing under and by virtue of the laws of

1 the State of California, qualified to do business in California, with its corporate offices located  
2 at 393 E. Walnut St., Pasadena, CA 91188 in the County of Los Angeles.

3 4. Plaintiff Alma Vega is informed and believes and thereby alleges that each of  
4 the corporate defendants named herein are a single "employer" for discrimination statute  
5 purposes in that there is an interrelation of operations, common management, centralized  
6 control of labor relations, and/or common ownership or financial control.

7 5. Plaintiff Alma Vega is further informed and believes and thereby alleges that  
8 each of the corporate defendants acted as an employment agency for the other corporate  
9 defendants and that each corporate defendant aided and abetted the discriminatory/unlawful  
10 acts alleged herein.

11 6. The true names and capacities of the Defendants named herein as Does 1  
12 through 10, inclusive, whether individual, corporate, associate or otherwise, are unknown to  
13 Plaintiff who therefore sues such Defendants by fictitious names pursuant to California Code  
14 of Civil Procedure Section 474. Plaintiff Alma Vega will amend this Complaint to show such  
15 true names and capacities when they have been determined.

16 7. Plaintiff Alma Vega is informed and believes, and thereby alleges that each of  
17 the fictitiously named Defendants is responsible in some manner for the occurrences herein  
18 alleged, and that Plaintiff Alma Vega's injuries herein alleged were proximately caused by the  
19 conduct of such Defendants.

20 8. Plaintiff Alma Vega is informed and believes, and thereby alleges that each of  
21 the Defendants herein, including the named Defendants and the Defendants identified as Does  
22 1 through 10, was, at all times relevant hereto, the agent, servant and employee, co-venturer  
23 and co-conspirator, or representative of the remaining Defendants, and each of them, and at  
24

1 all times herein mentioned, was acting at least in part within the course, scope, purpose,  
2 consent, knowledge, ratification, and authorization of such agency, employment, joint  
3 venture, conspiracy, and relationship.

4  
5 9. Plaintiff Alma Vega alleges that, to the extent certain acts and omissions were  
6 perpetrated by a specific Defendant, the remaining Defendants approved and ratified said acts  
7 and omissions.

8 10. Plaintiff Alma Vega is informed and believes and thereby alleges that, at all  
9 times material herein, each Defendant was completely controlled and dominated by his co-  
10 defendant and each was the alter ego of the other.

11 11. Whenever and wherever reference is made in the complaint to any act by a  
12 defendant or defendants, such allegations and reference shall be deemed to mean the acts and  
13 failure to act of each defendant acting individually, jointly and severally.

14 12. Whenever and wherever reference is made to individuals who are not named as  
15 Plaintiff or Defendants in this complaint but were employees/agents of the above-referenced  
16 corporate Defendants, such individuals at all relevant times acted on behalf of Defendants  
17 within the scope of their employment.  
18

19  
20  
21 **ALLEGATIONS RELEVANT TO ALL CAUSES OF ACTION**

22 13. According to its own website, KAISER FOUNDATION is recognized as one  
23 of America's leading health care providers and not-for-profit health plans which currently  
24 serves more than 11.3 million members in eight states and the District of Columbia.

25 14. Alma Vega began her employment at KAISER FOUNDATION on or about  
26 October 10, 2016. She was assigned to work at the Kaiser Permanente Woodland Hills  
27  
28

05/03/2017

1 Medical Center in the fulltime position of Inpatient Pharmacy Tech (LR-3543)(Bilingual).  
2 Her manager was Kim I Hiranaka-Pontoppidan.

3 15. On or about December 6, 2016, Alma Vega suffered an injury at work. She  
4 was diagnosed with post-concussion syndrome, rib contusion, neck muscle strain and left  
5 groin muscle strain.  
6

7 16. As a result of her work injury, Alma Vega was placed on a medical leave of  
8 absence.

9 17. As a result of her work injury, Alma Vega filed a workers compensation claim.

10 18. Alma Vega gave notice to KAISER FOUNDATION of her disability.

11 19. Alma Vega gave notice to KAISER FOUNDATION that she was going to be  
12 released to return to work without restrictions on or about January 16, 2017.  
13

14 20. On or about January 13, 2017, KAISER FOUNDATION management  
15 contacted Alma Vega and told her not to report to work at her department. Instead, she was  
16 she was instructed to report to work at another department where she would be assigned to  
17 perform clerical work which was outside of her job description.

