



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

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Nov-08-2017 9:24 am

Case Number: CGC-17-562355

Filing Date: Nov-08-2017 9:22

Filed by: BOWMAN LIU

Image: 06096943

COMPLAINT

LA JEANA THOMPSON VS. FLAGSHIP ENTERPRISES HOLDING, INC. ET AL

001C06096943

Instructions:

Please place this sheet on top of the document to be scanned.

**SUMMONS
(CITACION JUDICIAL)**

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

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

FLAGSHIP ENTERPRISES HOLDING, INC., AIRBNB, INC. and
DOES 1 through 25, inclusive

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

LA JEANA THOMPSON

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): San Francisco County Superior Court
400 McAllister Street
San Francisco, CA 94102

CASE NUMBER:
(Número de Caso):

CGC-17-562355

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):
Ashwin Ladva, SB# 206140; 530 Jackson Street, 2nd Floor, San Francisco, CA 94133; (415) 296-8844

DATE:
(Fecha)

NOV 08 2017

DEPUTY CLERK

Clerk, by
(Secretario)

, Deputy
(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)).

BONMAN LIU



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 (specify):	
- 4. by personal delivery on (date):

1 Ashwin Ladva, Esq. (206140)
2 Christopher P. Chang, Esq. (316021)
3 LADVA LAW FIRM
4 530 Jackson Street, 2nd Floor
5 San Francisco, CA 94133
6 (415) 296-8844
7 (415) 296-8847 (f)

8 Attorneys for Plaintiff

F I L E D
Superior Court of California
County of San Francisco

NOV 08 2017

CLERK OF THE COURT
BY: [Signature]
Deputy Clerk
BOWMAN LIU

9
10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
11
12 IN AND FOR THE SAN FRANCISCO

13 LA JEANA THOMPSON,
14
15 Plaintiff,

16 vs.

17 FLAGSHIP ENTERPRISES HOLDING, INC.,
18 AIRBNB, INC. and DOES 1 thorough 25,
19 inclusive

20 Defendant(s).

Case No.:

CGC-17-562355

COMPLAINT FOR DAMAGES:

21 Plaintiff LA JEANA THOMPSON complains and alleges as follows:

22 **JURISDICTIONAL STATEMENT**

23 1. This action for damages is brought due to Discrimination, Failure to Prevent Discrimination,
24 Wrongful Termination in Violation of Public Policy, Intentional Infliction of Emotional Distress, and
25 violations arising out of events involving Defendants and Does 1-25, inclusive. Plaintiff was employed
26 by Defendants in San Francisco, California.

27 **PARTIES**

28 2. Plaintiff LA JEANA THOMPSON (hereinafter "Plaintiff") is an adult female resident of the
State of California.

1 3. Defendant FLAGSHIP ENTERPRISES HOLDING, INC. (hereinafter FLAGSHIP), is and was
2 at all times relevant a Corporation formed under the laws of the State of California with its agent's
3 address in Sacramento, California. FLAGSHIP was an "employer" within the meaning of Government
4 Code §12926(d), at all times relevant to this complaint. Defendant AIRBNB, INC. (hereinafter
5 AIRBNB), is and was at all times relevant a Corporation formed under the laws of the State of
6 California with its agent's address in Sacramento, California. Both defendants, taken together, will be
7 hereinafter referred to as "DEFENDANTS."

8 4. Plaintiff does not know the true names or capacities of defendants DOE 1-25. Plaintiff therefore
9 sues defendants DOE 1-25 by such fictitious names and will seek leave to amend the complaint to add
10 their true names and capacities when the same have been ascertained.

11 5. At all times relevant to this complaint, DEFENDANTS and each of them participated in,
12 authorized, ratified, aided and abetted the doing of the acts alleged herein.

13 6. At all times relevant to this complaint, DEFENDANTS and each of them were the agents and/or
14 employees of each of the other DEFENDANTS and were acting within the course and scope of that
15 employment or agency.

16 FACTUAL ALLEGATIONS

17 7. In February of 2017, Plaintiff first interviewed with defendant FLAGSHIP, a company that
18 provides janitorial, facilities maintenance, culinary and engineering services for other companies. After
19 the interview, Plaintiff was hired and assigned to work as a "Service Coordinator" for defendant
20 AIRBNB in San Francisco, California.

21 8. In March of 2017, Plaintiff became pregnant, and requested to FLAGSHIP that she delay her
22 start date with AIRBNB to the following month in order to receive medical treatment related to the
23 pregnancy before starting work.

