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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

MAR 07 2013

John A. Clarke, Executive Officer/Clerk
BY Cristina Grijalva Deputy
Cristina Grijalva

8 Attorneys for Plaintiffs Jalal Afshar and
9 Maryam Afshar

10 *D45 Mel Pecana*
11 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

12 FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

13 **BC502511**

14 JALAL AFSHAR, an individual; MARYAM
15 AFSHAR, an individual,

Case No.: _____

16 Plaintiffs,

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

17 vs.

18 KAISER FOUNDATION HEALTH PLAN,
19 INC.; SOUTHERN CALIFORNIA
20 PERMANENTE MEDICAL GROUP; and
21 DOES 1 through 100, inclusive,

1. Breach of the Duty of Good Faith and Fair Dealing;
2. Breach of Contract;
3. Business & Professions Code section 17200;
4. Intentional Infliction of Emotional Distress
5. Negligent Infliction of Emotional Distress

22 Defendants.

CITY/CASE: BC502511
LEA/DEF#: _____
RECEIPT #: CCH1957070
DATE PAID: 03/07/13 05:50 PM
PAYMENT: \$435.00
RECEIVED: 310
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

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27 Plaintiffs allege based on their own knowledge with respect to their own acts and
28 information and belief with respect to all other matters:

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GENERAL ALLEGATIONS

1.

INTRODUCTION

1. Plaintiff Jalal Afshar (“Afshar”) suffers from Castleman’s disease, an extremely rare condition that causes, among other things, anemia and overgrowth of the lymph nodes. Afshar is covered under a policy of insurance issued by Kaiser Foundation Health Plan (“Kaiser”), and was being treated by a Kaiser oncologist for his Castleman’s disease. In approximately January 2012, Afshar developed a growth in his abdomen that caused him discomfort. Although he had been somewhat stable prior to that time, incremental changes in his body began to take a toll on Afshar’s overall health and ability to function normally. Afshar sought out the advice and help of his Kaiser oncologist, who told him “I don’t know what to do with you,” and said that she had “run out of ideas and options” for his treatment. Afshar was not content to give up on his treatment, so, with no assistance from Kaiser, he researched doctors with experience in treating Castleman’s disease and found Dr. Frits van Rhee. Dr. van Rhee is an expert in Castleman’s disease with over 20 years of treating patients with the disease at the University of Arkansas in Little Rock, Arkansas. Dr. van Rhee evaluated Afshar, and Afshar began chemotherapy for his condition in April 2012 under Dr. van Rhee’s care. However, Kaiser **denied** Afshar’s treatments with Dr. van Rhee—even though Afshar’s Kaiser oncologist had told Afshar that she did not know how to treat him. Afshar returned to Los Angeles from Little Rock on May 17, 2012 to recover from his first round of chemotherapy, but developed a severe calcium deficiency and had to be admitted to a Kaiser hospital. After three weeks in and out of the hospital, Afshar’s Kaiser doctors once again told Afshar there was nothing more they could do for him. They offered him palliative care and morphine to relieve his pain: Kaiser was sending Afshar home to die. But Afshar refused to accept Kaiser’s death sentence. He informed his Kaiser doctors that he wanted to return to Dr. van Rhee’s care. Afshar went back to Little Rock and has been back under Dr. van Rhee’s care since June 17, 2012. Kaiser has denied, and continues to deny Afshar’s life-saving treatments with Dr. van Rhee.

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FACTUAL BACKGROUND

8. At all relevant times, Afshar was covered under a Kaiser Permanente conversion plan, Medical Record No. 00-17223374, which he purchased directly from KFHP. The material terms of the plan provide that KFHP will pay for all medically necessary treatment provided, prescribed or authorized by Plaintiff's physicians.

