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FILED
LOS ANGELES SUPERIOR COURT
MAY 13 2013
JOHN A. CLARKE, CLERK
BY AMBER HAYES, DEPUTY

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Attorneys for Plaintiff Jose Bendana

(051 Abraham Khan

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

BC508880

By Fax

JOSE BENDANA

) CASE NO:

Plaintiff,

COMPLAINT FOR DAMAGES

vs.

- 1. EMPLOYMENT DISCRIMINATION (California Family Rights Act/FEHA)
- 2. EMPLOYMENT DISCRIMINATION (Retaliation-CFRA/FEHA)

KAISER PERMANENTE, a corporation; and
DOES 1 through 10, inclusive

Defendants.

JURY TRIAL DEMANDED

PRELIMINARY FACTUAL INTRODUCTION

1. Plaintiff JOSE BENDANA is, and at all times mentioned herein was, a resident of Los Angeles County and employed in the County of Los Angeles, State of California.

2. Defendant KAISER PERMANENTE (hereinafter "KAISER"), is and at all times mentioned herein was, a corporation doing substantial business in the County of Los Angeles. At all relevant times herein, Defendant Kaiser Permanente employed more than five (5) employees and engaged in interstate commerce within the meaning of California Government Code §12926.

3. The true names and capacities, whether individual, corporate, partnership, associate or otherwise, of Defendants sued herein as DOES 1 through 10, inclusive, are currently unknown to Plaintiff, who therefore sues said Defendants by such fictitious names. Plaintiff is

CMPLT.wpd

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COMPLAINT FOR DAMAGES

REC'D: COH508880
DATE: 05/13/13
PAGE: 04
FILING: 4:35:04
RECEIVED: 5/13/13
CIT/CASE: BC508880
LEAD DEF#: 1
CLOCK: \$35.00
CPR: \$0.00
CPS: \$0.00
CDO: \$0.00
MAY 13 2013
\$310

ORIGINAL

1 informed and believes, and based thereon alleges, that each of the Defendants designated herein
2 as a DOE is legally responsible in some manner for the events and happenings referred to herein,
3 and caused injury and damage proximately thereby to Plaintiff as hereinafter alleged. Plaintiff
4 will seek leave of court to amend this Complaint to show the true names and capacities of the
5 Defendants designated herein as DOES when the same have been ascertained. Whenever in this
6 complaint reference is made to "Defendants, and each of them," such allegation shall be deemed
7 to mean the acts of Defendants acting individually, jointly, and/or severally.

8 4. Except as hereinafter specifically described, Defendants and each of them, are and
9 were the agents and/or employees of the other Defendants, and in acting as described herein were
10 acting within the scope of their authority or employment as agents and/or employees thereof, and
11 with the permission and consent of the other Defendants.

12 5. Plaintiff Bendana was employed by Defendant Kaiser Permanente from
13 approximately October 13, 2000 until his termination on May 6, 2011. During his employment
14 with Kaiser Permanente, Plaintiff was employed in the position as a truck driver.

15 6. Throughout the course of his employment with Defendant Kaiser Permanente,
16 Plaintiff consistently performed his duties and responsibilities in a satisfactory manner.

17 7. During 2009, Plaintiff's mother was diagnosed with cancer. Since Plaintiff lives
18 with his mother, he assumed primary responsibility for the attending to her welfare and medical
19 care, including taking her to scheduled appointments and unexpected medical emergencies which
20 occurred periodically.

21 8. Plaintiff informed Defendant management of his mother's serious health
22 condition and his need to take periodic leaves in order to attend to his mother's medical needs.

23 9. As Plaintiff's mother's condition deteriorated, Plaintiff was periodically required
24 to take his mother to the hospital for emergency treatment. On these situations, Plaintiff did not
25 have prior knowledge of the emergency and could not provide advance notice of his absence but
26 Plaintiff consistently provided management with telephonic notice at the earliest opportunity
27 available.

