







1 including the time of the subject vehicle collision, Defendant ANDERSON was driving the  
2 SUBJECT VEHICLE so she could perform the duties and/or activities of her employment with  
3 Defendant PAUL HASTINGS. Plaintiffs are further informed and believe, and thereupon allege,  
4 that Defendant PAUL HASTINGS authorized, permitted and/or required Defendant ANDERSON  
5 to use the SUBJECT VEHICLE for the purposes that Defendant ANDERSON saw fit during the  
6 course and scope of her employment with Defendant PAUL HASTINGS.

7 14. Plaintiffs are informed and believe, and thereon allege, that at all relevant times,  
8 Defendant PAUL HASTINGS hired and/or retained Defendant ANDERSON as an employee with  
9 the knowledge that Defendant ANDERSON had multiple dangerous medical conditions which  
10 included the sudden onset of seizures, unconsciousness, convulsions, dizziness, confusion, and/or  
11 blackouts (hereafter "DANGEROUS MEDICAL CONDITIONS").

12 15. Plaintiffs are informed and believe, and thereon allege, that Defendant PAUL  
13 HASTINGS was informed for a substantial period of time prior to the date of the subject incident  
14 which occurred on November 9, 2011 that Defendant ANDERSON had DANGEROUS  
15 MEDICAL CONDITIONS and was unquestionably unfit or not capable to safely drive a vehicle  
16 on public roadways. Plaintiffs are further informed and believe, and thereon allege, that both  
17 Defendant PAUL HASTINGS and Defendant ANDERSON were fully aware that Defendant  
18 ANDERSON's DANGEROUS MEDICAL CONDITIONS resulted in seizures, unconsciousness,  
19 convulsions, dizziness, confusion, and/or blackouts which had required emergency medical care at  
20 her place of employment with Defendant PAUL HASTINGS approximately two months prior to  
21 November 9, 2011. Plaintiffs are further informed and believe, and thereon allege, that despite  
22 Defendant HASTINGS' knowledge of Defendant ANDERSON's DANGEROUS MEDICAL  
23 CONDITIONS and how dangerous it would for Defendant ANDERSON to drive a motor vehicle  
24 on public roadways for work related purposes, Defendant PAUL HASTINGS negligently,  
25 recklessly and in conscious disregard for public safety, authorized and required Defendant  
26 ANDERSON to drive the SUBJECT VEHICLE on the public highways for purposes related to her  
27 employment with Defendant PAUL HASTING for its profit and benefit on the date of the subject  
28 incident.

1           16.     Plaintiffs are informed and believe, and thereon allege, that at all times herein  
2 relevant, Defendant PAUL HASTINGS, a national law firm with expertise in employment law,  
3 had full knowledge of the dangers associated with employing a person with Defendant  
4 ANDERSON's DANGEROUS MEDICAL CONDITIONS who would be performing work  
5 related duties and/or activities while driving a vehicle on public highways such as causing severe  
6 injury or death to members of the public. Despite such knowledge, Defendant PAUL HASTINGS  
7 knowingly and recklessly permitted, authorized and required Defendant ANDERSON to continue  
8 driving the SUBJECT VEHICLE during her employment, and continued engaging in such  
9 misconduct in a willful and conscious disregard for the rights and safety of the public.

10           17.     Plaintiffs are informed and believe, and thereon allege, that based on Defendants  
11 PAUL HASTINGS and ANDERSON's knowledge of Defendant ANDERSON's DANGEROUS  
12 MEDICAL CONDITIONS and Defendant PAUL HASTINGS' authorization, permission and  
13 requirements for Defendant ANDERSON to drive the SUBJECT VEHICLE for work related  
14 purposes, it was highly foreseeable to any reasonable person or entity that Defendant  
15 ANDERSON would cause a serious vehicle collision with the SUBJECT VEHICLE resulting in  
16 serious injury or death to members of the public.

17           18.     On November 9, 2011 at approximately 5:20 p.m., Defendant ANDERSON was  
18 negligently and recklessly driving the SUBJECT VEHICLE southbound in the left lane on the 110  
19 Harbor Freeway in Los Angeles, California, for work related purposes while in the course and  
20 scope of her employment with Defendant PAUL HASTINGS. At the same time, Plaintiff JOSE  
21 JESUS GARCIA was lawfully driving a white Chevrolet S-10 pickup truck ("Passenger Vehicle")  
22 with his wife, Decedent GARCIA, riding as a passenger in the front seat, also heading southbound  
23 in the left lane on the 110 Harbor Freeway. Both Plaintiff JOSE JESUS GARCIA and his wife,  
24 Decedent GARCIA, were wearing their seat belts. Unbeknownst to Plaintiff JOSE JESUS  
25 GARCIA or Decedent GARCIA, Defendant ANDERSON was negligently and recklessly driving  
26 the SUBJECT VEHICLE behind them and was approaching at a high rate of speed as she was  
27 being affected by her DANGEROUS MEDICAL CONDITIONS and Defendant ANDERSON  
28 drastically accelerated the SUBJECT VEHICLE to speeds exceeding the legal speed limit of 65

1 mph and violently collided with the rear-end of the Passenger Vehicle with extreme force causing  
2 severe and permanent injuries to Plaintiff JOSE JESUS GARCIA and severe blunt force injuries  
3 to Decedent GARCIA which she eventually succumbed to and died from. (hereafter "SUBJECT  
4 INCIDENT").

5  
6 **FIRST CAUSE OF ACTION**

7 **(Negligence By All Plaintiffs As Against Defendants PAUL HASTINGS, LLP.,**  
8 **KATHRYN ANDERSON, and DOES 1 though 50, Inclusive)**

9 19. Plaintiffs re-allege and incorporate herein by reference each and every allegation  
10 and statement contained in the prior paragraphs.

11 20. Plaintiffs are informed and believe, and thereon allege, that all times relevant  
12 herein, Defendants PAUL HASTINGS, ANDERSON, and DOES 1 through 50, inclusive, and  
13 each of them, owed a duty of care to all reasonably foreseeable people, including Decedent  
14 GARCIA and Plaintiffs, to own, lease, manage, maintain, control, entrust, and operate the  
15 SUBJECT VEHICLE, when being driven by Defendant ANDERSON in the course and scope of  
16 her employment with Defendant PAUL HASTINGS, in a reasonable manner.

