

FILED
LOS ANGELES SUPERIOR COURT
(SPACE BELOW FOR FILING STAMP ONLY)
JAN 24 2011

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

1 GREENE BROILLET & WHEELER, LLP
LAWYERS
2 100 WILSHIRE BOULEVARD, SUITE 2100
P. O. BOX 2131
3 SANTA MONICA, CALIFORNIA 90407-2131
TEL. (310) 576-1200
FAX. (310) 576-1220

4 BROWNE GREENE, State Bar No. 38441
ROBERT D. JARCHI, State Bar No. 204168

5 Attorneys for Plaintiff

6
7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

CESAR C. SARMIENTO

11 NICHOLAS LOEB, an individual,)
12 Plaintiff,)
13 vs.)
14 CITY OF LOS ANGELES, a government)
15 entity; COUNTY OF LOS ANGELES, a)
16 government entity; STATE OF)
17 CALIFORNIA, a government entity;)
18 CALIFORNIA DEPARTMENT OF)
19 TRANSPORTATION, a government entity;)
20 CALTRANS; a government entity; and)
21 DOES 1-100, inclusive,)
22 Defendants.)

CASE NO. **SC111168**
COMPLAINT FOR DAMAGES

1. DANGEROUS CONDITION OF PUBLIC PROPERTY

DEMAND FOR JURY TRIAL

CASE MANAGEMENT CONFERENCE

MAY 16 2011 8:30am
Date REPT. J.

90077
A 7220
39500

21 COME NOW the plaintiff NICHOLAS LOEB, and for causes of action against
22 defendants, the CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF
23 CALIFORNIA, CALIFORNIA DEPARTMENT OF TRANSPORTATION, CALTRANS, and DOES
24 1 through 100, and each of them, and alleges as follows:

25
26 **GENERAL ALLEGATIONS**

27 1. The true names and/or capacities, whether individual, corporate, associate,
28 partnership, trust or otherwise of defendants DOES 1 through 100, inclusive, and each of them, are

1 unknown to plaintiff, who therefore sue said defendants by such fictitious names. Plaintiff is informed
2 and believe and thereupon alleges, that each defendant fictitiously named herein as a DOE was legally
3 responsible, negligently or in some other actionable manner, for the events and happenings hereinafter
4 referred to, and thereby proximately caused the injuries and damages to plaintiff as hereinafter alleged.
5 Plaintiff will seek leave of Court to amend this Complaint and state the true names and/or capacities
6 of said fictitiously named defendants when the same have been ascertained.

7
8 2. Plaintiff is informed and believes, and thereupon alleges, that at all times
9 mentioned herein, defendants DOES 1 through 100, inclusive, and each of them, were the agents,
10 servants, employees and/or joint venturers of their co-defendants and were, as such, acting within the
11 course, scope and authority of said agency, employment and/or venture and that each and every
12 defendant, as aforesaid, when acting as a principal, was negligent in the selection and hiring of each
13 and every other defendant as an agent, employee and/or joint venturer.

14
15 3. At all times mentioned herein, plaintiff NICHOLAS LOEB was and now is a
16 resident of the County of Los Angeles, State of California.

17
18 4. Plaintiff is informed and believes, and thereupon alleges, that at all times
19 mentioned herein, defendants the CITY OF LOS ANGELES, the COUNTY OF LOS ANGELES,
20 STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF TRANSPORTATION, and
21 CALTRANS, and DOES 1 through 100, inclusive, are public entities located and/or operating in the
22 County of Los Angeles, and created and/or existing under the laws of the State of California, and that
23 they owned, possessed, leased, designed, operated, managed, administered, supervised, serviced,
24 maintained, planned, utilized, repaired, altered, constructed, controlled, improved and/or were
25 otherwise responsible for the condition of the roadway, sidewalks, curbs, barricades, walls and area
26 appurtenant thereto on Lisbon Lane (between Sandall Lane and Crater Lane) in the County of Los
27 Angeles, State of California (hereafter "SUBJECT PROPERTY"). Plaintiff is informed and believes
28

1 and thereupon alleges that a photograph depicting part of the SUBJECT PROPERTY after the subject
2 incident is pictured below:



15 5. Plaintiff is informed and believes, and thereupon alleges, that at all times
16 mentioned herein, plaintiff NICHOLAS LOEB was lawfully on the SUBJECT PROPERTY located
17 on Lisbon Lane (between Sandall Lane and Crater Lane) in the County of Los Angeles, State of
18 California.