24 9. In April 2017, Plaintiff began her position as a Service Coordinator with AIRBNB, which
25 required her to act as a hostess and prepare the cafeteria for AIRBNB employee meal services. Almost
26 immediately after she started, she felt ostracized, bullied, isolated and discriminated against because of
27 her race, gender and pregnancy. Both defendants FLAGSHIP and AIRBNB failed to take action to
28 protect her from such discrimination.

1 10. The employees that she worked with, who were primarily of Mexican descent, refused to
2 include Plaintiff in work activities, intentionally spoke only in Spanish when around her, and made
3 derogatory comments about her. For example, they would single her out and called her a “slut” for
4 wearing short sleeved shirts at work, even though other employees wore the same type of clothing. They
5 would also continuously refer to her using Spanish curse words, like “cabrona,” which means “bitch” in
6 English.

7 11. In addition, AIRBNB forced her to carry heavy items, like beer kegs, all day, for several days at
8 a time, even though she had provided FLAGSHIP with a doctor’s note explaining that she should not lift
9 anything over thirty pounds due to her pregnancy.

10 12. Furthermore, she was also singled out as the only employee to consistently be put on the
11 closing shift throughout her entire employment with AIRBNB. She was forced to close every night even
12 though her other co-workers regularly rotated between day and night shifts. She was still assigned the
13 closing shift even after new employees began working there.

14 13. After approximately a month of this abuse, Plaintiff brought it to the attention of her site
15 supervisor at AIRBNB, but no action was taken to prevent the discrimination or provide
16 accommodations. Plaintiff then filed a formal statement with FLAGSHIP where she addressed her
17 concerns. However, instead of helping her, FLAGSHIP simply removed her from her position in June of
18 2017 and placed her on administrative leave.

19 14. Plaintiff requested another position where she could perform similar duties, but FLAGSHIP
20 only offered her janitorial roles that required heavy lifting. When she asked why she couldn’t be placed
21 in similar food service positions, they informed Plaintiff that there weren’t any available, even though
22 Plaintiff had seen similar positions on the company website.

23 15. On July 19, 2017, Plaintiff received a letter from FLAGSHIP stating that she had been
24 terminated from her employment with them without any explanation.

25 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

26 16. On October 2, 2017, Plaintiffs filed a complaint against DEFENDANTS with the California
27 Department of Fair Employment and Housing (hereinafter “DFEH”) and the DFEH issued a Notice of
28 Right to Sue on the same date.

1
2 **FIRST CAUSE OF ACTION**

3 **(DISCHARGE AND DISCRIMINATION IN COMPENSATION AND**
4 **THE TERMS, CONDITIONS AND PRIVILEGES OF EMPLOYMENT**
5 **BECAUSE OF PREGNANCY- GOVERNMENT CODE**
6 **§ 12940(a) & 12926(p)- AGAINST CORPORATE DEFENDANTS**

7 17. Plaintiff realleges and incorporates by reference, each and every allegation in paragraphs 1-15.

8 18. DEFENDANTS, as plaintiff's employer, discriminated against plaintiff in the terms, conditions
9 and privileges of employment and wrongfully terminated her because of her pregnancy in violation of
10 Government Code §§ 12940(a) and 12926(p).

11 19. As a direct, proximate and foreseeable result of DEFENDANTS' acts and failures to act as
12 alleged herein, plaintiff has suffered and continues to suffer substantial losses in earnings and
13 employment benefits, injury to her career and reputation and extreme and enduring emotional distress
14 including but not limited to humiliation, shock, embarrassment, fear, anxiety and discomfort, all to her
15 damage in an amount to be determined according to proof at trial.

16 20. DEFENDANTS committed the acts herein alleged despicably, maliciously, fraudulently, and
17 oppressively, with the wrongful intention of injuring plaintiff, and acted with an improper and evil
18 motive amounting to malice and in conscious disregard of plaintiff's rights. Because the acts taken
19 toward plaintiff were carried out by managerial employees acting in a deliberate, cold, callous,
20 despicable, and intentional manner in order to injure and damage plaintiff, she is entitled to punitive
21 damages from DEFENDANTS in an amount according to proof.