18 21. Alma Vega returned to work on or about January 16, 2017. She worked at  
19 another department and performed work which was outside of her job description. She  
20 worked three consecutive days. During this time, Alma Vega was specifically told not to  
21 clock in or clock out as she had been regularly doing before her injury.  
22

23 22. On or about January 19, 2017, Alma Vega was presented with an unfair  
24 substandard performance review and was fired.

25 23. Alma Vega was fired because of her physical disability and because KAISER  
26 FOUNDATION knew that Alma Vega would require continuing treatment for her injury.  
27  
28

1           24. While Alma Vega was on her medical leave of absence, KAISER  
2 FOUNDATION failed to engage in the interactive process with her regarding her physical  
3 disability and failed to provide her with reasonable accommodation.

4           25. When she returned to work following her medical leave of absence, KAISER  
5 FOUNDATION failed to reinstate Alma Vega to her position.

6           26. As a proximate result of Defendants' unlawful actions, Plaintiff Alma Vega has  
7 suffered and continues to suffer loss of wages and other employment benefits, and has  
8 suffered embarrassment, humiliation, mental anguish, and emotional distress, all to her  
9 damage in an amount according to proof.

10           27. As a result of Defendant's unlawful action, as alleged herein, Alma Vega is  
11 entitled to reasonable attorneys' fees and costs of said suit, and prejudgment interest as  
12 provided by California law, including but not limited to the provisions of FEHA.

13           28. The conduct of Defendants, and each of them, including Does 1-10 and/or their  
14 agents/employees as described herein at paragraphs 13-25 was malicious, fraudulent, and/or  
15 oppressive, and done with a willful and conscious disregard for the rights of Plaintiff Alma  
16 Vega and was intended to cause injury to Plaintiff Alma Vega.

17           29. Specifically, Defendant's actions -- terminating Plaintiff Alma Vega when  
18 she returned from her medical leave of absence because she had a disability, known to  
19 Defendants, which required Defendants to engage in the interactive process to determine  
20 whether a reasonable accommodation was available to her and which required Defendants to  
21 provide her reasonable accommodation -- were so contemptible that it would be looked  
22 down upon and despised by ordinary people. Moreover, KAISER FOUNDATION not only  
23 terminated Plaintiff for pretextual reasons (unfair substandard performance review) but it  
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1 deliberately and purposefully and with a willful and conscious disregard for the rights of  
2 Plaintiff, prevented her from ever applying to KAISER FOUNDATION for work.

3 30. Defendants, and each of them, including Does 1-10 and/or their  
4 agents/employees or supervisors, authorized, condoned and ratified the unlawful conduct of  
5 each other. Consequently, Plaintiff Alma Vega is entitled to punitive damages against each of  
6 said Defendants.  
7

8 **ALLEGATIONS RE EXHAUSTION OF ADMINISTRATIVE REMEDIES**

9 31. Plaintiff Alma Vega timely filed a complaint of discrimination with the  
10 Department of Fair Employment and Housing ["DFEH"] and received a Right-To-Sue Letter  
11 permitting her to file this action against Defendants.  
12

13  
14 **FIRST CAUSE OF ACTION**

15 **DISCRIMINATION (TERMINATION) BASED ON PHYSICAL DISABILITY**  
16 **(Cal. Gov. Code Section 12940(a))**

17 32. The allegations of paragraphs 1 through 31 are realleged and incorporated herein  
18 by reference. This cause of action is pled against all Defendants and Does 1-10.

19 33. California Government Code Section 12940(a) provides that it shall be an  
20 unlawful employment practice for an employer because of the physical disability of any  
21 person to discriminate against the person in compensation or in terms, conditions or privileges  
22 of employment.

23 34. In perpetrating the above-described actions, the Defendants and each of them  
24 and/or their agents/employees engaged in a pattern and practice of unlawful discrimination  
25 based on physical disability in violation of California Government Code Section 12940(a).  
26 Specifically, Defendants and each of them and/or their agents/employees, because of her  
27 physical disability, discriminated against Plaintiff Alma Vega in compensation, terms,  
28 conditions and privileges of employment by terminating her employment.

**SECOND CAUSE OF ACTION**

**FAILURE TO PREVENT DISCRIMINATION BASED ON  
DISABILITY IN VIOLATION OF FEHA;  
(Cal.Gov. Code Section 12940(k))**

35. The allegations of paragraphs 1 through 34 are realleged and incorporated herein by reference. This cause of action is pled against all Defendants and Does 1-10.

36. At all times relevant herein and in violation of California Government Code Sections 12940(k), Defendants, including Does 1-10 and/or their agents/employees, failed to take all reasonable steps necessary to prevent discrimination on the basis of disability from occurring, and to remedy such discrimination.