9. Afshar has multicentric Castleman's disease, as well as POEMS syndrome. According the National Institutes of Health, Castleman's disease is a lymphoproliferative disorder affecting the lymph nodes and related tissues. Multicentric Castleman's disease affects more than a single group of lymph nodes, and can affect other organs containing lymphoid tissue. People with multicentric Castleman's disease often have serious infections, fevers, weight loss, fatigue, night sweats, anemia and nerve damage that can cause weakness and numbness in their limbs. This disease may weaken the immune system, making it very hard to fight infection—in fact, infections in people with multicentric Castleman's disease can be fatal. Multicentric Castleman's disease is typically treated with surgery, chemotherapy or radiation therapy, but the disease is so rare that there is not a standardized treatment for it that works in every case. When multicentric Castleman's disease fails or stops responding to the more common treatments, doctors may recommend high-dose chemotherapy followed by a stem cell transplant. This procedure is complex, serious and typically expensive. POEMS syndrome is an extremely rare multisystem disorder that is frequently co-existent with Castleman's disease. This syndrome is defined by the five many features of the disease—polyneuropathy, organomegaly, endocrinoapathy, monoclonal gammopathy and skin changes.

10. Afshar was diagnosed with Castleman's disease in 2005 at 50 years of age. After Afshar was diagnosed with Castleman's disease, he was placed under the care of Dr. Iman Abdalla, an oncologist at Kaiser Permanente in Los Angeles. Afshar was the **first** patient with Castleman's disease his doctors at Kaiser had ever encountered, and they had no experience in treating the disease. His Kaiser doctors attempted to treat him, but his treatment regimen did not

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1 halt the progression of his Castleman's disease or the dangerous overgrowth of his lymph nodes.
2 Afshar was forced to stop working in 2009 due to the side effects of his extreme anemia.

3 11. By January 2012, Afshar's ability to function normally had been even more
4 seriously compromised: he had significant difficulty breathing, edema in his limbs and stomach,
5 and uncomfortable sensations in his legs that led to constant insomnia. He had also developed
6 what felt like a growth in his abdomen, and his breathing difficulties increased as his stomach
7 grew. Afshar sought the help of Dr. Abdalla, his Kaiser oncologist. The oncologist chalked up
8 the growth Afshar felt in his abdomen to "middle-age fat" and a "sedentary lifestyle." When
9 Afshar sought additional treatment for his unbearable condition on or about February 6, 2012, Dr.
10 Abdalla told Afshar that she had run out of ideas and options for further treatment for him, and
11 told him, "I don't know what to do with you."

12 12. Despite Kaiser's inability to treat him, Afshar was determined to find an effective
13 treatment for his conditions. He began researching Castleman's disease and found Dr. Frits van
14 Rhee ("Dr. van Rhee") at the University of Arkansas for Medical Sciences in Little Rock,
15 Arkansas. Dr. van Rhee is the preeminent national expert in treating Castleman's disease and has
16 over 20 years of experiencing treating the disease. Afshar obtained a referral from Dr. Abdalla to
17 see Dr. van Rhee, and in March 2012 he traveled to Little Rock, Arkansas for testing and
18 evaluation.

19 13. Afshar underwent five days of extensive testing and exams with Dr. van Rhee to
20 assess his condition and progression of the disease. Dr. van Rhee found that Afshar's distended
21 abdomen was not due to middle-aged fat or his sedentary lifestyle, but was actually ascites
22 (edema of the abdomen) due to excessive water retention in the tissues.

23 14. Dr. van Rhee prescribed a course of chemotherapy to shrink Afshar's lymph
24 nodes and to have his stem cells collected for a future stem cell transplant. Afshar returned to
25 Little Rock to begin treatment on April 28, 2012. However, on April 27, 2012 the insurance
26 liaison at University of Arkansas Medical Sciences informed Afshar that Kaiser had denied
27 coverage for the treatment because Afshar could receive the same treatment in Los Angeles.
28 Afshar appealed this decision twice over the phone, once on April 27, 2012 and once on May 22,

1 2012 and proceeded with treatment under Dr. van Rhee's care given that Dr. Abdalla had already
2 admitted that she did not know how to treat him, and given that all of the past treatment Kaiser
3 had offered had been ineffective.

4 15. On May 11, 2012 Kaiser again denied Afshar's request for chemotherapy and a
5 stem cell transplant on the fraudulent grounds that those services were available within the Kaiser
6 network.

7 16. Afshar finished his first course of treatment with Dr. van Rhee and returned to Los
8 Angeles to recover on May 17, 2012. The chemotherapy had successfully softened some of the
9 lymph nodes in Afshar's neck, and he was scheduled to return in 10 days for a second round of
10 chemotherapy. However, during the intervening ten days, he was admitted to the emergency
11 room because his calcium levels were dangerously low. Afshar was in the hospital for three days
12 until his calcium was stabilized, but by that point his abdominal edema and breathing problems
13 had worsened.