19
20 6. Plaintiff is informed and believes, and thereupon alleges, that on or about
21 August 23, 2010, plaintiff NICHOLAS LOEB was on the SUBJECT PROPERTY at Lisbon Lane
22 (between Sandall Lane and Crater Lane) in Los Angeles, California, when his vehicle fell off of the
23 edge of the roadway and down a steep embankment/cliff, causing plaintiff severe and permanent
24 injuries.

25 ///

26 ///

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FIRST CAUSE OF ACTION

(Dangerous Condition of Public Property brought by Plaintiff NICHOLAS LOEB as against Defendants the CITY OF LOS ANGELES, the COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF TRANSPORTATION, CALTRANS, and DOES 1 through 100, inclusive)

7. Plaintiff realleges as though fully set forth at length, and incorporates herein by reference all of the allegations and statements contained in Paragraphs 1 through 6, inclusive, of the General Allegations, above.

8. At all times mentioned herein, defendants the CITY OF LOS ANGELES, the COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF TRANSPORTATION, CALTRANS, and DOES 1 through 100, inclusive, and each of them, owned, possessed, leased, designed, operated, managed, administered, supervised, serviced, maintained, planned, utilized, repaired, altered, constructed, controlled, improved and/or were otherwise responsible for the condition of the roads, sidewalks, curbs, barricades, walls and property located on Lisbon Lane (between Sandall Lane and Crater Lane) in the City of Los Angeles, the County of Los Angeles, in the State of California ("SUBJECT PROPERTY").

9. At all times mentioned herein, defendants the CITY OF LOS ANGELES, the COUNTY OF LOS ANGELES, the STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF TRANSPORTATION, CALTRANS, and DOES 1 through 100, inclusive, and each of them, owed a duty to the general public, including pedestrians and drivers traveling on the SUBJECT PROPERTY, including plaintiff NICHOLAS LOEB, to maintain the SUBJECT PROPERTY in a reasonably safe condition so as not to expose members of the general public, including the plaintiff herein, to unreasonable, probable and substantial risk of harm and/or injury.

1 10. That on or about August 23, 2010, plaintiff NICHOLAS LOEB was lawfully
2 driving his vehicle on Lisbon Lane, located in the City of Los Angeles, the County of Los Angeles,
3 in the State of California.

4
5 11. At all times mentioned herein, defendants the CITY OF LOS ANGELES, the
6 COUNTY OF LOS ANGELES, the STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF
7 TRANSPORTATION, CALTRANS, and DOES 1 through 100, and each of them, so negligently,
8 recklessly, and/or carelessly failed to own, possess, lease, design, operate, manage, administer,
9 supervise, service, maintain, utilize, repair, alter, construct, control, and/or improve the SUBJECT
10 PROPERTY, so as to cause or create a dangerous, defective, unsafe and/or hazardous condition of the
11 SUBJECT PROPERTY thereby subjecting plaintiff to unreasonable, probable and substantial risk of
12 injury or harm. Said dangerous condition includes but is not limited to the failure to adequately
13 construct, maintain, upgrade and repair the SUBJECT PROPERTY and/or to provide protections
14 against persons falling off a steep embankment of the SUBJECT PROPERTY when using said
15 SUBJECT PROPERTY with due care.

16
17 12. At all times mentioned herein, not only was the SUBJECT PROPERTY in a
18 dangerous, defective, unsafe and/or hazardous condition as a result of the conduct of defendants the
19 CITY OF LOS ANGELES, the COUNTY OF LOS ANGELES, the STATE OF CALIFORNIA,
20 CALIFORNIA DEPARTMENT OF TRANSPORTATION, CALTRANS, and DOES 1 through 100,
21 inclusive, and each of them, but said defendants, and each of them, additionally failed to warn, protect
22 and/or guard against said dangerous condition of the SUBJECT PROPERTY which in and of itself
23 additionally created a dangerous condition on the SUBJECT PROPERTY. Moreover, changed
24 conditions on the SUBJECT PROPERTY created dangerous conditions which required said
25 defendants to warn, protect and/or guard against them.