**THIRD CAUSE OF ACTION**

**FAILURE TO ENGAGE IN THE INTERACTIVE PROCESS  
(Cal. Gov. Code Section 12940(n))**

37. The allegations of paragraphs 1 through 36 are realleged and incorporated herein by reference. This cause of action is pled against all Defendants and Does 1-10.

38. At all times relevant herein and in violation of California Government Code Sections 12940(n), Defendants, including Does 1-10 and/or their agents/employees, failed to engage in the interactive process with Plaintiff Alma Vega. Specifically, Defendants had an obligation to initiate the interactive process because Defendants were on notice that Plaintiff Alma Vega had a physical disability; that she had been released to return to work; and that she would require physical therapy sessions in the future.

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**FOURTH CAUSE OF ACTION**

**FAILURE TO PROVIDE REASONABLE ACCOMMODATION  
(Cal. Gov. Code Section 12940(m))**

39. The allegations of paragraphs 1 through 38 are realleged and incorporated herein by reference. This cause of action is pled against all Defendants and Does 1-10.

40. At all times relevant herein and in violation of California Government Code Sections 12940(m), Defendants, including Does 1-10 and/or their agents/employees, failed to provide reasonable accommodation for Plaintiff Alma Vega. Specifically, Defendants failed to reinstate Plaintiff to her position.

**FIFTH CAUSE OF ACTION**

**COMMON LAW CLAIM FOR WRONGFUL TERMINATION  
IN VIOLATION OF PUBLIC POLICY (FEHA)**

41. The allegations of paragraphs 1 through 40 are realleged and incorporated herein by reference. This cause of action is pled against all Defendants and Does 1-10.

42. In perpetrating the above-described actions, the Defendants and each of them and/or their agents/employees engaged in a pattern and practice of unlawful discrimination in violation of California's public policy against discrimination as embodied in the Fair Employment and Housing Act (California Government Code Section 12900 *et seq.*), the California Constitution, Article 1, Section 8, and other related laws. Defendants and each of them and/or their agents/employees engaged in adverse employment actions against Plaintiff Alma Vega, including wrongful termination, and discriminated against her in terms, conditions or privileges of employment.

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**SIXTH CAUSE OF ACTION**

**RETALIATION (TERMINATION) FOR ENGAGING IN PROTECTED  
ACTIVITY (EXERCISING HER RIGHT TO CFRA LEAVE) IN VIOLATION OF  
FEHA (Cal.Gov. Code Sections 12945.2)**

43. The allegations of paragraphs 1 through 42 are realleged and incorporated herein by reference. This cause of action is pled against all Defendants and Does 1-10 only.

44. California Government Code Section 12945.2(l) provides that it shall be an unlawful employment practice for an employer to discriminate against any individual because of the individual's exercise of the right to CFRA leave.

45. Defendants and each of them retaliated against Plaintiff Alma Vega by failing to provide her with reasonable accommodation following her CFRA leave. Specifically, Plaintiff is informed and believes and thereon alleges that Defendant was an employer covered by CFRA; Plaintiff was eligible to take CFRA leave; Plaintiff exercised her right to take CFRA leave; and Defendant deliberately and intentionally refused to provide Plaintiff with reasonable accommodation when she returned from her CFRA leave, and, instead, terminated her because she exercised her right to take CFRA leave.

**SEVENTH CAUSE OF ACTION**

**INJUNCTIVE RELIEF**

46. The allegations of paragraphs 1 through 45 are realleged and incorporated herein by reference. This cause of action is pled against all Defendants and Does 1-10.

47. The acts and omissions of the Defendants, and each of them, have caused irreparable harm to Plaintiffs and will continue to cause irreparable harm to current employees

1 unless the complained of conduct is enjoined. There is no immediate, adequate or speedy  
2 remedy at law to redress the continuing retaliatory and discriminatory policies and practices  
3 of Defendants, and, therefore, Plaintiffs seek affirmative and injunctive relief as follows:

4 (a) for an injunction restraining Defendants, and each of them, from  
5 continuing or maintaining any policy, practice, custom or usage which is retaliatory and  
6 discriminatory in nature under the California Fair Employment and Housing Act ("FEHA");

7 (b) for an injunction restraining Defendants, and each of them, along  
8 with its supervising employees, agents and all those subject to its control or acting in concert  
9 with it from causing, encouraging, condoning or permitting the practice of willful violations  
10 of FEHA, including retaliation for exercising CFRA leave;