14 17. Kaiser then referred Afshar internally to a Dr. Sahebi in the bone marrow
15 transplant department. On June 4, 2012, Afshar met with Dr. Sahebi and she told him that she
16 had consulted with Dr. van Rhee about having Afshar's treatment transferred to Kaiser, including
17 having his future stem cell transplant occur in a Kaiser facility. Afshar then underwent a 12-hour
18 course of chemotherapy under her direction (though it was not the same drug combination as
19 would have been administered by Dr. van Rhee).

20 18. Afshar was discharged on June 8, 2012 following the chemotherapy, but his legs
21 were significantly swollen and his breathing had become even more labored and difficult. On
22 June 10, 2012 he developed a fever and was re-admitted to the emergency room where he was
23 treated with antibiotics. His blood pressure dropped and he was transferred to the intensive care
24 unit.

25 19. On June 13, 2012 Dr. Brian Kurose, one of the doctor's on Afshar's medical team,
26 consulted privately with Afshar's wife, Maryam. He told her that Afshar's medical team had
27 come to the conclusion that Afshar's condition was "without hope" and that "there was nothing
28 else they could do." Dr. Kurose also told her that a stem cell transplant, which had been

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1 recommended by Dr. van Rhee, would not help his condition. The medical team would not
2 proceed with any further treatment other than palliative home care that would administer
3 morphine to make him more comfortable. Afshar’s doctors were sending him home to die.

4 20. On June 14, 2012 a hospital chaplain and a representative from the palliative care
5 services division visited with Afshar early in the day—before the doctors had even informed him
6 that they believed his case was hopeless. The chaplain and palliative care representative offered
7 him a packet of information and a “Do Not Resuscitate” authorization form.

8 21. A few hours later, Dr. Kurose returned to break the news to Afshar. Afshar
9 informed the doctor that since Kaiser admittedly had no capacity to treat him, that he would
10 choose to return to Dr. van Rhee to continue his treatment.

11 22. Afshar contacted Dr. van Rhee, and Dr. van Rhee advised him to return
12 immediately for treatment. Afshar arrived in Little Rock on June 19, 2012 and started treatment.

13 23. Kaiser initially paid some of Afshar’s bills for his treatments with Dr. van Rhee,
14 but then demanded a refund and refused to pay for Afshar’s treatment with Dr. van Rhee. As a
15 result Afshar has accumulated more than \$1,868,442 in medical bills. Kaiser denied Afshar’s
16 treatments with Dr. van Rhee again on August 1, 2012 on the grounds that Kaiser was not
17 contacted to obtain authorization prior to the provision of services.

18 24. Afshar’s treatment with Dr. van Rhee was medically necessary and Defendants’
19 denials of Plaintiff’s claims shocks the conscience. If Afshar had not returned to Dr. van Rhee’s
20 care, Afshar may not be alive today, and would not have received any further care or treatment—
21 save the palliative care and morphine Kaiser offered.

22 25. Plaintiff is informed and believes and thereon alleges that Kaiser is engaging in a
23 routine pattern and practice of refusing and denying authorization for life-saving treatments
24 determined by treating physicians to be medically necessary. Plaintiff is informed and believes
25 and thereon alleges that this pattern and practice is engaged in by Kaiser for the purpose of
26 reducing its own financial obligations at the sacrifice of the life and health of its members.

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1 4.

2 ERISA

3 26. This lawsuit is not subject to the Employee Retirement Income Security Act, 29
4 USC § 1002 *et seq.* ("ERISA"). The policy at issue was a conversion policy. Conversion
5 policies are not subject to ERISA preemption. *Waks v. Empire Blue Cross/Blue Shield*, 263 F.3d
6 872, 876 (9th Cir. 2001).

7 5.

8 FIRST CAUSE OF ACTION

9 **(Breach of the Duty of Good Faith and Fair Dealing)**

10 PLAINTIFF AFSHAR, FOR A FIRST CAUSE OF ACTION AGAINST
11 DEFENDANTS, AND EACH OF THEM, INCLUDING DOES 1 THROUGH 100, FOR
12 BREACH OF THE DUTY OF GOOD FAITH AND FAIR DEALING, ALLEGES:

13 27. Plaintiff refers to each and every paragraph of the General Allegations and
14 incorporates those paragraphs as though set forth in full in this cause of action.