17 21. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned  
18 herein, Defendants PAUL HASTINGS, ANDERSON, and DOES 1 through 50, inclusive, and  
19 each of them, negligently, recklessly and with conscious disregard for human safety, owned,  
20 leased, managed, maintained, entrusted, controlled and operated the SUBJECT VEHICLE so as to  
21 legally and proximately cause the SUBJECT VEHICLE to collide with the rear-end of the  
22 Passenger Vehicle with extreme force causing severe and permanent injuries to Plaintiff JOSE  
23 JESUS GARCIA and severe blunt force injuries to Decedent GARCIA which she eventually  
24 succumbed to and died from.

25 22. Plaintiffs are informed and believe, and thereon allege, Defendants PAUL  
26 HASTINGS, ANDERSON, and DOES 1 through 50, and each of them, inclusive, said careless,  
27 negligent, reckless and unlawful conduct in regards to the ownership, control, entrustment,  
28 management, maintenance and operation of the SUBJECT VEHICLE was the direct, legal and

1 proximate cause of the injuries and damages alleged herein.

2 23. Plaintiffs are informed and believe, and thereon allege, Defendants PAUL  
3 HASTINGS, ANDERSON, and DOES 1 through 50, were also per se negligent for operating the  
4 SUBJECT VEHICLE in violation of, violation of, including but not limited to, California Vehicle  
5 Code § 22350 which requires that no person shall drive a vehicle upon a highway at a speed  
6 greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and  
7 the surface and width of, the highway, and in no event at a speed which endangers the safety of  
8 persons or property". Plaintiffs are further informed and believe, and thereon allege, that at all  
9 times herein mentioned, Decedent GARCIA and Plaintiff JOSE JESUS GARCIA were in the class  
10 of people the aforementioned vehicle code section(s) were meant to protect and Decedent  
11 GARCIA and Plaintiff JOSE JESUS GARCIA suffered the type of injuries the aforementioned  
12 vehicle code section were meant to prevent. Plaintiffs are further informed and believe, and  
13 thereon allege, that said violation of Vehicle Code § 22350 was the legal and proximate cause of  
14 the injuries and damages complained of herein.

15 24. The aforementioned subject incident that gave rise to this lawsuit which occurred at  
16 approximately 5:20 p.m. on November 9, 2011, caused Decedent GARCIA to suffer various  
17 traumatic injuries. As a legal, direct and proximate result of the conduct of said Defendants PAUL  
18 HASTINGS, ANDERSON, and each of them, including DOES 1 through 50, inclusive, as  
19 aforesaid, Decedent GARCIA suffered pre-death physical injuries, mental anguish, terror, anxiety,  
20 unconsciousness, and ultimately death.

21 25. As a legal, direct and proximate result of said wrongful conduct by Defendants  
22 PAUL HASTINGS, ANDERSON, and DOES 1 through 50, and each of them, as aforesaid,  
23 Plaintiffs, JOSE JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, have all sustained  
24 damages resulting from the loss of love, affection, society, service, comfort, support, right of  
25 support, expectations of future support and counseling, companionship, solace and mental support,  
26 as well as other benefits and assistance, of Decedent GARCIA, all to their general damages in a  
27 sum in excess of the jurisdictional limits of this Court, which will be stated according to proof,  
28 pursuant to California *Code of Civil Procedure* Section 425.10.

1           26.    As a legal, direct and proximate result of said wrongful conduct by Defendants  
2 PAUL HASTINGS, ANDERSON, and DOES 1 through 50, and each of them, as aforesaid,  
3 Plaintiffs, JOSE JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, will all be deprived  
4 of the financial support and assistance of Decedent GARCIA, the exact amount of such losses to  
5 be stated according to proof, pursuant to California *Code of Civil Procedure* Section 425.10.

6           27.    As a legal, direct and proximate result of said wrongful conduct by Defendants  
7 PAUL HASTINGS, ANDERSON, and DOES 1 through 50, and each of them, as aforesaid,  
8 Plaintiffs, JOSE JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, individually and as  
9 representative of THE ESTATE OF ALVA AGNES WHYTE GARCIA, by and through its  
10 successor-in-interest, JOSE JESUS GARCIA, have incurred property, medical, funeral and burial  
11 expenses in an amount to be stated according to proof, pursuant to California *Code of Civil*  
12 *Procedure* Section 425.10.

13           28.    As a legal, direct and proximate result of said wrongful conduct by Defendants  
14 PAUL HASTINGS, ANDERSON, and DOES 1 through 50, and each of them, as aforesaid,  
15 Decedent GARCIA was compelled to, and did, employ the services of hospitals, physicians,  
16 surgeons, nurses, and the like, to care for and treat her, the exact amount of such losses to be stated  
17 according to proof, pursuant to California *Code of Civil Procedure* Section 425.10.

18           29.    As a legal, direct and proximate result of said wrongful conduct by Defendants  
19 PAUL HASTINGS, ANDERSON, and DOES 1 through 50, and each of them, as aforesaid,  
20 Decedent GARCIA suffered lost earning and property damages, the exact amount of such losses to  
21 be stated according to proof, pursuant to California *Code of Civil Procedure* Section 425.10.

22           30.    As a legal, direct and proximate result of the aforementioned conduct of  
23 Defendants PAUL HASTINGS, ANDERSON, and DOES 1 through 50, inclusive, and each of  
24 them, Plaintiff JOSE JESUS GARCIA was injured and hurt in his health, strength and activity,  
25 sustaining serious injuries to his body, and shock and injury to his nervous system and person, all  
26 of which said injuries have caused and continue to cause Plaintiff great physical and mental pain  
27 and suffering. Plaintiff JOSE JESUS GARCIA is further informed and believes, and thereon  
28 alleges, that said injuries will result in some or all permanent disability to him, all to his general



1 damage in an amount which will be stated according to proof, pursuant to *California Code of Civil*  
 2 *Procedure* Section 425.10.