11 (c) for affirmative relief requiring Defendants, and each of them, to  
12 conduct training of all employees to "sensitize" them to the harmful nature of retaliating  
13 against an employee exercising his/her rights under FEHA. The proposed plan of education  
14 and training should also include training and detection, and correction and prevention of such  
15 discriminatory and retaliatory practices;

16 (d) for affirmative relief requiring Defendants, and each of them, to  
17 notify all employees and supervisors, through individual letters and permanent postings in  
18 prominent locations in all offices that retaliation violates the California Fair Employment and  
19 Housing Act and the consequences of violation of such laws and policies;

20 (e) for affirmative relief requiring Defendants, and each of them, to  
21 develop clear and effective policies and procedures for employees complaining of retaliation  
22 or violations of FEHA so they may have their complaints promptly and thoroughly  
23 investigated (by a neutral fact finder) and informal as well as formal processes for hearing,  
24  
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1 adjudication and appeal of the complaints; and

2 (f) for affirmative relief requiring Defendants, and each of them, to  
3 develop appropriate sanctions or disciplinary measures for supervisors or other employees  
4 who are found to have committed retaliatory or discriminatory acts, including warnings to the  
5 offending person and notations in that person's employment record for reference in the event  
6 future complaints are directed against that person, and dismissal where other measures fail.  
7

8  
9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff Alma Vega requests the following judgment and relief:  
11

12 1. For contractual damages according to proof, including, losses incurred in  
13 earnings, bonuses, and promotions, loss of training, guidance, and career enhancement  
14 opportunities, and other employment benefits which Plaintiff would have received had  
15 Defendants not breached the employment contract.

16 2. For compensatory damages for losses resulting from humiliation, mental  
17 anguish, emotional distress, and physical injuries according to proof;

18 3. For interest on the amount of losses incurred in earnings and other employee  
19 benefits at the prevailing legal rate;

20 4. For exemplary and punitive damages against Defendants and all of them  
21 according to proof;

22 5. For injunctive relief pursuant to California Government Code Section 12965(b)  
23 (3), including, without limitation, a requirement that the corporate Defendants conduct  
24 training for all employees, supervisors, and management pursuant to the requirements of the  
25 Fair Employment and Housing Act ["FEHA"], the rights and remedies of those who allege a  
26 violation of the FEHA, and the employer's internal grievance procedures.

27 6. For reasonable attorneys' fees pursuant to the Fair Employment and Housing  
28

1 Act and other applicable laws;

2 7. For costs of suit incurred herein; and

3 8. For such further relief as the Court may deem appropriate.

4  
5 DATED: April 28, 2017

6 HICKS & HICKS

7  
8 By: 

9 EUGENIA HICKS, ESQ.  
10 Attorneys for Plaintiff  
11 ALMA VEGA.

12 **DEMAND FOR JURY TRIAL**

13  
14 Plaintiff hereby demands a jury trial.

15  
16 HICKS & HICKS

17  
18 By: 