15 28. Defendants, and each of them, including DOES 1 through 100, have breached their
16 duty of good faith and fair dealing owed to Plaintiff by unreasonably and in bad faith denying
17 medically necessary treatment including, but not limited to, chemotherapy, stem cell transplant
18 and the other treatment provided in Arkansas. In addition, defendants have violated their duty
19 under the Health & Safety Code § 1367 to provide ready referral of patients to other providers
20 consistent with good professional practice.

21 29. Plaintiff is informed and believes and thereon alleges that Defendants have
22 breached their duties of good faith and fair dealing owed to Plaintiff by other acts or omissions of
23 which Plaintiff is presently unaware and which will be shown according to proof at the time of
24 trial.

25 30. As a proximate result of the aforementioned unreasonable and bad faith conduct of
26 Defendants, Plaintiff has suffered, and will continue to suffer in the future, damages under the
27 Policy, plus interest, and other economic and consequential damages, for a total amount to be
28 shown at the time of trial.

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1 BREACH OF CONTRACT, ALLEGES:

2 35. Plaintiff refers to each and every paragraph of the General Allegations above and
3 incorporates those paragraphs as though set forth in full in this cause of action.

4 36. Defendants, and each of them, owed duties and obligations to Plaintiff under the
5 Policy including, without limitation, the duty to provide for and pay for medically necessary
6 treatment including, but not limited to, chemotherapy and a stem cell transplant. Defendants
7 engage in a pattern and practice of wrongfully denying such medically necessary care to
8 members.

9 37. Defendants, and each of them, breached terms and provisions of the Policy by
10 failing and refusing to pay benefits under the Policy as alleged.

11 38. As a direct and proximate result of Defendants' conduct and breach of its
12 contractual obligations, Plaintiff has suffered damages under the Policy in an amount to be
13 determined according to proof at the time of trial.

14 **THIRD CAUSE OF ACTION**

15 **(Violation of Business & Professions Code section 17200)**

16 PLAINTIFF AFSHAR, FOR A THIRD CAUSE OF ACTION AGAINST
17 DEFENDANTS AND EACH OF THEM, INCLUDING DOES 1 THROUGH 100, FOR
18 UNFAIR COMPETITION IN VIOLATION OF CALIFORNIA BUSINESS AND
19 PROFESSIONS CODE SECTION 17200, ALLEGES:

20 39. Plaintiff refers to each and every paragraph of the General Allegations and above
21 and incorporates those paragraphs as though set forth in full in this cause of action.

22 40. Plaintiff has suffered injury in fact and lost money and property as the result of
23 Defendants' conduct as alleged herein.

24 41. Defendants, and each of them, have committed acts of unfair competition as
25 defined by Business and Professions Code section 17200, et seq. ("UCL"), by:

- 26 a. In violation of California law, rendering medical decisions hindered by fiscal and
27 administrative management in violation of Health & Safety Code Section 1367(g).

28 42. Plaintiff and the general public have been damaged by Defendants' violations of

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1 the UCL.

2 43. There may be other unfair, unlawful, or fraudulent business practices engaged in
3 by Defendants of which Plaintiff is currently unaware. Plaintiff will seek leave to amend this
4 complaint when such other and further unfair, unlawful, or fraudulent business practices become
5 known. Plaintiff is a victim of these unfair business practices and has suffered an injury-in-fact
6 and has lost money or property as the result of these unfair business practices.

7 44. Plaintiff alleges that the unlawful business practices alleged above are continuing
8 in nature and are widespread practices engaged in by Defendants.

9 45. On behalf of himself and as a representative plaintiff under Business &
10 Professions Code section 17200, Plaintiff respectfully requests an injunction against Defendants,
11 and each of them, to enjoin them from continuing to engage in the unlawful, unfair, or fraudulent
12 conduct alleged herein.

13 46. On behalf of himself and as a representative plaintiff under Business &
14 Professions Code section 17200, Plaintiff respectfully requests that this Court order restitutionary
15 relief or such other equitable relief as necessary and permitted under Business & Professions
16 Code section 17203.