3 31. As a legal, direct and proximate result of the aforementioned conduct of  
 4 Defendants PAUL HASTINGS, ANDERSON, and DOES 1 through 50, inclusive, and each of  
 5 them, Plaintiff JOSE JESUS GARCIA was prevented from attending his usual or potential  
 6 occupation and/or Plaintiff is informed and believes, and thereon alleges, that he may be prevented  
 7 from attending his occupation in the future, and thereby will also sustain a loss of earning capacity  
 8 and loss of opportunity, in addition to lost earnings, past, present and future according to proof,  
 9 pursuant to *California Code of Civil Procedure* Section 425.10.

10 32. As a legal, direct and proximate result of the aforementioned conduct of the  
 11 Defendants PAUL HASTINGS, ANDERSON, and DOES 1 through 50, inclusive, and each of  
 12 them, Plaintiff JOSE JESUS GARCIA was compelled to and did employ the services of hospitals,  
 13 physicians, surgeons, nurses and the like, to care for and treat him, and did incur hospital, medical,  
 14 professional and incidental expenses, and Plaintiff JOSE JESUS GARCIA is informed and  
 15 believes, and thereon alleges, that by reason of his injuries, will necessarily incur additional like  
 16 expenses for an indefinite period of time in the future, the exact amount of which expenses will be  
 17 stated according to proof, pursuant to *California Code of Civil Procedure* Section 425.10.

18 33. Plaintiffs are informed and believe, and thereon allege, that Defendants PAUL  
 19 HASTINGS, ANDERSON, and DOES 1 through 50, and each of them, engaged in said wrongful  
 20 conduct with a conscious disregard of the dangers such misconduct would and did create for the  
 21 rights and safety of the public, including Decedent GARCIA and Plaintiffs. Plaintiffs are further  
 22 informed and believe, and thereon allege, that long before the date of the SUBJECT INCIDENT  
 23 on November 9, 2011 said Defendants acted with malice in that they engaged in despicable  
 24 conduct in conscious disregard of the rights, safety, and welfare of Decedent GARCIA and  
 25 Plaintiffs by reason of, including but not limited to, said Defendants knowingly and recklessly:

- 26 (a) hiring and retaining Defendant ANDERSON with job duties that included driving  
 27 the SUBJECT VEHICLE despite lacking the proper training, experience or ability  
 28 necessary to safely drive such a vehicle;

- 1 (b) allowing Defendant ANDERSON to continue driving the SUBJECT VEHICLE as
- 2 part of her employment despite knowing she had a common practice of driving the
- 3 SUBJECT VEHICLE without due care, and specifically, to drive the SUBJECT VEHICLE
- 4 beyond the legal speed limit and/or in excess of speeds reasonable for the circumstances
- 5 with knowledge of her DANGEROUS MEDICAL CONDITIONS thereby endangering the
- 6 safety of the public;
- 7 (c) hiring and retaining Defendant ANDERSON with knowledge that she would use
- 8 the SUBJECT VEHICLE, or any other motor vehicle, despite her DANGEROUS
- 9 MEDICAL CONDITIONS thereby endangering the safety of the public;
- 10 (d) failing to take any preventative measures relating to Defendant ANDERSON using
- 11 the SUBJECT VEHICLE as part of her employment with Defendant PAUL HASTINGS
- 12 despite being informed for a substantial period of time prior to the date of the SUBJECT
- 13 INCIDENT that the Defendant ANDERSON using the SUBJECT VEHICLE for purposes
- 14 related to her employment would create a highly foreseeable danger of causing serious
- 15 injury or death to members of the public;
- 16 (e) authorizing Defendant ANDERSON to continue driving the SUBJECT VEHICLE
- 17 on the public highways despite having knowledge that her DANGEROUS MEDICAL
- 18 CONDITIONS would create a highly foreseeable danger of causing serious injury or death
- 19 to members of the public;
- 20 (f) taking no action to ensure that Defendant ANDERSON was properly monitored or
- 21 supervised while driving the SUBJECT VEHICLE, or any motor vehicle, on public
- 22 highways for purposes of her employment with Defendant PAUL HASTINGS thereby
- 23 creating a highly foreseeable danger of causing serious injury or death to members of the
- 24 public;
- 25 (g) taking no action to put any form of safeguards or policies in place to ensure that
- 26 Defendant ANDERSON would not drive a motor vehicle for purposes related to her
- 27 employment with Defendant PAUL HASTINGS;
- 28 (h) taking no action to provide any form of supervision over Defendant ANDERSON

1 to ensure she was not driving a motor vehicle on public highways for purposes of her  
2 employment with Defendant PAUL HASTINGS;

3 (i) taking no action to ensure that common practice safety measures for individuals  
4 with medical conditions such as Defendant ANDERSON's DANGEROUS MEDICAL  
5 CONDITIONS, were being complied with in any way;

6 (j) taking no action to prevent Defendant ANDERSON from continuing to drive the  
7 SUBJECT VEHICLE or any other motor vehicle on public highways after being informed  
8 that Defendant ANDERSON's DANGEROUS MEDICAL CONDITIONS made her a  
9 hazard who would likely cause injury or death to members of the public;

10 Defendants, and each of them, had prior knowledge of the dangers and risks that such  
11 misconduct would and did create, including causing serious injury or death to members of the  
12 public. Defendants further had full knowledge of the dangers associated with employing a person  
13 with Defendant ANDERSON's DANGEROUS MEDICAL CONDITIONS and then authorizing,  
14 permitting and/or requiring her to drive a motor vehicle on public highways, such as causing  
15 severe injury or death to members of the public. Despite such knowledge, Defendant PAUL  
16 HASTINGS knowingly and recklessly authorized, permitted and/or required Defendant  
17 ANDERSON to continue driving the SUBJECT VEHICLE for purposes of her employment, and  
18 continued engaging in such misconduct in a willful and conscious disregard for the rights and  
19 safety of the public in the interests of gaining financial profit. Considering Defendant  
20 ANDERSON's well known DANGEROUS MEDICAL CONDITIONS existed while she  
21 continued to drive the SUBJECT VEHICLE as part of her job duties for Defendant PAUL  
22 HASTINGS without any form of supervision or safety measures in place, it was highly  
23 foreseeable to any reasonable person or entity that Defendant ANDERSON would cause a vehicle  
24 collision resulting in serious injury or death to members of the public. Despite such knowledge  
25 and such understanding, said Defendants knowingly or recklessly authorized, permitted and/or  
26 required Defendant ANDERSON to continue driving the SUBJECT VEHICLE for purposes of  
27 her employment, and to continue engaging in such misconduct in a willful and conscious disregard  
28 for the rights and safety of others, including Decedent GARCIA and Plaintiffs. Said Defendants