22 **SECOND CAUSE OF ACTION**

23 **RACE DISCRIMINATION - CALIFORNIA CONSTITUTION, ARTICLE I, §8 and**
24 **GOVERNMENT CODE §§ 12940, et seq.**

25 21. Plaintiff realleges and incorporates by reference, each and every allegation in paragraphs 1-19.

26 22. DEFENDANTS as Plaintiff's employers, discriminated against Plaintiff in the terms, conditions
27 and privileges of employment, on account of her race and national origin in violation of the California
28 Constitution, Article I, §8 and Government Code § 12940(a).

23. As a direct, proximate and foreseeable result of DEFENDANTS acts and failures to act as

1 alleged herein, Plaintiff has suffered and continues to suffer substantial losses in earnings and
2 employment benefits, injury to her career and reputation and extreme and enduring emotional distress
3 including but not limited to humiliation, shock, embarrassment, fear, anxiety and discomfort, all to her
4 damage in an amount to be determined according to proof at trial.

5 24. DEFENDANTS committed the acts herein alleged despicably, maliciously, fraudulently, and
6 oppressively, with the wrongful intention of injuring Plaintiff, and acted with an improper and evil
7 motive amounting to malice and in conscious disregard of Plaintiff's rights. Because the acts taken
8 toward Plaintiff were carried out by managerial employees acting in a deliberate, cold, callous,
9 despicable, and intentional manner in order to injure and damage Plaintiff, she is entitled to punitive
10 damages from DEFENDANTS in an amount according to proof.

11 **THIRD CAUSE OF ACTION**

12 **(FAILURE TO TAKE ALL REASONABLE STEPS NECESSARY TO PREVENT**
13 **DISCRIMINATION AND HARASSMENT FROM OCCURRING-**
14 **GOVERNMENT CODE §§ 12940(k)-AGAINST CORPORATE DEFENDANTS)**

15 25. Plaintiff realleges and incorporates by reference, each and every allegation in paragraphs 1-23.

16 26. DEFENDANTS failed to take all reasonable steps to prevent discrimination and harassment
17 against plaintiff from occurring, and to take immediate and appropriate corrective action to remedy the
18 harassment, in violation of California Fair Employment & Housing Act by engaging in conduct set forth
19 herein in violation of Government Code §12940(k).

20 27. DEFENDANTS committed the acts herein alleged despicably, maliciously, fraudulently, and
21 oppressively, with the wrongful intention of injuring plaintiff, and acted with an improper and evil
22 motive amounting to malice and in conscious disregard of plaintiff's rights. Because the acts taken
23 toward plaintiff were carried out by managerial employees acting in a deliberate, cold, callous,
24 despicable, and intentional manner in order to injure and damage plaintiff, she is entitled to punitive
25 damages from DEFENDANTS in an amount according to proof.

26 **FOURTH CAUSE OF ACTION**

27 **(WRONGFUL TERMINATION IN VIOLATION OF**
28 **PUBLIC POLICY – AGAINST CORPORATE DEFENDANTS)**

28 28. Plaintiff realleges and incorporates by reference against each defendant, each and every

1 allegation in paragraphs 1-26.

2 29. At all times relevant to this complaint, the Fair Employment and Housing Act ("FEHA") was
3 in full force and effect and binding upon defendants. FEHA and other applicable provisions of
4 California law, including but not limited to, Article I, Section 8 of the California Constitution, prohibit
5 employers from discriminating against employees on account of sex and age and disqualifying
6 employees from pursuing their chosen vocation on the basis of sex and age. Pregnancy discrimination is
7 a form of such sex discrimination.

8 30. As a direct, proximate and foreseeable result of defendants' acts and failures to act as alleged
9 herein, plaintiff has suffered and continues to suffer substantial losses in earnings and employment
10 benefits, injury to her career and reputation, extreme emotional distress including but not limited to
11 humiliation, shock, embarrassment, fear, anxiety and discomfort, all to her damage in an amount to be
12 determined according to proof.

13 31. DEFENDANTS committed the acts herein alleged despicably, maliciously, fraudulently, and
14 oppressively, with the wrongful intention of injuring plaintiff, and acted with an improper and evil
15 motive amounting to malice and in conscious disregard of plaintiff's rights. Because the acts taken
16 toward plaintiff were carried out by managerial employees acting in a deliberate, cold, callous,
17 despicable, and intentional manner in order to injure and damage plaintiff, she is entitled to punitive
18 damages from defendants in an amount according to proof.