26
27 13. At all times mentioned herein, defendants the CITY OF LOS ANGELES, the
28 COUNTY OF LOS ANGELES, the STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF

1 TRANSPORTATION, CALTRANS, and DOES 1 through 100, and each of them, failed to exercise
2 due care to keep and maintain the SUBJECT PROPERTY in a reasonably safe condition and to
3 prevent persons from being injured thereon, failed to warn persons traveling on or near the SUBJECT
4 PROPERTY of the perils thereon, including latent and concealed perils, including but not limited to
5 defects to the roadway, curb, wall and/or adjacent areas, and/or failed to discover and repair the
6 hazards giving rise to such perils. The SUBJECT PROPERTY was a concealed trap, and drivers were
7 not aware of the dangers of the roadway as a result of factors such as blind curves leading to the
8 SUBJECT PROPERTY, poor visibility conditions, limited visibility due to the hillside, foliage, and
9 trees on and surrounding the roadway.

10
11 14. At all times mentioned herein, and some time prior to the subject incident,
12 defendants the CITY OF LOS ANGELES, the COUNTY OF LOS ANGELES, STATE OF
13 CALIFORNIA, CALIFORNIA DEPARTMENT OF TRANSPORTATION, CALTRANS, and DOES
14 1 through 100, and each of them, had actual and/or constructive notice that the SUBJECT
15 PROPERTY and/or similarly constructed and situated property, were in a dangerous condition, which
16 rendered the SUBJECT PROPERTY unsafe for use in a reasonably foreseeable manner.

17
18 15. At all times mentioned herein, and some time prior to the date of the subject
19 incident, defendants had actual and/or constructive notice that said dangerous condition of SUBJECT
20 PROPERTY was capable of causing serious harm to persons using the SUBJECT PROPERTY in a
21 reasonably foreseeable manner including the plaintiff, NICHOLAS LOEB.

22
23 16. As a direct and proximate result of the aforementioned conduct of said
24 defendants, and each of them, and the dangerous condition of SUBJECT PROPERTY as described
25 herein, and while plaintiff NICHOLAS LOEB was lawfully using the SUBJECT PROPERTY in a
26 reasonably foreseeable manner, the subject incident occurred at the SUBJECT PROPERTY on or
27 about August 23, 2010, as previously described, thereby causing severe injuries to plaintiff
28 NICHOLAS LOEB.

1 17. As a direct and proximate result of the conduct of the defendants, and each of
2 them, as aforesaid, plaintiff NICHOLAS LOEB was injured in his health, strength and activity,
3 sustaining injuries to his body and shock and injury to his nervous system and person, all of which said
4 injuries have caused and continue to cause the plaintiff great physical, mental and nervous pain and
5 suffering. Plaintiff is informed and believes and thereupon alleges that said injuries will result in some
6 permanent disability to plaintiff NICHOLAS LOEB, all to his general damage in an amount which
7 will be stated according to proof, pursuant to California Code of Civil Procedure, § 425.10, which
8 amount is in excess of Fifty Thousand Dollars (\$50,000.00).

9
10 18. As a direct and proximate result of the conduct of the defendants, and each of
11 them, as aforesaid, the plaintiff NICHOLAS LOEB was compelled to and did employ the services of
12 hospitals, physicians, surgeons, nurses and the like, to care for and treat him, and did incur hospital,
13 medical, professional and incidental expenses, and plaintiff is informed and believes and thereupon
14 alleges that by reason of his injuries plaintiff NICHOLAS LOEB will necessarily incur like additional
15 expenses for an indefinite period of time in the future, the exact amount of which expenses will be
16 stated according to proof, pursuant to California Code of Civil Procedure § 425.10.

17
18 19. As a direct and proximate result of the conduct of the defendants, and each of
19 them, as aforesaid, plaintiff NICHOLAS LOEB was prevented from attending to his usual occupation,
20 and plaintiff is informed and believes and thereupon alleges that he will thereby be prevented from
21 attending to his usual occupation for a period of time in the future, and thereby will also sustain a loss
22 of earning capacity, in addition to lost earnings, past, present and future; the exact amount of which
23 expenses will be stated according to proof, pursuant to California Code of Civil Procedure § 425.10.