19 EUGENIA HICKS, ESQ.  
20 Attorneys for Plaintiff  
21 ALMA VEGA

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Rick Hicks (059500) Hicks & Hicks 9595 Wilshire Blvd., Suite 900, Beverly Hills, CA, 90212 TELEPHONE NO.: (310) 274-2974 FAX NO.: 877-493-0974 ATTORNEY FOR (Name): Plaintiff Alma Vega		FOR COURT USE ONLY  <b>FILED</b> Superior Court Of California County Of Los Angeles  <b>MAY 03 2017</b>  Sherri R. Carter, Executive Officer/Clerk By <u>Charlie L. Coleman</u> , Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, CA, 90012 BRANCH NAME: Central District		CASE NUMBER: <b>BC 660061</b>  JUDGE: DEPT:
CASE NAME: <b>ALMA VEGA v. KAISER FOUNDATION HEALTH PLAN</b>		
<b>CIVIL CASE COVER SHEET</b> <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:
- |   |  |  |
|---|--|--|
| <b>Auto Tort</b><br><input type="checkbox"/> Auto (22)<br><input type="checkbox"/> Uninsured motorist (46)<br><b>Other P/DPD/W (Personal Injury/Property Damage/Wrongful Death) Tort</b><br><input type="checkbox"/> Asbestos (04)<br><input type="checkbox"/> Product liability (24)<br><input type="checkbox"/> Medical malpractice (45)<br><input type="checkbox"/> Other P/DPD/W (23)<br><b>Non-P/DPD/W (Other) Tort</b><br><input type="checkbox"/> Business tort/unfair business practice (07)<br><input type="checkbox"/> Civil rights (08)<br><input type="checkbox"/> Defamation (13)<br><input type="checkbox"/> Fraud (16)<br><input type="checkbox"/> Intellectual property (19)<br><input type="checkbox"/> Professional negligence (25)<br><input type="checkbox"/> Other non-P/DPD/W tort (35)<br><b>Employment</b><br><input checked="" type="checkbox"/> Wrongful termination (36)<br><input type="checkbox"/> Other employment (15) | <b>Contract</b><br><input type="checkbox"/> Breach of contract/warranty (06)<br><input type="checkbox"/> Rule 3.740 collections (09)<br><input type="checkbox"/> Other collections (09)<br><input type="checkbox"/> Insurance coverage (18)<br><input type="checkbox"/> Other contract (37)<br><b>Real Property</b><br><input type="checkbox"/> Eminent domain/inverse condemnation (14)<br><input type="checkbox"/> Wrongful eviction (33)<br><input type="checkbox"/> Other real property (26)<br><b>Unlawful Detainer</b><br><input type="checkbox"/> Commercial (31)<br><input type="checkbox"/> Residential (32)<br><input type="checkbox"/> Drugs (38)<br><b>Judicial Review</b><br><input type="checkbox"/> Asset forfeiture (05)<br><input type="checkbox"/> Petition re: arbitration award (11)<br><input type="checkbox"/> Writ of mandate (02)<br><input type="checkbox"/> Other judicial review (39) | <b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b><br><input type="checkbox"/> Antitrust/trade regulation (03)<br><input type="checkbox"/> Construction defect (10)<br><input type="checkbox"/> Mass tort (40)<br><input type="checkbox"/> Securities litigation (28)<br><input type="checkbox"/> Environmental/toxic tort (30)<br><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)<br><b>Enforcement of Judgment</b><br><input type="checkbox"/> Enforcement of judgment (20)<br><b>Miscellaneous Civil Complaint</b><br><input type="checkbox"/> RICO (27)<br><input type="checkbox"/> Other complaint (not specified above) (42)<br><b>Miscellaneous Civil Petition</b><br><input type="checkbox"/> Partnership and corporate governance (21)<br><input type="checkbox"/> 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. <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): 7
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:  
 May 2, 2017

(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, s.d. 3.10  
 www.courtinfo.ca.gov

CM-010

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs 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 P/DPD/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 P/DPD/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 P/DPD/WD

## Non-P/DPD/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-P/DPD/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

03/03/2017

CM-010 (Rev. July 1, 2007)

## CIVIL CASE COVER SHEET

Page 2 of 2

SHORT TITLE:

ALMA VEGA v. KAISER FOUNDATION HEALTH PLAN

CASE NUMBER

BC 6 6 0 0 6 1

**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 5-7 ☐ 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.

<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
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 <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 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 <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

LASC 109 (Rev. 03/11)

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

Local Rule 2.0

Page 1 of 4



SHORT TITLE: <b>ALMA VEGA v. KAISER FOUNDATION HEALTH PLAN</b>	CASE NUMBER
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	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
<b>Non-Personal Injury/Property Damage/Wrongful Death Tort</b>	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.
<b>Employment</b>	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.
<b>Contract</b>	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.
<b>Real Property</b>	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.
<b>Unlawful Detainer</b>	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.

10/17/2015  
 CIV 109 (Rev. 03/11)  
 LASC Approved 03-04

### CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

Local Rule 2.0  
 Page 2 of 4

SHORT TITLE: <b>ALMA VEGA v. KAISER FOUNDATION HEALTH PLAN</b>	CASE NUMBER
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	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
<b>Judicial Review</b>	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.
<b>Provisionally Complex Litigation</b>	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 (28)	<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.
<b>Enforcement of Judgment</b>	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.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<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. 1., 2., 8.
	<b>Miscellaneous Civil Petitions</b>	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case
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.

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LASC Approved 03-04

### CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

Local Rule 2.0  
Page 3 of 4

SHORT TITLE: <b>ALMA VEGA v. KAISER FOUNDATION HEALTH PLAN</b>	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.

<b>REASON:</b> 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: 5601 De Soto Avenue
CITY: Woodland Hills	STATE: CA	ZIP CODE: 91367

**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 Los Angeles 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: May 2, 2017

  
(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.

05/03/2017

LACIV 109 (Rev. 03/11)  
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**CIVIL CASE COVER SHEET ADDENDUM  
AND STATEMENT OF LOCATION**

Local Rule 2.0  
Page 4 of 4