19 **FIFTH CAUSE OF ACTION**

20 **(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS -**
21 **AGAINST ALL DEFENDANTS)**

22 32. Plaintiff realleges and incorporates by reference, each and every allegation in paragraphs 1-30.

23 33. DEFENDANTS' conduct as alleged herein was intentional, outrageous and malicious,
24 exceeding all bounds usually tolerated by a decent society, and was especially calculated to cause, and
25 did cause plaintiff to suffer severe and enduring emotional distress.

26 34. As a direct, proximate and foreseeable result of DEFENDANTS' acts and failures to act, as
27 alleged herein, plaintiff was injured in her strength, health and activities, sustaining shock and injury to
28 her nervous system, all of which have caused and continue to cause plaintiff extreme emotional distress

1 including but not limited to humiliation, embarrassment, fear, anxiety and discomfort, all to her damage
2 in an amount to be determined according to proof.

3 35. As a further direct, proximate and foreseeable result of DEFENDANTS' acts and failures to
4 act, as alleged herein, plaintiff has suffered and continues to suffer substantial losses in earnings and
5 employment benefits and injury to her career and reputations, in an amount to be determined according
6 to proof.

7 36. DEFENDANTS committed the acts herein alleged despicably, maliciously, fraudulently, and
8 oppressively, with the wrongful intention of injuring plaintiff, and acted with an improper and evil
9 motive amounting to malice in conscious disregard to plaintiff. Because the acts taken toward plaintiff
10 were carried out by managerial employees acting in a deliberate, cold, callous, despicable and
11 intentional manner, in order to injure and damage plaintiff, she is entitled to recover punitive damages
12 from DEFENDANTS, and each of them, in an amount according to proof.

13 **SIXTH CAUSE OF ACTION**

14 **(DISCHARGE AND DISCRIMINATION IN COMPENSATION AND**
15 **THE TERMS, CONDITIONS AND PRIVILEGES OF EMPLOYMENT**
16 **BECAUSE OF DISABILITY – GOVERNMENT CODE § 12940(a) –**
17 **AGAINST CORPORATE DEFENDANTS)**

18 37. Plaintiff realleges and incorporates by reference, each and every allegation in paragraphs 1-35.

19 38. Plaintiff has a physical disability within the meaning of Government Code § 12926(k).

20 39. DEFENDANTS, as Plaintiff's employer, discriminated against Plaintiff in the terms, conditions
21 and privileges of employment, and wrongfully terminated her because of her pregnancy in violation of
22 Government Code § 12940(a).

23 40. As a direct, proximate and foreseeable result of DEFENDANTS' acts and failures to act as
24 alleged herein, Plaintiff has suffered and continues to suffer substantial losses in earnings and
25 employment benefits, injury to her career and reputation, and extreme and enduring emotional distress
26 including but not limited to humiliation, shock, embarrassment, fear, anxiety and discomfort, all to his
27 damage in an amount to be determined according to proof at trial.

28 41. DEFENDANTS committed the acts herein alleged despicably, maliciously, fraudulently, and
oppressively, with the wrongful intention of injuring Plaintiff, and acted with an improper and evil

1 motive amounting to malice and in conscious disregard of Plaintiff's rights. Because the acts taken
2 toward Plaintiff were carried out by managerial employees acting in a deliberate, cold, callous,
3 despicable, and intentional manner in order to injure and damage Plaintiff, she is entitled to punitive
4 damages from DEFENDANTS in an amount according to proof.

5 **SEVENTH CAUSE OF ACTION**

6 **(UNLAWFUL DENIAL OF REASONABLE ACCOMMODATION FOR DISABILITY –**
7 **GOVERNMENT CODE § 12940(m) and § 12940(n) –**
8 **AGAINST CORPORATE DEFENDANTS)**

9 42. Plaintiff realleges and incorporates by reference, each and every allegation in paragraphs 1-40.

10 43. DEFENDANTS failed to engage in a timely, good faith interactive process with Plaintiff to
11 determine reasonable accommodation for Plaintiff's disability in response to Plaintiff's request for
12 accommodation, in violation of Government Code § 12940(n).

13 44. As a direct, proximate and foreseeable result of DEFENDANTS' acts and failures to act as
14 alleged herein, Plaintiff has suffered and continues to suffer substantial losses in earnings and
15 employment benefits, injury to her career and reputation, and extreme and enduring emotional distress
16 including but not limited to humiliation, shock, embarrassment, fear, anxiety and discomfort, all to her
17 damage in an amount to be determined according to proof at trial.