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1 10. Since exercising his rights to take leave to care for his mother's serious health
2 condition, Plaintiff has been subjected to harassment and retaliation. On or about February 2010,
3 Plaintiff was issued a "corrective action" and threatened with termination due to attendance
4 issues arising from his absence to care for his mother's serious health condition. Plaintiff
5 challenged the "corrective action" and, on August 1, 2010, received approval for leave to care
6 for his mother.

7 11. Despite approval for leave to care for his mother, Plaintiff continued to be
8 subjected to harassment and retaliation. On or about December 2010, Plaintiff was terminated,
9 allegedly for an error relating to his social security number, despite the fact that he was born in
10 the United States and had been employed for ten years with Defendant. Plaintiff challenged the
11 termination and was subsequently reinstated.

12 11. On or about January 2011, Plaintiff was again terminated allegedly for issues
13 related to his social security number. Plaintiff again challenged the termination and was
14 subsequently reinstated.

15 12. Plaintiff continued to take periodic leave in order to care for his mother's serious
16 health condition and to call management regarding his absence as soon as possible. Despite
17 Plaintiff's efforts to provide reasonable notice of his absence, on May 6, 2011, Plaintiff was
18 terminated based on attendance issues, such as calling in late to report his absence, arising from
19 his attending to his mother's serious medical condition.

20 13. Plaintiff filed employment discrimination and retaliation charges with the
21 California Department of Fair Employment and Housing (DFEH) and received a right to sue
22 letter.

23 **FIRST CAUSE OF ACTION**

24 **Discrimination in violation of California Family Rights Act**

25 **California Government Code §§ 12900 *et seq.* (FEHA)**

26 14. Plaintiff repeats and realleges by reference each and every allegation contained
27 in paragraphs 1 through 13 and incorporates the same herein as though fully set forth.

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1 15. At all times mentioned herein, Government Code §§ 12940 et seq. were in full
2 and effect and were binding on defendants. These sections require defendants to refrain from
3 discriminating against any employee for requesting family care and medical leave to care for the
4 serious health condition of a parent, among other things.

5 16. Plaintiff is informed and believes and based thereon alleges that he
6 Plaintiff believes and thereon alleges that his request for a medical leave to care for his mother,
7 who was suffering a serious health condition (cancer) was the reason for Defendants' decision to
8 terminate him. Said termination is discriminatory, and constitutes a violation of the California
9 Family Rights Act (CFRA) which is part of the Fair Employment and Housing Act (FEHA),
10 California Government Code §12940, et seq.

11 17. Plaintiff is informed and believes, and based thereon alleges, that in addition to
12 the practices enumerated above, Defendants, and each of them, have engaged in other
13 discriminatory practices against him which are not yet fully known. At such time as said
14 discriminatory practices become known, Plaintiff will seek leave of Court to amend this
15 Complaint in that regard.

16 18. Plaintiff filed timely Charges of Discrimination alleging age discrimination
17 against the Defendants with the California Department of Fair Employment and Housing
18 (hereinafter referred to as "DFEH"). Within one year of the filing of this Complaint, the
19 California Department of Fair Employment and Housing issued a right to sue notice authorizing
20 this lawsuit. Plaintiff has exhausted his administrative remedies.

21 19. As a direct and proximate result of Defendants' willful, knowing and intentional
22 discrimination against him, Plaintiff has suffered and will continue to suffer pain and suffering,
23 and extreme and severe mental anguish and emotional distress. Plaintiff is hereby entitled to
24 general and compensatory damages in amounts to be proven at trial.

25 20. As a direct and proximate result of Defendants' willful, knowing and intentional
26 discrimination against him, Plaintiff has further suffered and will continue to suffer a loss of
27 earnings and other employment benefits and job opportunities. Plaintiff is hereby entitled to
28 general and compensatory damages in amounts to be proven at trial.

1 practices become known, Plaintiff will seek leave of Court to amend this Complaint in that
2 regard.

3 26. Plaintiff filed charges of employment discrimination alleging retaliation with the
4 California Department of Fair Employment and Housing. Within one year of the filing of this
5 Complaint, the California Department of Fair Employment and Housing issued a right to sue
6 notice authorizing this lawsuit. Plaintiff has exhausted his administrative remedies.