24
25 20. On or about October 12, 2010 plaintiff NICHOLAS LOEB served a claim for
26 damages against the CITY OF LOS ANGELES in compliance with California Government Code §§
27 905 and 910, *et seq.* Said claim was denied by operation of law on or about November 26, 2010.
28

1 21. On or about October 29, 2010 plaintiff NICHOLAS LOEB served a claim for
2 damages against the CITY OF LOS ANGELES in compliance with California Government Code §§
3 905 and 910, *et seq.* Said claim was denied by operation of law on or about December 13, 2010.
4

5 22. On or about October 13, 2010 plaintiff NICHOLAS LOEB served a claim for
6 damages against the COUNTY OF LOS ANGELES in compliance with California Government Code
7 §§ 905 and 910, *et seq.* Said claim was denied by operation of law on or about November 27, 2010.
8

9 23. On or about October 28, 2010 plaintiff NICHOLAS LOEB served a claim for
10 damages against the COUNTY OF LOS ANGELES in compliance with California Government Code
11 §§ 905 and 910, *et seq.* Said claim was denied by operation of law on or about December 12, 2010.
12

13 24. On or about October 13, 2010 plaintiff NICHOLAS LOEB served a claim for
14 damages against the STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF
15 TRANSPORTATION, and CALTRANS in compliance with California Government Code §§ 905
16 and 910, *et seq.* Said claim was denied by operation of law on or about November 27, 2010.
17

18 25. On or about October 25, 2010 plaintiff NICHOLAS LOEB served a claim for
19 damages against the STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF
20 TRANSPORTATION, and CALTRANS, in compliance with California Government Code §§ 905
21 and 910, *et seq.* Said claim was denied by operation of law on or about December 9, 2010.
22

23 26. On or about October 29, 2010 plaintiff NICHOLAS LOEB served a claim for
24 damages against the STATE OF CALIFORNIA, CALIFORNIA DEPARTMENT OF
25 TRANSPORTATION, and CALTRANS in compliance with California Government Code §§ 905
26 and 910, *et seq.* Said claim was denied by operation of law on or about December 13, 2010.
27
28

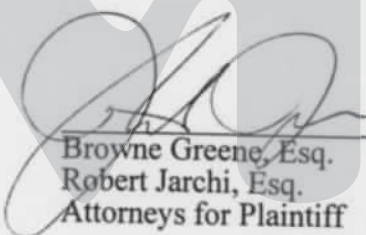
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WHEREFORE, plaintiff pray judgment against defendants, and each of them, as follows:

1. For general damages in excess of Fifty Thousand Dollars (\$50,000.00), according to proof;
2. for hospital, medical, professional and incidental expenses, according to proof;
3. for loss of earnings and loss of earning capacity, past and future, according to proof;
4. for damages for plaintiff's property and economic damages related thereto, according to proof;
5. for prejudgment and post judgment interest, according to proof;
6. for costs of suit incurred herein; and
7. for such other and further relief as this Court deems just and proper.

DATED: January 24, 2011

GREENE BROILLET & WHEELER, LLP



Broyne Greene, Esq.
Robert Jarchi, Esq.
Attorneys for Plaintiff

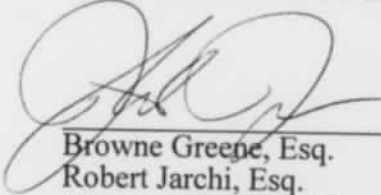
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DEMAND FOR JURY TRIAL

Plaintiff NICHOLAS LOEB hereby demands a trial of all causes and issues by jury.

DATED: January 24, 2011

GREENE BROILLET & WHEELER, LLP



Browne Greene, Esq.
Robert Jarchi, Esq.
Attorneys for Plaintiff

GREENE BROILLET & WHEELER, LLP
P.O. BOX 2131
SANTA MONICA, CA 90407-2131

TMZ

Σ Mr. JNS
(CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

CITY OF LOS ANGELES, a government entity; COUNTY OF LOS ANGELES, a government entity; STATE OF CALIFORNIA, a government entity; CALIFORNIA DEPARTMENT OF TRANSPORTATION, a government entity;
YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):
NICHOLAS LOEB

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

FILED
LOS ANGELES SUPERIOR COURT

JAN 24 2011

JOHN A. CLARKE, CLERK
BY Jennifer Denham
DEPUTY

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):
LOS ANGELES COUNTY SUPERIOR COURT
1725 Main Street