18 45. DEFENDANTS committed the acts herein alleged despicably, maliciously, fraudulently, and
19 oppressively, with the wrongful intention of injuring Plaintiff, and acted with an improper and evil
20 motive amounting to malice and in conscious disregard of Plaintiff's rights. Because the acts taken
21 toward Plaintiff were carried out by managerial employees acting in a deliberate, cold, callous,
22 despicable, and intentional manner in order to injure and damage Plaintiff, she is entitled to punitive
23 damages from DEFENDANTS in an amount according to proof.

24
25 Dated: October 24, 2017

Ladva Law Firm

26 By: 

27 Ashwin Ladva, Esq.
28 Christopher P. Chang, Esq.
Attorneys for Plaintiff

1 **PRAYERS FOR RELIEF**

2 WHEREFORE, Plaintiff prays for judgment against DEFENDANTS, and each of them,
3 as follows:

- 4 a.) For compensatory damages, including but not limited to damages for lost wages and
5 employment benefits, both past and future, emotional distress and other special and
6 general damages.
7
8 b.) For punitive damages against DEFENDANTS in an amount according to proof;
9
10 c.) For waiting time penalties;
11
12 d.) For costs and reasonable attorneys' fees pursuant to the California Fair
Employment and Housing Act, and other applicable statutes, and
13 e.) For such further relief that the Court deems just and proper.

14 **JURY TRIAL DEMANDED**

15 Plaintiff hereby demands a jury trial as to all issues, causes of action, and damages related to the
16 above-referenced allegations.

17
18
19 Dated: October 24, 2017

Ladva Law Firm

20
21 By: 

22 Ashwin Ladva, Esq.
23 Christopher P. Chang, Esq.
24 Attorneys for Plaintiff
25
26
27
28

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Ashwin Ladva, SB# 206140
LADVA LAW FIRM
530 Jackson Street, 2nd Floor
San Francisco, CA 94133
TELEPHONE NO.: (415) 296-8844 FAX NO.: (415) 296-8847
ATTORNEY FOR (Name): Plaintiff: La Jeana Thompson

FOR COURT USE ONLY
FILED
Superior Court of California
County of San Francisco
NOV 08 2017
CLERK OF THE COURT
BY: *[Signature]*
BOWMAN LIU Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
STREET ADDRESS: 400 McAllister Street
MAILING ADDRESS:
CITY AND ZIP CODE: San Francisco, CA 94102
BRANCH NAME:

CASE NAME:
Thompson v. Flagship Enterprises Holding, Inc., et al.

CIVIL CASE COVER SHEET
 Unlimited (Amount demanded exceeds \$25,000)
 Limited (Amount demanded is \$25,000 or less)

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

CASE NUMBER:
CGC-17-562355
JUDGE:
DEPT:

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

1. Check one box below for the case type that best describes this case:
- | | | |
|---|--|--|
| Auto Tort
<input type="checkbox"/> Auto (22)
<input type="checkbox"/> Uninsured motorist (46)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
<input type="checkbox"/> Asbestos (04)
<input type="checkbox"/> Product liability (24)
<input type="checkbox"/> Medical malpractice (45)
<input type="checkbox"/> Other PI/PD/WD (23)
Non-PI/PD/WD (Other) Tort
<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)
Employment
<input checked="" type="checkbox"/> Wrongful termination (36)
<input type="checkbox"/> Other employment (15) | Contract
<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)
Real Property
<input type="checkbox"/> Eminent domain/Inverse condemnation (14)
<input type="checkbox"/> Wrongful eviction (33)
<input type="checkbox"/> Other real property (26)
Unlawful Detainer
<input type="checkbox"/> Commercial (31)
<input type="checkbox"/> Residential (32)
<input type="checkbox"/> Drugs (38)
Judicial Review
<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) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
<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)
Enforcement of Judgment
<input type="checkbox"/> Enforcement of judgment (20)
Miscellaneous Civil Complaint
<input type="checkbox"/> RICO (27)
<input type="checkbox"/> Other complaint (not specified above) (42)
Miscellaneous Civil Petition
<input type="checkbox"/> Partnership and corporate governance (21)
<input type="checkbox"/> Other petition (not specified above) (43) |
|---|--|--|

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): 7
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: 11/7/2017
Ashwin Ladva
(TYPE OR PRINT NAME)

[Signature]
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

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