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10 LORI H.

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

DEC 21 2018

Sherri R. Carter, Executive Officer/Clerk  
By Spalyann Golden Deputy

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY LOS ANGELES

13 LORI H., an individual

14 Plaintiff,

15 v.

16 JOSEPH EDWARD BEEZY, an individual,  
17 KAISER FOUNDATION HEALTH PLAN,  
18 INC., a corporation; and DOES 1 through 50,  
19 inclusive,

20 Defendants.

CASE NO.: 18STCV09280

COMPLAINT FOR DAMAGES

1. SEXUAL BATTERY;
2. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS;
3. ASSAULT;
4. NEGLIGENCE;
5. PREMISES LIABILITY;
6. PROFESSIONAL NEGLIGENCE

JURY TRIAL DEMANDED

21 Plaintiff LORI H. ("Plaintiff"), hereby demands a jury trial, complains, and alleges  
22 against Defendants JOSEPH EDWARD BEEZY, KAISER FOUNDATION HEALTH PLAN,  
23 INC., and DOES 1 through 50, inclusive as follows:

THE PARTIES

24 1. Plaintiff, LORI H. is a resident of the State of California, County of Los Angeles.  
25 Plaintiff is a victim of sexual assault, and is thus entitled to protect her identity in this public  
26 filing by not disclosing her last name.

27 2. Defendant JOSEPH EDWARD BEEZY is an individual residing in the State of  
28 California, County of Los Angeles.



1 ("Enjaian").

2 10. Defendant JOSEPH EDWARD BEEZY, MD ("BEEZY") met with her to review  
3 her complaints.

4 11. Defendant BEEZY took LORI and Enjaian to a private room with an "L-shaped"  
5 bed inside and closed the door behind them. He asked her to wear a gown and show him the  
6 areas of her complaints.

7 12. LORI wore a gown that was open from behind, a bra, pants and underwear.

8 13. Defendant BEEZY asked LORI if she had any abscesses or bumps in her vaginal  
9 area, which she denied. As he asked, he put his thumb inside the waistline of her pants.

10 14. Despite her denial, Defendant BEEZY suddenly pulled her pants and panties  
11 down approximately two inches and told her that he "wanted to check something." He did not  
12 pull her pants down below her vaginal area.

13 15. After a few seconds passed, LORI pulled her pants back up and told him not to do  
14 that.

15 16. Defendant BEEZY aggressively pulled her pants down a second time, this time  
16 exposing her vaginal area.

17 17. Enjaian explained to Defendant BEEZY that LORI asked him not to pull her  
18 pants down. Defendant BEEZY asked Enjaian if he was LORI's father, and/or who he was.

19 18. Defendant BEEZY explained that he wanted to ensure that there was no  
20 folliculitis, and Enjaian pulled LORI's pants back up.

21 19. Defendant BEEZY proceeded to check LORI's back, and forcefully pressed down  
22 on the abscess on her spine twice, causing her extreme pain. As a result of his forceful  
23 manipulation of the abscess, the infection ultimately spread to her spine.

24 20. Defendant BEEZY asked LORI to lie down on the bed and stated that he wanted  
25 to check something again.

26 21. Defendant BEEZY pulled LORI's pants down a third time, this time down to her  
27 thigh region.

28 22. Defendant BEEZY proceeded to touch LORI's vaginal region, specifically

1 pressing on her pubic region, and leaving her exposed for approximately three minutes.

2 23. As she was exposed, Defendant BEEZY lasciviously commented that she was  
3 clean shaven.

4 24. Enjaian stated that they were done there, and Enjaian and LORI jointly pulled her  
5 pants back up to her waist.

6 25. Defendant BEEZY commented that antibiotics should clear her infections up, and  
7 exited the room.

8 26. LORI immediately exited the examination room, approached a nurse of Asian  
9 descent inside the emergency room and reported Defendant BEEZY's behavior. The nurse  
10 expressed her apologies for Defendant BEEZY's behavior, and immediately called a male  
11 supervisor, who recorded LORI's information and told her that he would investigate the matter  
12 and contact her.

13 27. On or about December 24, 2017, LORI reported to Verdugo Hills Hospital, with  
14 complaints of excruciating pain in her back area. No vaginal examination was conducted at that  
15 time. She underwent an incision and drainage procedure of the abscess on her back the next day.

16 **FIRST CAUSE OF ACTION**

17 **SEXUAL BATTERY**

18 **(As Against Defendants JOSEPH EDWARD BEEZY, KAISER FOUNDATION HEALTH**  
19 **PLAN, INC., and DOES 1 through 50)**

20 28. Plaintiff realleges and incorporates by reference every allegation contained in this  
21 Complaint as though set forth herein in full.

22 29. Defendant BEEZY's conduct was intentional and sexually offensive, constituting  
23 sexual battery under California Civil Code § 1708.5.

24 30. Defendant BEEZY intentionally created a harmful and offensive contact with  
25 LORI when he pulled her pants down on three occasions without her permission, consent, or  
26 knowledge, touched her vaginal and pubic areas, and aggressively and forcefully pushed down  
27 on an abscess on her back.