CASE NUMBER:
(Número del Caso): **SC111168**

Santa Monica, CA 90401
WEST

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Browne Greene, 38441; Robert D. Jarchi 204168 (310) 576-1200 (310) 576-1220
Greene, Broillet & Wheeler, LLP

100 Wilshire Blvd., 12th Floor, Santa Monica, CA 90401

DATE: **JAN 24 2011** JOHN A. CLARKE Clerk, by J. Denham, Deputy
(Fecha) *(Secretario)* *(Adjunto)*

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of *(specify):*
3. on behalf of *(specify):*
under:

<input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other <i>(specify):</i>	
4. by personal delivery on *(date):*

SHORT TITLE: LOEB v. CITY OF LOS ANGELES, ET AL.	CASE NUMBER
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INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

- Plaintiff
 Defendant
 Cross-Complainant
 Cross-Defendant
 CALTRANS; a government entity; and DOES 1-100, inclusive

TMZ

Page _____ of _____

Page 1 of 1

A. TORNEY OR PARTY WITHOUT ATTORNEY (Name, State, and address):
 Browne Greene 38441; Robert D. Jarchi 90401 204168
 Greene, Broillet & Wheeler, LLP
 100 Wilshire Blvd.
 Santa Monica 90401

TELEPHONE NO.: (310) 576-1200 FAX NO.: (310) 576-1220

ATTORNEY FOR (Name): Plaintiff, NICHOLAS LOEB

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 1725 Main St
 MAILING ADDRESS:
 CITY AND ZIP CODE: Santa Monica, CA 90401
 BRANCH NAME: West

CASE NAME:

FOR COURT USE ONLY

FILED
 LOS ANGELES SUPERIOR COURT

JAN 24 2011

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

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: **SC111168**

JUDGE: **CESAR C. SARMIENTO**
 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:

<p>Auto Tort</p> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input checked="" type="checkbox"/> Other PI/PD/WD (23) <p>Non-PI/PD/WD (Other) Tort</p> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <p>Employment</p> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <p>Real Property</p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <p>Unlawful Detainer</p> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <p>Judicial Review</p> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20) <p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <p>Miscellaneous Civil Petition</p> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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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. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): 1

