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FINOCCHI, TRAVIS FINOCCHI, ANGELA FINOCCHI, DANIEL P. FINOCCHI

9 Superior Court of the State of California
10 County of Orange

11 ROSE MARY GEORGE-ANN FINOCCHI;
JOSHUA JOSEPH CONLEY; RHEA JOY
12 FINOCCHI; NATHAN ROSS FINOCCHI;
ZACHARY RUCKER; NYNA FINOCCHI
13 SPROUSE; DANIEL PAUL FINOCCHI;
CURTIS JOHN MICHAEL FINOCCHI;
14 LISA ROBIN FINOCCHI; TRAVIS
FINOCCHI; and ANGELA FINOCCHI
15
16 Plaintiffs,
vs.
17 ORANGE COUNTY GLOBAL MEDICAL
CENTER, INC.; JOHN W. CHEN,
18 M.D.; M.M. SHAH, M.D.;
CHRISTOPHER T. LANE, M.D.;
19 ELITE NEUROLOGY OF ORANGE
COUNTY, INC. AND DOES 1 THROUGH
20 50, INCLUSIVE
21 Defendants.

Case: 30-2020-01164696-CU-MM-CJC

Judge: Martha K. Gooding

Complaint Filed:

Trial Date Set: 01/03/2023

**PLAINTIFFS' THIRD AMENDED
COMPLAINT FOR:**

**1) Medical Negligence [Wrongful
Death]**

**2) Intentional Infliction of
Emotional Distress**

**3) Fraudulent Deceit and
Concealment**

JURY TRIAL DEMANDED

23 COME NOW Plaintiffs, ROSE MARY GEORGE-ANN FINOCCHI; JOSHUA
24 JOSEPH CONLEY ("Joshua"); DANIEL PAUL FINOCCHI, In Pro Per; TRAVIS
25 FINOCCHI; and ANGELA FINOCCHI (collectively "Plaintiffs") and
26 allege the following against ORANGE COUNTY GLOBAL MEDICAL CENTER,
27 INC. ("OCGMC"), a California corporation; ELITE NEUROLOGY OF ORANGE
28 COUNTY, INC., a California corporation; JOHN W. CHEN, M.D., an

1 individual; M. M. SHAH, M.D., an individual; CHRISTOPHER T. LANE,
2 M.D. an individual; and DOES 1 through 50, Inclusive, (collectively
3 "Defendants"). Prior plaintiffs, LISA ROBIN FINOCCHI, NYNA
4 FINOCCHI SPROUSE, CURTIS JOHN MICHAEL FINOCCHI, ZACHARY RUCKER,
5 NATHAN ROSS FINOCCHI and RHEA JOY FINOCCHI, are relatives of the
6 Decedent, and were initially Plaintiffs in this case who have filed
7 dismissals prior to the filing and service of this Third Amended
8 Complaint by leave of Court granted upon the Court's sustaining of
9 Defendant's Demurrer to Plaintiff's Second Amended Complaint. All
10 or some of these Plaintiffs may be subject to later motions to set
11 aside those dismissals as not having been authorized by said
12 Plaintiffs under Code of Civil Procedure §473c.

13 **THE PARTIES**

14 1. Plaintiff, ROSE MARY GEORGE-ANN FINOCCHI [hereinafter
15 "Rose"] is an individual residing within the City of Long Beach,
16 County of Los Angeles, in the State of California. Plaintiff Rose
17 is the Decedent, PETER FINOCCHI's [hereinafter "Decedent" or
18 "Peter"] sister and was appointed Legal Guardian for Peter when he
19 was 14 years of age (as well as for three other siblings) in 1972
20 by Orange County Family Court.

21 2. Plaintiff, JOSHUA JOSEPH CONLEY [hereinafter "Joshua"] is
22 an individual residing within the State of Texas. Plaintiff Joshua
23 is the Decedent's son.

24 3. Plaintiff, DANIEL PAUL FINOCCHI [hereinafter "Daniel"] is
25 an individual residing within the State of California. Plaintiff
26 Daniel is the Decedent's brother.

27 4. Plaintiff, TRAVIS FINOCCHI [hereinafter "Travis"] is an
28 individual residing within the State of California. Plaintiff

1 Travis is the Decedent's nephew.

2 5. Plaintiff, ANGELA FINOCCHI [hereinafter "Angela"] is
3 an individual residing within the State of California. Plaintiff
4 Angela is the Decedent's niece by marriage.