17 **FOURTH CAUSE OF ACTION**

18 **(Intentional Infliction of Emotional Distress)**

19 PLAINTIFFS, INDIVIDUALLY, FOR A FOURTH CAUSE OF ACTION AGAINST
20 DEFENDANTS AND EACH OF THEM, INCLUDING DOES 1 THROUGH 100, FOR
21 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, ALLEGE:

22 47. Plaintiffs incorporate by reference each and every allegation of the Complaint as
23 though set forth in this cause of action.

24 48. In so doing, Defendants pursued an outrageous course of conduct, intentionally or
25 recklessly, proximately causing Plaintiffs severe emotional distress, shock and other highly
26 unpleasant emotions.

27 49. As a direct and proximate result of the aforementioned conduct of Defendants,
28 Plaintiffs have been damaged in a sum in excess of the jurisdiction of this Court to be determined

1 according to proof at trial of this matter; said amount being the decreased coverages and the
2 amounts of unpaid claims, plus interest to date, and continuing hereinafter until paid.

3 50. As a further direct and proximate result of the aforementioned conduct of
4 Defendants and each of them, Plaintiffs have suffered and continue to suffer severe mental and
5 emotional distress, including, but not limited to, frustration, depression, nervousness, anxiety and
6 stress, and have thereby incurred general damages in a sum in excess of the jurisdiction of this
7 Court to be determined according to proof at time of trial.

8 51. As a further direct and proximate result of the aforementioned conduct of
9 Defendants, and each of them, Plaintiffs have suffered special damages in an amount according to
10 proof at the time of trial.

11 52. The conduct of Defendants as described hereinabove was despicable and fraudulent
12 and was further done willfully, oppressively, maliciously, and with conscious disregard of the
13 rights of Plaintiff, and with the intent to annoy, harass or injure plaintiff such that Plaintiff is
14 entitled to a recovery of exemplary damages.

15 **FIFTH CAUSE OF ACTION**

16 **(Negligent Infliction of Emotional Distress)**

17 PLAINTIFFS, INDIVIDUALLY, FOR A FIFTH CAUSE OF ACTION AGAINST
18 DEFENDANTS AND EACH OF THEM, INCLUDING DOES 1 THROUGH 100, FOR
19 NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS, ALLEGE:

20 53. Plaintiffs refer to each and every paragraph of the General Allegations and
21 incorporates those paragraphs as though set forth in full in this cause of action.

22 54. Kaiser knew, or in the exercise of reasonable diligence should have known, that
23 plaintiffs depended on Defendants and trusted Defendants to provide the health care benefits
24 promised under the health care plan. Kaiser knew, or in the exercise of reasonable diligence
25 should have known, that the unreasonable, improper and unfair denial of medically necessary
26 treatment, at a time when he was fighting a battle with Castleman's disease, would cause, and did
27 cause, severe emotional distress to plaintiff Afshar and to his wife, plaintiff Maryam Afshar.

28 55. Plaintiffs allege on information and belief that despite such knowledge,

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1 Defendants chose to ignore Plaintiffs' fragile and susceptible emotional states and unreasonably,
2 improperly and unfairly denied authorization for medically necessary chemotherapy and a stem
3 cell transplant as part of its pattern and corporate practice designed to save Kaiser money.

4 56. Defendants knew or in the exercise of reasonable diligence should have known
5 that as a proximate result of the aforementioned acts, Plaintiffs would and have suffered severe
6 emotional distress including mental anguish and emotional and physical distress and have been
7 injured in mind and body, all to their damage in an amount to be determined at trial.

8 57. As a proximate result of Defendants' conduct, Plaintiffs have suffered, and will
9 continue to suffer in the future, damages under the plan, plus interest, and other economic and
10 consequential damages, for a total amount to be shown at the time of trial.

11 58. As a further proximate result of the aforementioned wrongful conduct of
12 Defendants, Plaintiffs suffered severe emotional distress including mental anguish and emotional
13 and physical distress and have been injured in his mind and body, all to their damage in an
14 amount to be determined at trial.