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 24, 2011
 Robert D. Jarchi

(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

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

<p>Auto Tort</p> <ul style="list-style-type: none"> Auto (22)—Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) (<i>if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i>) <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <ul style="list-style-type: none"> Asbestos (04) <ul style="list-style-type: none"> Asbestos Property Damage Asbestos Personal Injury/Wrongful Death Product Liability (<i>not asbestos or toxic/environmental</i>) (24) Medical Malpractice (45) <ul style="list-style-type: none"> Medical Malpractice—Physicians & Surgeons Other Professional Health Care Malpractice Other PI/PD/WD (23) <ul style="list-style-type: none"> 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 <p>Non-PI/PD/WD (Other) Tort</p> <ul style="list-style-type: none"> Business Tort/Unfair Business Practice (07) Civil Rights (e.g., discrimination, false arrest) (<i>not civil harassment</i>) (08) Defamation (e.g., slander, libel) (13) Fraud (16) Intellectual Property (19) Professional Negligence (25) <ul style="list-style-type: none"> Legal Malpractice Other Professional Malpractice (<i>not medical or legal</i>) Other Non-PI/PD/WD Tort (35) <p>Employment</p> <ul style="list-style-type: none"> Wrongful Termination (36) Other Employment (15) 	<p>Contract</p> <ul style="list-style-type: none"> Breach of Contract/Warranty (06) <ul style="list-style-type: none"> Breach of Rental/Lease Contract (<i>not unlawful detainer or wrongful eviction</i>) Contract/Warranty Breach—Seller Plaintiff (<i>not fraud or negligence</i>) Negligent Breach of Contract/Warranty Other Breach of Contract/Warranty Collections (e.g., money owed, open book accounts) (09) <ul style="list-style-type: none"> Collection Case—Seller Plaintiff Other Promissory Note/Collections Case Insurance Coverage (<i>not provisionally complex</i>) (18) <ul style="list-style-type: none"> Auto Subrogation Other Coverage Other Contract (37) <ul style="list-style-type: none"> Contractual Fraud Other Contract Dispute <p>Real Property</p> <ul style="list-style-type: none"> Eminent Domain/Inverse Condemnation (14) Wrongful Eviction (33) Other Real Property (e.g., quiet title) (26) <ul style="list-style-type: none"> Writ of Possession of Real Property Mortgage Foreclosure Quiet Title Other Real Property (<i>not eminent domain, landlord/tenant, or foreclosure</i>) <p>Unlawful Detainer</p> <ul style="list-style-type: none"> Commercial (31) Residential (32) Drugs (38) (<i>if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i>) <p>Judicial Review</p> <ul style="list-style-type: none"> Asset Forfeiture (05) Petition Re: Arbitration Award (11) Writ of Mandate (02) <ul style="list-style-type: none"> Writ—Administrative Mandamus Writ—Mandamus on Limited Court Case Matter Writ—Other Limited Court Case Review Other Judicial Review (39) <ul style="list-style-type: none"> Review of Health Officer Order Notice of Appeal—Labor Commissioner Appeals 	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)</p> <ul style="list-style-type: none"> Antitrust/Trade Regulation (03) Construction Defect (10) Claims Involving Mass Tort (40) Securities Litigation (28) Environmental/Toxic Tort (30) Insurance Coverage Claims (<i>arising from provisionally complex case type listed above</i>) (41) <p>Enforcement of Judgment</p> <ul style="list-style-type: none"> Enforcement of Judgment (20) <ul style="list-style-type: none"> Abstract of Judgment (Out of County) Confession of Judgment (<i>non-domestic relations</i>) Sister State Judgment Administrative Agency Award (<i>not unpaid taxes</i>) Petition/Certification of Entry of Judgment on Unpaid Taxes Other Enforcement of Judgment Case <p>Miscellaneous Civil Complaint</p> <ul style="list-style-type: none"> RICO (27) Other Complaint (<i>not specified above</i>) (42) <ul style="list-style-type: none"> Declaratory Relief Only Injunctive Relief Only (<i>non-harassment</i>) Mechanics Lien Other Commercial Complaint Case (<i>non-tort/non-complex</i>) Other Civil Complaint (<i>non-tort/non-complex</i>) <p>Miscellaneous Civil Petition</p> <ul style="list-style-type: none"> Partnership and Corporate Governance (21) Other Petition (<i>not specified above</i>) (43) <ul style="list-style-type: none"> Civil Harassment Workplace Violence Elder/Dependent Adult Abuse Election Contest Petition for Name Change Petition for Relief From Late Claim Other Civil Petition
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FOR COURT USE ONLY
FILED
LOS ANGELES SUPERIOR COURT

JAN 24 2011

JOHN A. CLARKE, CLERK
BY *Jennifer...* 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.
2. May be filed in Central (Other county, or no Bodily Injury/Property Damage)
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	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.
Other Personal Injury/Property Damage/Wrongful Death Tort	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., 2., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 2., 4.
Other Personal Injury Property Damage Wrongful Death (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 checked="" type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 2., (4.)	

SHORT TITLE

LOEB v. CITY OF LOS ANGELES, ET AL.

CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property 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 <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	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 <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.	
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	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 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 (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-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:

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CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	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	2., 8.
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ/Judicial Review	2., 8.	
Provisionally Complex Litigation	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	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment
<input type="checkbox"/> A6160 Abstract of Judgment			2., 6.
<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)			2., 9.
<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)			2., 8.
<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax			2., 8.
<input type="checkbox"/> A6112 Other Enforcement of Judgment Case			2., 8., 9.
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.		
Miscellaneous Civil Petitions	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	2., 3., 9.
<input type="checkbox"/> A6123 Workplace Harassment		2., 3., 9.	
<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case		2., 3., 9.	
<input type="checkbox"/> A6190 Election Contest		2.	
<input type="checkbox"/> A6110 Petition for Change of Name		2., 7.	
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2., 3., 4., 8.	
<input type="checkbox"/> A6100 Other Civil Petition		2., 9.	

SHORT TITLE:

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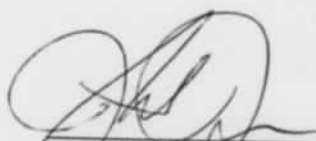
CASE NUMBER:

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		ADDRESS: 1552 Crater Lane
<input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input checked="" 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.		
CITY: Los Angeles	STATE: CA	ZIP CODE: 90077

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 County courthouse in the West 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: January 24, 2011



(SIGNATURE OF ATTORNEY/FILING PARTY)
Robert D. Jarchi

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.