1 knowingly and recklessly engaged in these actions and omissions in the pursuit of financial profit  
2 while using public highways in conscious disregard for public safety. Defendants were clearly on  
3 notice of the dangers said acts created to the public, and Defendants clearly had the power to make  
4 changes that would eliminate such dangers to the public, but said Defendants failed to take any  
5 corrective measures in conscious disregard for public safety. Said misconduct by Defendants, and  
6 each of them, by knowingly or recklessly creating said substantial risk and high probability of  
7 injury or death was oppressive, despicable, highly reprehensible and done in the conscious  
8 disregard for the rights and safety of the public, including Decedent GARCIA and the Plaintiffs.  
9 Said acts and omissions were ratified by managerial employees of Defendant PAUL HASTINGS,  
10 and were carried out with the consent of the officers, directors, and/or managing agents of  
11 Defendant PAUL HASTINGS. As such, the imposition of punitive damages against Defendants  
12 PAUL HASTINGS, ANDERSON, and DOES 1 through 50, inclusive, and each of them, is  
13 appropriate.  
14

15 **SECOND CAUSE OF ACTION**

16 **(Wrongful Death and Survival Action Sounding in Negligent**

17 **Hiring/Retention/Supervision/Training By All Plaintiffs As Against Defendants**

18 **PAUL HASTINGS, LLP., and DOES 1 though 50, Inclusive)**

19 34. Plaintiffs re-allege and incorporate herein by reference each and every allegation  
20 and statement contained in the prior paragraphs.

21 35. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned  
22 herein, Defendant ANDERSON was acting within the course and scope of her duties for her  
23 employer, Defendant PAUL HASTINGS.

24 36. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned  
25 herein, Defendants PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them,  
26 were negligent and reckless and acted in conscious disregard for public safety with regard to the  
27 hiring and/or retention of Defendant ANDERSON in that Defendant PAUL HASTINGS, and  
28 DOES 1 through 50, and each of them, knew or should have known that Defendant ANDERSON

1 was unfit for the specific tasks to be performed during the course of her employment, namely the  
2 general safe operation of the SUBJECT VEHICLE, or any motor vehicle, for purposes related to  
3 her employment with Defendant PAUL HASTINGS.

4 37. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned  
5 herein, Defendants PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them,  
6 were negligent, reckless or acted with malice and conscious disregard for public safety by failing  
7 to provide any or sufficient training or supervision to Defendant ANDERSON after hiring her, and  
8 retained Defendant ANDERSON as an employee for job performance which included driving  
9 motor vehicles such as the SUBJECT VEHICLE for Defendant PAUL HASTINGS.

10 38. Plaintiffs are informed and believe, and thereon allege that at all times herein  
11 relevant, Defendants PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them,  
12 owed a duty of care to the public, including Decedent GARCIA and Plaintiffs, in the hiring,  
13 retention, training and supervision of their agents, employees, servants, and/or independent  
14 contractors, which they assigned to operate motor vehicles such as the SUBJECT VEHICLE.

15 39. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned  
16 herein, Defendants PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them,  
17 failed to act reasonably, was negligent and reckless in the hiring, retention, training, and  
18 supervision of their agents, employees, servants and/or independent contractors which they  
19 authorized, permitted and/or required to operator motor vehicles such as the SUBJECT  
20 VEHICLE, including Defendant ANDERSON.

21 40. Plaintiffs are informed and believe, and thereon allege, that the aforementioned  
22 negligent hiring, retention, training, and supervision of Defendant ANDERSON by Defendants  
23 PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them, directly, legally and  
24 proximately caused or contributed to causing the SUBJECT INCIDENT involving the SUBJECT  
25 VEHICLE violently colliding with and the vehicle driven by Decedent GARCIA while he was  
26 proceeding lawfully, thereby causing the injuries and damages complained of herein.

27 41. The aforementioned subject incident that gave rise to this lawsuit which occurred at  
28 approximately 5:20 p.m. on November 9, 2011, caused Decedent GARCIA to suffer various

1 traumatic injuries. As a legal, direct and proximate result of the conduct of said Defendants PAUL  
 2 HASTINGS, and each of them, including DOES 1 through 50, inclusive, as aforesaid, Decedent  
 3 GARCIA suffered pre-death physical injuries, mental anguish, terror, anxiety, unconsciousness,  
 4 and ultimately death.

5 42. As a legal, direct and proximate result of said wrongful conduct by Defendants  
 6 PAUL HASTINGS, and DOES 1 through 50, and each of them, as aforesaid, Plaintiffs, JOSE  
 7 JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, have all sustained damages  
 8 resulting from the loss of love, affection, society, service, comfort, support, right of support,  
 9 expectations of future support and counseling, companionship, solace and mental support, as well  
 10 as other benefits and assistance, of Decedent GARCIA, all to their general damages in a sum in  
 11 excess of the jurisdictional limits of this Court, which will be stated according to proof, pursuant  
 12 to California *Code of Civil Procedure* Section 425.10.

13 43. As a legal, direct and proximate result of said wrongful conduct by Defendants  
 14 PAUL HASTINGS, and DOES 1 through 50, and each of them, as aforesaid, Plaintiffs, JOSE  
 15 JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, will all be deprived of the financial  
 16 support and assistance of Decedent GARCIA, the exact amount of such losses to be stated  
 17 according to proof, pursuant to of the California *Code of Civil Procedure* Section 425.10.