28 31. Each time that Defendant BEEZY pulled down LORI's pants during the  
examination and each time that he touched her vaginal and pubic areas, a sexually offensive

1 contact resulted.

2 32. At all material times, LORI did not consent to Defendant BEEZY's sexual  
3 misconduct or touching of her person.

4 33. As a direct and legal result of the sexual battery by Defendant BEEZY, Plaintiff  
5 suffered injuries including, but not limited to, physical and mental pain and suffering, physical  
6 injuries, past and future costs of medical care and treatment, and past and future loss of earnings  
7 and earning capacity, in an amount not yet ascertained, but which exceeds the minimum  
8 jurisdictional limits of this Court.

9 34. Defendant BEEZY committed the acts alleged herein maliciously, fraudulently,  
10 and oppressively, with the wrongful intention of injuring LORI, and acted with an improper and  
11 evil motive amounting to malice and in conscious disregard of LORI's rights. Because the acts  
12 taken toward LORI were carried out by Defendant BEEZY while acting in a deliberate, cold,  
13 callous, and intentional manner in order to injure and damage LORI, she is entitled to recover  
14 punitive damages from Defendants in an amount according to proof.

15 **SECOND CAUSE OF ACTION**

16 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

17 (As Against Defendants JOSEPH EDWARD BEEZY, KAISER FOUNDATION HEALTH  
18 PLAN, INC., and DOES 1 through 50)

19 35. Plaintiff realleges and incorporates by reference every allegation contained in this  
20 Complaint as though set forth herein in full.

21 36. Defendant BEEZY's conduct of physically pulling down LORI's pants on three  
22 occasions without her permission, consent or knowledge, and touching her vaginal and pubic  
23 areas, amounts to outrageous conduct.

24 37. Defendant BEEZY's conduct was intended to cause LORI severe emotional  
25 distress, as it was uninvited sexual misconduct that lasted throughout the duration of her office  
26 visit, and occurred while she visited Defendant to seek medical assistance and treatment.

27 38. Defendant BEEZY acted with reckless disregard of the probability that LORI  
28 would suffer emotional distress, when he proceeded to make inappropriate sexual contact with  
her and sexually assaulted her.

1 39. As a direct and legal result of the intentional infliction of emotional distress by  
2 Defendant BEEZY, LORI suffered injuries including, but not limited to, severe emotional  
3 distress, physical and mental pain and suffering, physical injuries, past and future costs of  
4 medical care and treatment, and past and future loss of earnings and earning capacity, in an  
5 amount not yet ascertained, but which exceeds the minimum jurisdictional limits of this Court.

6 40. Defendant BEEZY committed the acts alleged herein maliciously, fraudulently,  
7 and oppressively, with the wrongful intention of injuring LORI, and acted with an improper and  
8 evil motive amounting to malice and in conscious disregard of her rights. Because the acts taken  
9 towards LORI were carried out by Defendant BEEZY acting in a deliberate, cold, callous, and  
10 intentional manner in order to injure and damage LORI, she is entitled to recover punitive  
11 damages from Defendant BEEZY in an amount according to proof.

### 12 **THIRD CAUSE OF ACTION**

#### 13 **ASSAULT**

14 **(As Against Defendants JOSEPH EDWARD BEEZY, KAISER FOUNDATION  
15 HEALTH PLAN, INC., and DOES 1 through 50)**

16 41. Plaintiff realleges and incorporates by reference every allegation contained in this  
17 Complaint as though set forth herein in full.

18 42. Every time that Defendant BEEZY pulled down LORI's pants without her  
19 permission, knowledge, or consent, and touched her vaginal and pubic areas, he acted with the  
20 intention of causing a harmful and offensive contact.

21 43. Every time that Defendant BEEZY was about to make unwanted physical sexual  
22 contact with her body by pulling her pants down thrice without her permission, consent, or  
23 knowledge, and every time that he was about to touch her vaginal and pubic areas, LORI  
24 reasonably believed that she was about to be touched in a harmful and offensive manner.

25 44. Every time Defendant BEEZY made sexual contact with LORI's person by  
26 pulling down her pants without her permission, knowledge, or consent, and touching her vaginal  
27 and pubic areas, he did so in a private setting with no other people except Enjaian nearby.

28 45. At all material times, LORI did not consent to Defendant BEEZY's sexual  
misconduct or inappropriate touching of her person.



1 steps to minimize sexual assault would result in serious injury or death to LORI. However,  
2 Defendant KAISER failed to take the necessary precautions.

3 52. At all material times on the date of the incident which is the subject of this  
4 lawsuit, Defendant KAISER was negligent in its failure to take reasonable steps to stop or  
5 otherwise prevent Defendant BEEZY's sexual assault of Plaintiff.

6 53. As a direct and proximate cause of Defendant KAISER's negligence, LORI was  
7 severely injured by Defendant BEEZY's acts of sexual assault upon her. LORI also sustained  
8 emotional distress as a result of the sexual abuse.

