

1 WILLIAM L. BRELSFORD, SBN 202839
2 **BRELSFORD ANDROVICH & WHITE**
3 1001 G Street, Suite 301
4 Sacramento, California 95814
5 Telephone: (916) 449-1300
6 Facsimile: (916) 449-1320
7 Email: wbrelsford@baw-attorneys.com

8 Attorneys for Plaintiff

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF SACRAMENTO

11 ELIZABETH YORK,
12 Plaintiff,
13 vs.

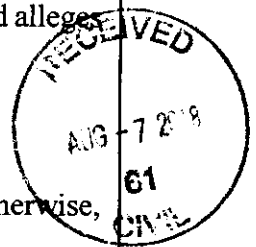
14) CASE NO.
15) **COMPLAINT FOR DAMAGES**
16) (Personal Injury - Medical Malpractice)

17 KAISER FOUNDATION HOSPITALS, a)
18 California corporation; THE)
19 PERMANENTE MEDICAL GROUP, a)
20 California corporation; KAISER)
21 FOUNDATION HEALTH PLAN INC., a)
22 California corporation; and DOES 1)
23 through 50, inclusive,)
24 Defendants.)

25 Plaintiff, ELIZABETH YORK, complains of Defendants, and each of them, for an amount
26 in excess of \$25,000.00 and in excess of the minimum jurisdictional limits of this Court, and alleges
27 as follows:

28 **ALLEGATIONS COMMON TO ALL COUNTS**

1. The true names and capacities, whether individual, corporate, associate or otherwise, of the Defendants, DOES 1 through 50, inclusive, are unknown to Plaintiff, who therefore sue such Defendants by such fictitious names, and Plaintiff will amend this complaint to show their true names and capacities when the same have been ascertained. Plaintiff is informed and believes and



1 thereon alleges that each of the Defendants, DOES 1 through 50, inclusive, is responsible under law
2 in some manner, negligently, in warranty, strictly, or otherwise, for the events and happenings herein
3 referred to and proximately thereby caused injuries and damages to Plaintiff as herein alleged.

4 2. Plaintiff is now, and at all times herein mentioned was, a citizen of and resident
5 within the State of California, and the Defendants, and each of them, are now, and at all times herein
6 mentioned were, citizens of and residents within the State of California, and the amount in
7 controversy exceeds the minimum jurisdictional limits of the Court.

8 3. Plaintiff is informed and believes and thereon alleges that, at all times herein
9 mentioned, each of the Defendants were the agents, employees, principals or employers of each of
10 the remaining Defendants and were at all times relevant, acting within the course and scope of said
11 relationships and each Defendants have authorized, ratified and approved the acts of each of the
12 remaining defendants.

13 4. Defendants, KAISER FOUNDATION HOSPITALS, a California corporation; THE
14 PERMANENTE MEDICAL GROUP, a California corporation; KAISER FOUNDATION HEALTH
15 PLAN INC., a California corporation and DOES 1 through 10, inclusive, and each of them, are now,
16 and at all times herein mentioned were, California business entities, doing business as a corporation,
17 association, partnership or other type of business entity, operating as a hospital and clinic, employing
18 staff, nurses and other medical personnel who provided care and treatment to Plaintiff at the time
19 at issue herein.

20 5. Defendants, DOES 11 through 25, inclusive, and each of them, are physicians and
21 surgeons licensed to practice and practicing medicine in the State of California.

22 6. Defendants, DOES 26 through 50, at all times herein mentioned, were nurses,
23 technicians, assistants, other medical practitioners and/or employers or groups employing other
24 Defendants herein mentioned, practicing in the State of California.

25
26 **FIRST CAUSE OF ACTION**
(Medical Malpractice)

27 7. Plaintiff incorporates by reference paragraphs 1 through 6 as if fully set forth herein.

28 ///

1 8. On or about August 30, 2017 and thereafter, Plaintiff, ELIZABETH YORK, required
2 medical care and treatment for a left wrist laceration. During the times herein mentioned, the
3 Defendants, and each of them, negligently cared for, diagnosed, and treated Plaintiff and failed to
4 exercise the standard of care and skill ordinarily and reasonably required of physicians, surgeons,
5 hospitals, nurses, etc., which proximately caused the hereinafter described injuries and damages to
6 Plaintiff.

7 9. As a proximate result of the said negligence and carelessness of the Defendants, and
8 each of them, Plaintiff was hurt and injured in her health, strength and activity, sustaining injury to
9 her body and shock and injury to her nervous system and person, all of which said injuries have
10 caused and continue to cause Plaintiff great mental, physical and nervous pain and suffering.
11 Plaintiff is informed and believes and therefore alleges that said injuries will result in some
12 permanent disability to Plaintiff, all to her general damage in an amount in excess of the minimum
13 jurisdictional limits of this Court.

14 10. As a further proximate result of the negligence of Defendants, and each of them,
15 Plaintiff was required to and did employ, physicians and surgeons to examine, treat and care for her
16 and did incur, and will in the future incur, medical and incidental expenses. The exact amount of
17 such expense is unknown to Plaintiff at this time, and Plaintiff shall seek leave to amend this
18 pleading when the same has been ascertained by her.

19 11. As a further proximate result of the said negligence of the Defendants, and each of
20 them, Plaintiff was prevented from attending to her usual occupation, employment opportunities,
21 benefits and advantages, and Plaintiff is informed and believes and thereon alleges that she will
22 thereby be unable to attend to her usual occupation, employment opportunities, benefits and
23 advantages at times in the future, and as a proximate result thereof, will sustain a loss with regard
24 to her past and future wages and benefits, as well as her earning capacity.

25 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as
26 follows:

- 27 1. For general damages in a sum in excess of the minimum jurisdictional limits
28 of this Court;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. For medical and incidental expenses according to proof;
3. For all costs of suit incurred herein;
4. For loss of earnings according to proof;
5. All prejudgment interest on general and special damages from the date of the incident of the present complaint; and
6. For such other and further relief as this Court may deem just proper.

DATED: August 12, 2017

BRELSFORD ANDROVICH & WHITE



WILLIAM L. BRELSFORD
Attorneys for Plaintiff