18 44. As a legal, direct and proximate result of said wrongful conduct by Defendants  
 19 PAUL HASTINGS, and DOES 1 through 50, and each of them, as aforesaid, Plaintiffs, JOSE  
 20 JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, individually and as representative  
 21 of THE ESTATE OF ALVA AGNES WHYTE GARCIA, by and through its successor-in-interest,  
 22 JOSE JESUS GARCIA, have incurred property, medical, funeral and burial expenses in an  
 23 amount to be stated according to proof, pursuant to of the California *Code of Civil Procedure*  
 24 Section 425.10.

25 45. As a legal, direct and proximate result of said wrongful conduct by Defendants  
 26 PAUL HASTINGS, and DOES 1 through 50, and each of them, as aforesaid, Decedent GARCIA  
 27 was compelled to, and did, employ the services of hospitals, physicians, surgeons, nurses, and the  
 28 like, to care for and treat her, the exact amount of such losses to be stated according to proof,

1 pursuant to California *Code of Civil Procedure* Section 425.10.

2 46. As a legal, direct and proximate result of said wrongful conduct by Defendants  
3 PAUL HASTINGS, and DOES 1 through 50, and each of them, as aforesaid, Decedent GARCIA  
4 suffered lost earning and property damages, the exact amount of such losses to be stated according  
5 to proof, pursuant to California *Code of Civil Procedure* Section 425.10.

6 47. As a legal, direct and proximate result of the aforementioned conduct of  
7 Defendants PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them, Plaintiff  
8 JOSE JESUS GARCIA was injured and hurt in his health, strength and activity, sustaining serious  
9 injuries to his body, and shock and injury to his nervous system and person, all of which said  
10 injuries have caused and continue to cause Plaintiff great physical and mental pain and suffering.  
11 Plaintiff JOSE JESUS GARCIA is further informed and believes, and thereon alleges, that said  
12 injuries will result in some or all permanent disability to him, all to his general damage in an  
13 amount which will be stated according to proof, pursuant to California *Code of Civil Procedure*  
14 Section 425.10.

15 48. As a legal, direct and proximate result of the aforementioned conduct of  
16 Defendants PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them, Plaintiff  
17 JOSE JESUS GARCIA was prevented from attending his usual or potential occupation and/or  
18 Plaintiff is informed and believes, and thereon alleges, that he may be prevented from attending  
19 his occupation in the future, and thereby will also sustain a loss of earning capacity and loss of  
20 opportunity, in addition to lost earnings, past, present and future according to proof, pursuant to  
21 California *Code of Civil Procedure* Section 425.10.

22 49. As a legal, direct and proximate result of the aforementioned conduct of the  
23 Defendants PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them, Plaintiff  
24 JOSE JESUS GARCIA was compelled to and did employ the services of hospitals, physicians,  
25 surgeons, nurses and the like, to care for and treat him, and did incur hospital, medical,  
26 professional and incidental expenses, and Plaintiff JOSE JESUS GARCIA is informed and  
27 believes, and thereon alleges, that by reason of his injuries, will necessarily incur additional like  
28 expenses for an indefinite period of time in the future, the exact amount of which expenses will be

1 stated according to proof, pursuant to California *Code of Civil Procedure* Section 425.10.

2 50. Plaintiffs are informed and believe, and thereon allege, that Defendants PAUL  
3 HASTINGS, and DOES 1 through 50, and each of them, engaged in said wrongful conduct with a  
4 conscious disregard of the dangers such misconduct would and did create for the rights and safety  
5 of the public, including Decedent GARCIA and Plaintiffs. Plaintiffs are further informed and  
6 believe, and thereon allege, that long before the date of the SUBJECT INCIDENT on November  
7 9, 2011 said Defendants acted with malice in that they engaged in despicable conduct in conscious  
8 disregard of the rights, safety, and welfare of Decedent GARCIA and Plaintiffs by reason of,  
9 including but not limited to, said Defendants knowingly and recklessly:

10 (a) hiring and retaining Defendant ANDERSON with job duties that included driving  
11 the SUBJECT VEHICLE despite lacking the proper training, experience or ability  
12 necessary to safely drive such a vehicle;

13 (b) allowing Defendant ANDERSON to continue driving the SUBJECT VEHICLE as  
14 part of her employment despite knowing she had a common practice of driving the  
15 SUBJECT VEHICLE without due care, and specifically, to drive the SUBJECT VEHICLE  
16 beyond the legal speed limit and/or in excess of speeds reasonable for the circumstances  
17 with knowledge of her DANGEROUS MEDICAL CONDITIONS thereby endangering the  
18 safety of the public;

19 (c) hiring and retaining Defendant ANDERSON with knowledge that she would use  
20 the SUBJECT VEHICLE, or any other motor vehicle, despite her DANGEROUS  
21 MEDICAL CONDITIONS thereby endangering the safety of the public;

22 (d) failing to take any preventative measures relating to Defendant ANDERSON using  
23 the SUBJECT VEHICLE as part of her employment with Defendant PAUL HASTINGS  
24 despite being informed for a substantial period of time prior to the date of the SUBJECT  
25 INCIDENT that the Defendant ANDERSON using the SUBJECT VEHICLE for purposes  
26 related to her employment would create a highly foreseeable danger of causing serious  
27 injury or death to members of the public;

28 (e) authorizing Defendant ANDERSON to continue driving the SUBJECT VEHICLE



1 on the public highways despite having knowledge that her DANGEROUS MEDICAL  
2 CONDITIONS would create a highly foreseeable danger of causing serious injury or death  
3 to members of the public;

4 (f) taking no action to ensure that Defendant ANDERSON was properly monitored or  
5 supervised to while driving the SUBJECT VEHICLE, or any motor vehicle, on public  
6 highways for purposes of her employment with Defendant PAUL HASTINGS thereby  
7 creating a highly foreseeable danger of causing serious injury or death to members of the  
8 public;

9 (g) taking no action to put any form of safeguards or policies in place to ensure that  
10 Defendant ANDERSON would not drive a motor vehicle for purposes related to her  
11 employment with Defendant PAUL HASTINGS;