15 59. Defendants' conduct described herein was intended by the Defendants to cause
16 injury to Plaintiffs or was outrageous and despicable conduct carried on by the Defendants with a
17 willful and conscious disregard of the rights of Plaintiff, subjected Plaintiffs to cruel and unjust
18 hardship in conscious disregard of Plaintiff's rights, and was an intentional misrepresentation,
19 deceit, or concealment of a material fact known to the Defendants with the intention to deprive
20 Plaintiff of property, legal rights or to otherwise cause injury, such as to constitute malice,
21 oppression or fraud under California Civil Code section 3294, thereby entitling Plaintiff to
22 punitive damages in an amount appropriate to punish or set an example of Defendants.

23 60. Defendants' conduct described herein was undertaken by the corporate
24 Defendants' officers, managing agents, or employees identified herein as DOES 1 through 100,
25 inclusive, who were responsible for claims handling and/or decisions. The aforementioned
26 conduct of said managing agents and individuals was therefore undertaken on behalf of the
27 corporate Defendants. Said corporate Defendants further had advance knowledge of the actions
28 and conduct of said individuals whose actions and conduct were ratified, authorized, and
approved by managing agents whose precise identities are unknown to plaintiff at this time and

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1 are therefore identified and designated herein as DOES 1 through 100, inclusive.

2
3 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as
4 follows:

5 AS TO THE FIRST CAUSE OF ACTION AGAINST EACH DEFENDANT,
6 INCLUDING DOES 1 THROUGH 100, FOR BREACH OF THE DUTY OF GOOD FAITH
7 AND FAIR DEALING:

8
9 1. Damages for failure to provide benefits under the Policy, plus interest, including
10 prejudgment interest, and other economic and consequential damages, in a sum to be determined
11 at the time of trial;

12 2. General damages for mental and emotional distress in a sum to be determined at the
13 time of trial;

14 3. Punitive and exemplary damages in an amount appropriate to punish or set an example
15 of Defendants;

16 4. For attorneys' fees and litigation costs incurred by plaintiff to obtain Policy benefits in
17 an amount to be determined at trial;

18 5. For costs of suit incurred herein; and

19 6. For such other and proper relief as the Court deems just and proper.
20

21 AS TO THE SECOND CAUSE OF ACTION AGAINST DEFENDANTS, AND EACH
22 OF THEM, INCLUDING DOES 1 THROUGH 100, FOR BREACH OF CONTRACT:

23 1. Damages under the Policy in an amount to be determined according to proof at the
24 time of trial;

25 2. For costs of suit incurred herein; and

26 3. For such other and further relief as the Court deems just and proper.

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1 AS TO THE THIRD CAUSE OF ACTION AGAINST DEFENDANTS, AND EACH OF
2 THEM, INCLUDING DOES 1 THROUGH 100 FOR UNFAIR COMPETITION IN
3 VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 17200:

- 4 1. For permanent injunction against defendants, and each of them, restraining,
5 preventing and enjoining defendants from engaging in the illegal practices alleged;
- 6 2. For an order for restitutionary or other equitable relief as permitted under Business &
7 Professions Code section 17203;
- 8 3. Attorneys' fees incurred necessary to obtain the relief pursuant to CCP §1021.5;
- 9 4. For costs of suit incurred herein; and
- 10 5. For such other and further relief as the Court deems just and proper.

11
12 AS TO THE FOURTH CAUSE OF ACTION AGAINST DEFENDANTS, AND EACH
13 OF THEM, INCLUDING DOES 1 THROUGH 100 FOR INTENTIONAL INFLICTION OF
14 EMOTIONAL DISTRESS:

- 15 1. Damages arising out of defendants' failure to provide benefits under the plan, plus
16 interest, including prejudgment interest, and other economic and consequential
17 damages, including prejudgment interest, and other economic and consequential
18 damages, including special damages and general damages, in a sum to be determined
19 at the time of trial;
- 20 2. General damages for mental and emotional distress in a sum to be determined at the
21 time of trial;
- 22 3. For punitive and exemplary damages in an amount to be determined at the time of
23 trial;
- 24 4. For costs of suit incurred herein; and
- 25 5. For such other and further relief as the court may deem just and proper.