9 54. As a further direct and proximate result of Defendant KAISER's actions, LORI  
10 suffered, and will continue to suffer, pain, medical expenses, extreme and severe distress, and  
11 other economic and non-economic damages in amounts to be proven at trial.

#### 12 FIFTH CAUSE OF ACTION

#### 13 PREMISES LIABILITY

14 (As Against Defendants KAISER FOUNDATION HEALTH PLAN, INC., and DOES 1  
15 through 50)

16 55. Plaintiff realleges and incorporates by reference every allegation contained in this  
17 Complaint as though set forth herein in full.

18 56. At all times mentioned herein, Defendant KAISER negligently, carelessly, and  
19 recklessly owned, leased, rented, occupied, possessed, operated, inspected, maintained, managed,  
20 controlled and/or supervised the subject premises, located at 13652 Cantara Street, in Panorama  
21 City, California 91402, and/or permitted or created the dangerous condition on the subject  
22 premises so as to cause or allow dangerous and/or defective conditions thereon, and that at all  
23 times mentioned herein, the conditions of said premises were such that individuals upon the  
24 subject premises, including Plaintiff, were exposed to danger and injury while lawfully on the  
25 subject premises. Defendant KAISER failed to warn LORI of the dangerous conditions that  
26 existed at the subject premises.

27 57. Defendant KAISER knew, or in the exercise of reasonable care should have  
28 known, that unless reasonable inspection, care, control and maintenance were taken of the  
subject premises, that a dangerous but deceptive condition would exist on the premises.



1 Defendant negligently failed to take reasonable precautions to prevent injuries to persons  
2 lawfully on the subject premises, including LORI.

3 58. On or about December 21, 2017, Defendant KAISER negligently and carelessly  
4 owned, leased, rented, occupied, possessed, operated, inspected, maintained, managed,  
5 controlled, supervised and/or permitted the subject premises so as to cause LORI to be subject to  
6 Defendant BEEZY's acts of sexual abuse upon her, thereby directly causing her injuries and  
7 damages as described herein.

8 59. As a direct result of the conduct of Defendant KAISER, LORI was hurt and  
9 injured in her health, strength and activity, sustaining injuries to her body and shock and injury to  
10 her nervous system and person, all of which said injuries have caused and continue to cause her  
11 great physical, mental and nervous pain and suffering. LORI is informed and believes, and  
12 thereupon alleges, that said injuries will result in some permanent disability to her, all to her  
13 general damage in an amount which will be stated according to proof at the time of trial.

14 60. As a direct and proximate cause of Defendant KAISER's negligence, LORI was  
15 severely injured by Defendant BEEZY's acts of sexual assault upon her. LORI also sustained  
16 emotional distress as a result of the sexual abuse.

17 61. As a further direct and proximate result of Defendant KAISER's actions, LORI  
18 suffered, and will continue to suffer, pain, medical expenses, extreme and severe distress, and  
19 other economic and non-economic damages in amounts to be proven at trial.

20 **SIXTH CAUSE OF ACTION**

21 **PROFESSIONAL NEGLIGENCE**

22 **(As Against Defendants JOSEPH EDWARD BEEZY, KAISER FOUNDATION HEALTH  
23 PLAN, INC., and DOES 1 through 50)**

24 62. Plaintiff realleges and incorporates by reference every allegation contained in this  
25 Complaint as though set forth herein in full.

26 63. LORI was a patient of Defendants BEEZY and KAISER (collectively,  
27 "Defendants") on or about December 21, 2017. During that period, LORI was under the care of  
28 Defendants, who acted as her treating physicians.

64. By virtue of the aforesaid, Defendants owed a duty of ordinary care to LORI, to

1 use the degree of care, skill, knowledge, training and expertise that a reasonably prudent person  
2 would use.

3 65. Defendants breached the aforesaid duties of care when they pulled down her pants  
4 without her permission, knowledge, or consent, and touched her vaginal and pubic areas.

5 66. As a direct and legal result of Defendants' breach of the duty of care that they  
6 owed to LORI, she sustained injuries including, but not limited to, physical and mental pain and  
7 suffering, physical injuries, past and future costs of medical care and treatment, and past and  
8 future loss of earnings and earning capacity, in an amount not yet ascertained, but which exceeds  
9 the minimum jurisdictional limits of this Court

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiff, LORI H. prays for judgment against Defendants, JOSEPH  
12 EDWARD BEEZY, KAISER FOUNDATION HEALTH PLAN, INC., and DOES 1 through 50,  
13 as follows:

- 14 1. For general damages according to proof;  
15 2. For special damages according to proof;  
16 3. For all statutorily allowed damages;  
17 4. For punitive damages; and  
18 5. For such other relief as the Court may deem just and proper.

19 **DEMAND FOR TRIAL BY JURY**

20 WHEREFORE, Plaintiff LORI H. hereby demands trial of all causes by jury.

21 DATED: December 20, 2018

22 DORDULIAN LAW GROUP, APC

23 By: 

24 SAMUEL DORDULIAN, ESQ.  
25 ARPINEH YEREMIAN, ESQ.  
26 Attorneys for Plaintiff,  
27 LORI H.  
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