12 (h) taking no action to provide any form of supervision over Defendant ANDERSON  
13 to ensure she was not driving a motor vehicle on public highways for purposes of her  
14 employment with Defendant PAUL HASTINGS;

15 (i) taking no action to ensure that common practice safety measures for individuals  
16 with medical conditions such as Defendant ANDERSON's DANGEROUS MEDICAL  
17 CONDITIONS, were being complied with in any way;

18 (j) taking no action to prevent Defendant ANDERSON from continuing to drive the  
19 SUBJECT VEHICLE or any other motor vehicle on public highways after being informed  
20 that Defendant ANDERSON's DANGEROUS MEDICAL CONDITIONS made her a  
21 hazard who would likely cause injury or death to members of the public;

22 Defendants, and each of them, had prior knowledge of the dangers and risks that such  
23 misconduct would and did create, including causing serious injury or death to members of the  
24 public. Defendants further had full knowledge of the dangers associated with employing a person  
25 with Defendant ANDERSON's DANGEROUS MEDICAL CONDITIONS and then authorizing,  
26 permitting and/or requiring her to drive a motor vehicle on public highways, such as causing  
27 severe injury or death to members of the public. Despite such knowledge, Defendant PAUL  
28 HASTINGS knowingly and recklessly authorized, permitted and/or required Defendant

1 ANDERSON to continue driving the SUBJECT VEHICLE for purposes of her employment, and  
2 continued engaging in such misconduct in a willful and conscious disregard for the rights and  
3 safety of the public in the interests of gaining financial profit. Considering Defendant  
4 ANDERSON's well known DANGEROUS MEDICAL CONDITIONS existed while she  
5 continued to drive the SUBJECT VEHICLE as part of her job duties for Defendant PAUL  
6 HASTINGS without any form of supervision or safety measures in place, it was highly  
7 foreseeable to any reasonable person or entity that Defendant ANDERSON would cause a vehicle  
8 collision resulting in serious injury or death to members of the public. Despite such knowledge  
9 and such understanding, said Defendants knowingly or recklessly authorized, permitted and/or  
10 required Defendant ANDERSON to continue driving the SUBJECT VEHICLE for purposes of  
11 her employment, and to continue engaging in such misconduct in a willful and conscious disregard  
12 for the rights and safety of others, including Decedent GARCIA and Plaintiffs. Said Defendants  
13 knowingly and recklessly engaged in these actions and omissions in the pursuit of financial profit  
14 while using public highways in conscious disregard for public safety. Defendants were clearly on  
15 notice of the dangers said acts created to the public, and Defendants clearly had the power to make  
16 changes that would eliminate such dangers to the public, but said Defendants failed to take any  
17 corrective measures in conscious disregard for public safety. Said misconduct by Defendants, and  
18 each of them, by knowingly or recklessly creating said substantial risk and high probability of  
19 injury or death was oppressive, despicable, highly reprehensible and done in the conscious  
20 disregard for the rights and safety of the public, including Decedent GARCIA and the Plaintiffs.  
21 Said acts and omissions were ratified by managerial employees of Defendant PAUL HASTINGS,  
22 and were carried out with the consent of the officers, directors, and/or managing agents of  
23 Defendant PAUL HASTINGS. As such, the imposition of punitive damages against Defendants  
24 PAUL HASTINGS, and DOES 1 through 50, inclusive, and each of them, is appropriate.

25 ///  
26 ///  
27 ///  
28 ///

PANISH SHEA & BOYLE LLP  
11111 Santa Monica Boulevard, Suite 700  
Los Angeles, California 90025  
310.477.1700 phone • 310.477.1699 fax

PRAYER FOR DAMAGES

1  
2 WHEREFORE, Plaintiffs, JOSE JESUS GARCIA, ANTONIO GARCIA, VICTORIA  
3 WADE, THE ESTATE OF ALVA AGNES WHYTE GARCIA, by and through its successor-in-  
4 interest, JOSE JESUS GARCIA, prays judgment against Defendants, PAUL HASTINGS, LLP.,  
5 KATHRYN ANDERSON, and DOES 1 though 50, inclusive, and each of them, as follows:

6 1. For general damages (also known as non-economic damages) for Plaintiff JOSE  
7 JESUS GARCIA, including but not limited to, past and future pain and suffering and  
8 disfigurement, in an amount in excess of the jurisdictional minimum, according to proof;

9 2. For special damages (also known as economic damages) for Plaintiff JOSE JESUS  
10 GARCIA, including but not limited to, past and future hospital, medical, professional, and  
11 incidental expenses as well as past and future loss of earnings, loss of opportunity, and loss of  
12 earning capacity, in excess of the jurisdictional minimum, according to proof;

13 3. For general damages suffered by Plaintiffs JOSE JESUS GARCIA, ANTONIO  
14 GARCIA, VICTORIA WADE, for loss of love, affection, care, society, service, comfort, support,  
15 right to support, companionship, solace or moral support, expectations of future support and  
16 counseling, other benefits and assistance of Decedent GARCIA, which will be stated according to  
17 proof, and beyond the jurisdictional minimum of this Court, in a sum within the jurisdiction of this  
18 Court and which will be established according to proof at trial.