7 27. As a direct and proximate result of Defendants' willful, knowing and intentional
8 retaliation against him, Plaintiff has suffered and will continue to suffer pain and suffering, and
9 extreme and severe mental anguish and emotional distress; he has incurred and will continue to
10 incur medical expenses for treatment by psychotherapists and other health professionals and for
11 other incidental expenses; and he has suffered and will continue to suffer a loss of earnings and
12 other employment benefits and job opportunities. Plaintiff is thereby entitled to general and
13 compensatory damages in amounts to be proven at trial.

14 28. As a further direct and proximate result of Defendants' violation of Government
15 Code § 12900, et seq., as heretofore described, Plaintiff has been compelled to retain the services
16 of counsel in an effort to enforce the terms and conditions of the employment relationship with
17 Defendants, and has thereby incurred, and will continue to incur, legal fees and costs, the full
18 nature and extent of which are presently unknown to Plaintiff, who therefore will seek leave of
19 Court to amend this Complaint in that regard when the same shall be fully and finally
20 ascertained. Plaintiff requests that attorneys' fees be awarded pursuant to California Government
21 Code § 12965.

22 29. Plaintiff is informed and believes, and based thereon alleges, that the outrageous
23 conduct of Defendants described above was done with fraud, oppression and malice, and with a
24 conscious disregard for his rights and with the intent, design and purpose of injuring him.
25 Plaintiff is further informed and believes that Defendants through its officers, managing agents
26 and/or its supervisors, authorized, condoned and/or ratified the unlawful conduct. By reason
27 thereof, Plaintiff is entitled to punitive or exemplary damages from all Defendants in a sum
28 according to proof at trial.

1 21. As a further, direct and proximate result of Defendants' violation of California
2 Government Code § 12900, et. seq., as heretofore described, Plaintiff has been compelled to
3 retain the services of counsel in an effort to enforce the terms and conditions of his employment
4 relationship with Defendant Western University, and has thereby incurred, and will continue to
5 incur, legal fees and costs, the full nature and extent of which are presently unknown to him.
6 Plaintiff will therefore seek leave of Court to amend this Complaint in that regard when the same
7 shall be fully and finally ascertained. Plaintiff requests that attorneys fees be awarded pursuant to
8 California Government Code § 12965.

9 22. Plaintiff is informed and believes, and based thereon alleges, that the outrageous
10 conduct of Defendants described above was done with malice, fraud and oppression and with
11 conscious disregard for his rights and with the intent, design and purpose of injuring him.
12 Defendants, through their officers, managing agents and/or its supervisors, authorized, condoned
13 and/or ratified the unlawful conduct of all of the other Defendants named in this action. By
14 reason thereof, Plaintiff is entitled to punitive or exemplary damages from Defendant Western
15 University in a sum according to proof at trial.

16 **SECOND CAUSE OF ACTION**

17 **Retaliation in violation of California Government Code §§ 12900 (FEHA)**

18 23. Plaintiff repeats and realleges by reference each and every allegation contained in
19 paragraphs 1 through 22 and incorporates the same herein as though fully set forth.

20 24. In response to Plaintiff's exercise of his right to seek leave to care for the serious
21 health condition of his mother, Defendants retaliated against Plaintiff by subjecting him to
22 harassment and terminating his employment. Said conduct constitutes retaliation and violates the
23 California Family Rights Act which is part of the California Fair Employment and Housing Act,
24 California Government Code §12945.2(1) et seq. which prohibits retaliation against employees
25 who exercise their rights under said statutes.