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1 AS TO THE FIFTH CAUSE OF ACTION AGAINST DEFENDANTS, AND EACH OF
2 THEM, INCLUDING DOES 1 THROUGH 100 FOR NEGLIGENT INFLICTION OF
3 EMOTIONAL DISTRESS:

- 4 1. Damages arising out of defendants' failure to provide benefits under the plan, plus
5 interest, including prejudgment interest, and other economic and consequential
6 damages, including special damages and general damages, in a sum to be determined
7 at the time of trial;
- 8 2. General damages for mental and emotional distress in a sum to be determined at the
9 time of trial;
- 10 3. For punitive and exemplary damages in an amount to be determined at the time of
11 trial;
- 12 4. For costs of suit incurred herein; and
- 13 5. For such other and further relief as the court may deem just and proper.

14 Dated: March 7, 2013

LAW OFFICES OF SCOTT C. GLOVSKY, APC

15
16
17 By: 

SCOTT C. GLOVSKY
Attorney for Plaintiff

03/07/2013


DEMAND FOR JURY TRIAL

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Plaintiffs hereby demand a trial by jury.

Dated: March 7, 2013

LAW OFFICES OF SCOTT C. GLOVSKY, APC

By: 
SCOTT C. GLOVSKY
Attorney for Plaintiff

03/07/2013

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
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FOR COURT USE ONLY

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

MAR 07 2013

John A. Clarke, Executive Officer/Clerk
BY Cristina Grjalva Deputy
Cristina Grjalva

ATTORNEY FOR (Name): Plaintiffs

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

CASE NAME: Afshar v. Kaiser Foundation Health Plan, 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: **BC 502511**
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)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input checked="" type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	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)
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)	Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20)
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)	Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38)	Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	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)	Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

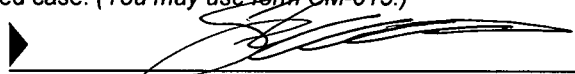
2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
a. Large number of separately represented parties d. Large number of witnesses
b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. Substantial amount of documentary evidence f. Substantial postjudgment judicial supervision

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

4. Number of causes of action (specify): 5 (five)

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: March 7, 2013
Scott C. Glovsky, SBN 170477
(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.

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

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

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

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

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

- Asbestos (04)
 - Asbestos Property Damage
 - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
 - Medical Malpractice—Physicians & Surgeons
 - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress
- Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
 - Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
- Collection Case—Seller Plaintiff
- Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
 - Auto Subrogation
 - Other Coverage
- Other Contract (37)
 - Contractual Fraud
 - Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
 - Writ of Possession of Real Property
 - Mortgage Foreclosure
 - Quiet Title
 - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
 - Writ—Administrative Mandamus
 - Writ—Mandamus on Limited Court Case Matter
 - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
 - Review of Health Officer Order
 - Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
 - Abstract of Judgment (Out of County)
 - Confession of Judgment (*non-domestic relations*)
 - Sister State Judgment
 - Administrative Agency Award (*not unpaid taxes*)
 - Petition/Certification of Entry of Judgment on Unpaid Taxes
 - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
- Declaratory Relief Only
- Injunctive Relief Only (*non-harassment*)
- Mechanics Lien
- Other Commercial Complaint Case (*non-tort/non-complex*)
- Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
 - Civil Harassment
 - Workplace Violence
 - Elder/Dependent Adult Abuse
 - Election Contest
 - Petition for Name Change
 - Petition for Relief from Late Claim
 - Other Civil Petition

SHORT TITLE: Afshar v. Kaiser Foundation Health Plan, Inc., et al.

CASE NUMBER

BC502511

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

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 5-7 HOURS/ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
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.

Auto Tort

Other Personal Injury/ Property Damage/ Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
	<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
	<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE: Afshar v. Kaiser Foundation Health Plan, Inc., et al.

CASE NUMBER

Non-Personal Injury/Property Damage/Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2., 5.
	<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input checked="" type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2., 6.
	<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: Afshar v. Kaiser Foundation Health Plan, Inc., 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
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

SHORT TITLE: Afshar v. Kaiser Foundation Health Plan, Inc., et al.

CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., **Step 3** on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input checked="" type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.	ADDRESS: 517 S. Orange Grove Blvd., Apt. 110		
	<table border="1"><tr><td>CITY: Pasadena</td><td>STATE: CA</td><td>ZIP CODE: 91105</td></tr></table>	CITY: Pasadena	STATE: CA
CITY: Pasadena	STATE: CA	ZIP CODE: 91105	

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

Dated: March 7, 2013


(SIGNATURE OF ATTORNEY/FILING PARTY)
Scott C. Glovsky

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

03/07/2013