19 4. For economic damages suffered by Plaintiffs JOSE JESUS GARCIA, ANTONIO  
20 GARCIA, VICTORIA WADE, related to loss of earnings and loss of financial support from  
21 Decedent GARCIA, according to proof;

22 5. For funeral and burial expenses suffered by Plaintiffs JOSE JESUS GARCIA,  
23 ANTONIO GARCIA, VICTORIA WADE, THE ESTATE OF ALVA AGNES WHYTE  
24 GARCIA, by and through its successor-in-interest, JOSE JESUS GARCIA, according to proof;

25 6. For hospital, medical, professional and incidental expenses suffered by Plaintiffs  
26 JOSE JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, THE ESTATE OF ALVA  
27 AGNES WHYTE GARCIA, by and through its successor-in-interest, JOSE JESUS GARCIA,  
28 according to proof;

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Los Angeles, California 90025  
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UNRECORDED

1           7.     For loss of personal property and income suffered by Plaintiffs, JOSE JESUS  
2 GARCIA, ANTONIO GARCIA, VICTORIA WADE, THE ESTATE OF ALVA AGNES  
3 WHYTE GARCIA, by and through its successor-in-interest, JOSE JESUS GARCIA, by and  
4 through its successor-in-interest, JOSE JESUS GARCIA, according to proof;

5           8.     For loss of inheritance suffered by Plaintiffs JOSE JESUS GARCIA, ANTONIO  
6 GARCIA, VICTORIA WADE, according to proof;

7           9.     For damages for other economic losses and property damage suffered by Plaintiffs  
8 JOSE JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, THE ESTATE OF ALVA  
9 AGNES WHYTE GARCIA, by and through its successor-in-interest, JOSE JESUS GARCIA,  
10 according to proof;

11          10.    For punitive damages against all Defendants, according to proof;

12          11.    For prejudgment interest, according to proof;

13          12.    For such other and further relief as the Court may deem just and proper.  
14  
15  
16

17 DATED: January 26, 2012

PANISH SHEA & BOYLE LLP

18  
19 By: 

20 Brian Panish  
21 David Rudorfer  
22 Attorneys for Plaintiffs  
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DEMAND FOR TRIAL BY JURY

Plaintiffs JOSE JESUS GARCIA, ANTONIO GARCIA, VICTORIA WADE, THE ESTATE OF ALVA AGNES WHYTE GARCIA, by and through its successor-in-interest, JOSE JESUS GARCIA, hereby demand a trial by jury as to all Causes of Action and/or claims for relief alleged in, and on all issues raised by, this Complaint.

DATED: January 26, 2012

PANISH SHEA & BOYLE LLP

By: \_\_\_\_\_



Brian Panish  
David Rudorfer  
Attorneys for Plaintiffs

PANISH SHEA & BOYLE LLP  
11111 Santa Monica Boulevard, Suite 700  
Los Angeles, California 90025  
310.477.1700 phone • 310.477.1699 fax

FOR COURT USE ONLY

**FILED**

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

**JAN 26 2012**

John A. Clark, Executive Officer/Clerk

BY Shaunya Wesley, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
BRIAN PANISH #116060/DAVID RUDORFER #254666  
PANISH SHEA & BOYLE LLP  
11111 Santa Monica Boulevard  
Suite 700  
Los Angeles, CA 90025  
TELEPHONE NO.: (310) 477-1700 FAX NO.:  
ATTORNEY FOR (Name): Plaintiffs

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles  
STREET ADDRESS: 111 North Hill Street  
MAILING ADDRESS: Same  
CITY AND ZIP CODE: Los Angeles, CA 90012  
BRANCH NAME: CENTRAL DISTRICT

CASE NAME: JOSE JESUS GARCIA, et al., v. PAUL HASTINGS, LLP, etc., et al.

**CIVIL CASE COVER SHEET**

Unlimited (Amount demanded exceeds \$25,000)  Limited (Amount demanded is \$25,000 or less)

**Complex Case Designation**  
 Counter  Joinder  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: **BC 477815**

JUDGE:

DEPT:

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**

Auto (22)  
 Uninsured motorist (46)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

Asbestos (04)  
 Product liability (24)  
 Medical malpractice (45)  
 Other PI/PD/WD (23)

**Non-PI/PD/WD (Other) Tort**

Business tort/unfair business practice (07)  
 Civil rights (08)  
 Defamation (13)  
 Fraud (16)  
 Intellectual property (19)  
 Professional negligence (25)  
 Other non-PI/PD/WD tort (35)

**Employment**

Wrongful termination (36)  
 Other employment (15)

**Contract**

Breach of contract/warranty (06)  
 Rule 3.740 collections (09)  
 Other collections (09)  
 Insurance coverage (18)  
 Other contract (37)

**Real Property**

Eminent domain/Inverse condemnation (14)  
 Wrongful eviction (33)  
 Other real property (26)

**Unlawful Detainer**

Commercial (31)  
 Residential (32)  
 Drugs (38)

**Judicial Review**

Asset forfeiture (05)  
 Petition re: arbitration award (11)  
 Writ of mandate (02)  
 Other judicial review (39)

**Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)**

Antitrust/Trade regulation (03)  
 Construction defect (10)  
 Mass tort (40)  
 Securities litigation (28)  
 Environmental/Toxic tort (30)  
 Insurance coverage claims arising from the above listed provisionally complex case types (41)

**Enforcement of Judgment**

Enforcement of judgment (20)

**Miscellaneous Civil Complaint**

RICO (27)  
 Other complaint (not specified above) (42)

**Miscellaneous Civil Petition**

Partnership and corporate governance (21)  
 Other petition (not specified above) (43)

**BY FAX**

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.  Large number of separately represented parties
- b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c.  Substantial amount of documentary evidence
- d.  Large number of witnesses
- e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f.  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): Two

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: January 26, 2012

BRIAN PANISH #116060/DAVID RUDORFER #254

(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.

**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**CM-010**

**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 PI/PD/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 PI/PD/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 PI/PD/WD

**Non-PI/PD/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-PI/PD/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

SHORT TITLE: JOSE JESUS GARCIA, et al., v. PAUL HASTINGS, LLP, etc., et al.