26 25. Plaintiff is informed and believes, and based thereon alleges, that in addition to
27 the practices enumerated above, Defendants, and each of them, have engaged in other retaliatory
28 practices against him which are not yet fully known. At such time that said discriminatory

1 WHEREFORE, Plaintiff prays judgment be entered in his favor and against Defendants.
2 as follows:

3 **AS TO THE FIRST CAUSE OF ACTION:**

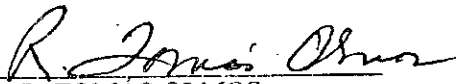
- 4 1. That Plaintiff be awarded general and compensatory damages, including
5 prejudgment interest, in an amount according to proof at trial;
6 2. That Plaintiff be awarded punitive damages in an amount according to proof;
7 3. That Plaintiff be awarded reasonable attorneys' fees and costs of suit;
8 4. That this Court award such other and further relief, including injunctive relief, as
9 the Court deems just and proper.

10 **AS TO THE SECOND CAUSE OF ACTION:**

- 11 1. That Plaintiff be awarded general and compensatory damages, including
12 prejudgment interest, according to proof at trial;
13 2. That Plaintiff be awarded punitive damages in an amount according to proof;
14 3. That Plaintiff be awarded reasonable attorneys' fees and costs of suit;
15 4. That this court award such further relief, including injunctive relief, as the court
16 deems just and proper.

17 Dated: May 13, 2013

ALLRED, MAROKO & GOLDBERG

18
19 By: 
20 R. TOMAS OLMOS
21 Attorneys for Plaintiff,
22 JOSE BENDANA

05/13/2013

28

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
R. Tomas Olmos, Esq. (SBN 54247)
Allred, Maroko & Goldberg
6300 Wilshire Boulevard
Suite 1500
Los Angeles, CA 90048
 TELEPHONE NO.: (323) 653-6530 FAX NO.: (323) 653-1660

FOR COURT USE ONLY

FILED

LOS ANGELES SUPERIOR COURT

MAY 13 2013

JOHN A. CLARKE, CLERK
John A. Clarke
 BY AMBER HAYES, DEPUTY

ATTORNEY FOR (Name): **Jose Bendana**

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

CASE NAME: **BENDANA V. KAISER PERMANENTE**

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: **BC508880**

JUDGE:
 DEPT:

Items 1-6 below must be completed (see instructions on page 2).

By Fax

1. Check one box below for the case type that best describes this case:

<p>Auto Tort</p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p>Other P/PI/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort</p> <p><input type="checkbox"/> Asbestos (04)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input type="checkbox"/> Other P/PI/D/W/D (23)</p> <p>Non-P/PI/D/W/D (Other) Tort</p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-P/PI/D/W/D tort (35)</p> <p>Employment</p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input checked="" type="checkbox"/> Other employment (15)</p>	<p>Contract</p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p>Real Property</p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p>Unlawful Detainer</p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p>Judicial Review</p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p>	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p>Enforcement of Judgment</p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p>Miscellaneous Civil Complaint</p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p>Miscellaneous Civil Petition</p> <p><input type="checkbox"/> Partnership and corporate governance (21)</p> <p><input type="checkbox"/> Other petition (not specified above) (43)</p>
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. Large number of separately represented parties d. Large number of witnesses

b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court

c. Substantial amount of documentary evidence 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 (2)

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 13, 2013

R. Tomas Olmos, Esq. (SBN 54247) *R. Tomas Olmos*
 (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

ORIGINAL

EX-107

Courthouse News Service

10/10/10

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

**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 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. | 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.

Auto Tort

Other Personal Injury/Property
Damage/Wrongful Death Tort

A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C 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	2.	
	<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.	
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.	
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.	
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.	
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.	

ORIGINAL

By Fax

SHORT TITLE: BENDANA V. KAISER PERMANENTE

CASE NUMBER

Non-Personal Injury/Property
Damage/Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	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.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Breach of Contract/ Warranty (06) (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 (16)	<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.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	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-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: BENDANA V. KAISER PERMANENTE

CASE NUMBER

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

A Civil Case Code Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (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 <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.
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 <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 <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: BENDANA V. KAISER PERMANENTE

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 appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.	ADDRESS: 393 East Walnut Street	
CITY: Pasadena	STATE: CA	ZIP CODE: 91188

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 5/13/2013

R. Tomas Olmos
(SIGNATURE OF ATTORNEY/FILING PARTY)

R. Tomas Olmos

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.