CASE NUMBER

BC 477815

ORIGINAL

FOR COURT USE ONLY  
**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

JAN 26 2012

John A. Clarke, Executive Officer/Clerk  
BY Shaunya Wesley, Deputy

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO  
COURTHOUSE LOCATION)**

This form is required pursuant to LASC 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 10  HOURS/  DAYS

Item II. Select 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 Los Angeles Superior Court 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. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in Central (Other county, or no Bodily Injury/Property Damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.   | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 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><br>Civil Case Cover Sheet<br>Category No.                    | <b>B</b><br>Type of Action<br>(Check only one)  | <b>C</b><br>Applicable Reasons -<br>See Step 3 Above |
|---|---|---|--|
| Auto Tort   | Auto (22)   | <input checked="" 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.   |
| Other Personal Injury/Property<br>Damage/ Wrongful Death Tort                       | Asbestos (04)   | <input type="checkbox"/> A6070 Asbestos Property Damage<br><input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death                     | 2.<br>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<br><input type="checkbox"/> A7240 Other Professional Health Care Malpractice | 1., 2., 4.<br>1., 2., 4.                             |
|   | Other<br>Personal Injury<br>Property Damage<br>Wrongful Death<br>(23) | <input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)   | 1., 2., 4.   |
|   |   | <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)                                | 1., 2., 4.   |
| <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress         |   | 1., 2., 3.  |  |
| <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death |   | 1., 2., 4.  |  |



SHORT TITLE: JOSE JESUS GARCIA, et al., v. PAUL HASTINGS, LLP, etc., et al.

CASE NUMBER

|   | A<br>Civil Case Cover Sheet<br>Category No.  | B<br>Type of Action<br>(Check only one)   | C<br>Applicable Reasons -<br>See Step 3 Above |
|---|--|---|---|
| Non-Personal Injury/Property<br>Damage/ Wrongful Death Tort   | Business Tort (07)   | <input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)                | 1., 2., 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  | 1., 2., 3.                                    |
|   |  | <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)                        | 1., 2., 3.                                    |
| Other (35)  | <input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort                | 2,3.  |   |
| Employment  | Wrongful Termination (36)  | <input type="checkbox"/> A6037 Wrongful Termination   | 1., 2., 3.                                    |
|   | Other Employment (15)  | <input type="checkbox"/> A6024 Other Employment Complaint Case  | 1., 2., 3.                                    |
|   |  | <input type="checkbox"/> A6109 Labor Commissioner Appeals   | 10.   |
| Contract  | Breach of Contract/ Warranty<br>(08)<br>(not insurance)                                      | <input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) | 2., 5.  |
|   |  | <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)             | 2., 5.  |
|   |  | <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)                             | 1., 2., 5.                                    |
|   |  | <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)                  | 1., 2., 5.                                    |
|   | Collections (09)   | <input type="checkbox"/> A6002 Collections Case-Seller Plaintiff  | 2., 5., 6.                                    |
|   |  | <input type="checkbox"/> A6012 Other Promissory Note/Collections Case                                       | 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   | 1., 2., 3., 5.  |   |
|   | <input type="checkbox"/> A6031 Tortious Interference   | 1., 2., 3., 5.  |   |
|   | <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence) | 1., 2., 3., 8.  |   |
| Real Property   | Eminent Domain/Inverse<br>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   | 2., 6.  |
| <input type="checkbox"/> A6032 Quiet Title  |  | 2., 6.  |   |
| <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure) |  | 2., 6.  |   |
| Unlawful Detainer   | Unlawful Detainer-Commercial<br>(31)   | <input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)                | 2., 6.  |
|   | Unlawful Detainer-Residential<br>(32)  | <input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)               | 2., 6.  |
|   | Unlawful Detainer-Foreclosure<br>(34)  | <input type="checkbox"/> A6020F Unlawful Detainer-Foreclosure   | 2., 6.  |
|   | Unlawful Detainer-Drugs (38)   | <input type="checkbox"/> A6022 Unlawful Detainer-Drugs  | 2., 6.  |

**Judicial Review**
**Provisionally Complex Litigation**
**Enforcement of Judgment**
**Miscellaneous Civil Complaints**
**Miscellaneous Civil Petitions**

| A<br>Civil Case Cover Sheet<br>Category No.      | B<br>Type of Action<br>(Check only one)  | C<br>Applicable Reasons -<br>See Step 3 Above                                      |
|--|--|--|
| 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<br><input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter<br><input type="checkbox"/> A6153 Writ - Other Limited Court Case Review  | 2., 8.<br>2.<br>2.   |
| Other Judicial Review (38)                       | <input type="checkbox"/> A6150 Other Writ /Judicial Review   | 2., 8.   |
| 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.   |
| Enforcement of Judgment (20)                     | <input type="checkbox"/> A6141 Sister State Judgment<br><input type="checkbox"/> A6160 Abstract of Judgment<br><input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)<br><input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)<br><input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax<br><input type="checkbox"/> A6112 Other Enforcement of Judgment Case | 2., 9.<br>2., 6.<br>2., 9.<br>2., 8.<br>2., 8.<br>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<br><input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)<br><input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)<br><input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)  | 1., 2., 8.<br>2., 8.<br>1., 2., 8.<br>1., 2., 8.                                   |
| Partnership Corporation Governance (21)          | <input type="checkbox"/> A6113 Partnership and Corporate Governance Case   | 2., 8.   |
| Other Petitions (Not Specified Above) (43)       | <input type="checkbox"/> A6121 Civil Harassment<br><input type="checkbox"/> A6123 Workplace Harassment<br><input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case<br><input type="checkbox"/> A6190 Election Contest<br><input type="checkbox"/> A6110 Petition for Change of Name<br><input type="checkbox"/> A6170 Petition for Relief from Late Claim Law<br><input type="checkbox"/> A6100 Other Civil Petition                    | 2., 3., 9.<br>2., 3., 9.<br>2., 3., 9.<br>2.<br>2., 7.<br>2., 3., 4., 8.<br>2., 9. |

|   |             |
|---|-------------|
| SHORT TITLE: JOSE JESUS GARCIA, et al., v. PAUL HASTINGS, LLP, etc., et al. | CASE NUMBER |
|---|-------------|

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 NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE<br><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: 110 Freeway south of 65th Street |  |
| CITY:<br>Los Angeles  | STATE:<br>CA | ZIP CODE:<br>90003                        |  |

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 Los Angeles Superior Court [Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 01/26/2012

  
 (SIGNATURE OF ATTORNEY/FILING PARTY)  
 DAVID A. RUDORFER

BY FAX

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 form CM-010.
4. Complete Addendum to Civil Case Cover Sheet form LASC Approved CIV 109 (Rev. 01/07).
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JC form FL-935, if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
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.