5 6. Plaintiffs are informed and believe, and based thereon
6 allege, that Defendants ORANGE COUNTY GLOBAL MEDICAL CENTER, INC.
7 [hereinafter "Orange County Medical Center"] is, and at all times
8 relevant herein, a corporation or other form of business entity
9 organized under the laws of the State of California and doing
10 business in the County of Orange, State of California with a
11 principal place of business at: 1001 Tustin Ave., Santa Ana, CA
12 92705. Plaintiffs are informed and believe, and based thereon
13 allege, that Orange County Global, Inc. is an acute care hospital
14 and medical center where the decedent, Peter Finocchi, was
15 originally transported to via ambulance (paramedics) for critical
16 emergency care and was then admitted as an in-patient on or about
17 June 28, 2019 until his death on July 11, 2019.

18 7. Plaintiffs are informed and believe and thereon allege
19 that SUMANTA CHAUDHURI, M.D. [hereinafter "Dr. Chaudhuri"] is an
20 individual residing and working within the County of Orange,
21 State of California. Plaintiffs are informed and believe and
22 allege thereon that Dr. Chaudhuri is and at all times relevant
23 herein was, practicing as a chief medical officer or other
24 officer, supervisor, director or part owner of ORANGE COUNTY
25 GLOBAL MEDICAL CENTER in the State of California.

26 8. Plaintiffs are informed and believe and thereon allege
27 that Defendant JOHN W. CHEN, M.D. [hereinafter "Dr. Chen"] is an
28 individual residing and working within the County of Orange,

1 State of California. Plaintiffs are informed and believe and
2 allege thereon that Defendant Dr. Chen is and at all times
3 relevant herein was, practicing as a licensed physician in the
4 field of neurology in the State of California as a consulting
5 and/or treating physician affiliated with defendant, Orange
6 County Global Medical Center and DOES 25 through 50 and providing
7 medical care and treatment to Peter at the request of Orange
8 County Global Medical Center and DOES 25 through 50 as an
9 emergency/critical care patient.

10 9. Plaintiffs are informed and believe and thereon allege
11 that Defendant M. M. SHAH, M.D. [hereinafter "Dr. Shah"] is an
12 individual residing and working within the County of Orange,
13 State of California. Plaintiffs are informed and believe and
14 allege thereon that Defendant Dr. Shah is and at all times
15 relevant herein was, practicing as a licensed physician and
16 surgeon in the field of neurology in the State of California as a
17 consulting and/or treating physician affiliated with Defendant,
18 Orange County Global Medical Center and DOES 25 through 50 and
19 providing medical care and treatment to Peter at the request of
20 Orange County Global Medical Center and DOES 25 through 50 as an
21 emergency/critical care patient.

22 10. Plaintiffs are informed and believe and thereon allege
23 that Defendant CHRISTOPHER T. LANE, M.D. [hereinafter "Dr. Lane"]
24 is an individual residing and working within the County of
25 Orange, State of California. Plaintiffs are informed and believe
26 and allege thereon that Defendant Dr. Lane is and at all times
27 relevant herein was, practicing as a licensed physician and
28 surgeon in the field of general surgery in the State of

1 California as a consulting and/or treating physician affiliated
2 with Defendant, Orange County Global Medical Center and DOES 25
3 through 50 and providing medical care and treatment to Peter at
4 the request of Orange County Global Medical Center and DOES 25
5 through 50 as an emergency/critical care patient.

6 11. Plaintiffs are informed and believe and thereon allege
7 that Defendant ELITE NEUROLOGY OF ORANGE COUNTY, INC.
8 [hereinafter "Elite, Inc."] is, and at all times relevant herein,
9 a corporation or other business entity organized under the laws
10 of the State of California and doing business in the County of
11 Orange, State of California with a principal place of business
12 at: 2617 E. Chapman Avenue, Suite 101, Orange, CA 92869.

13 Plaintiffs are informed and believe, and based thereon allege,
14 that Elite, Inc. is a medical group specializing in neurology
15 which was founded, owned and/or operated by defendant, JOHN W.
16 CHEN, M.D..

17 12. Plaintiffs are ignorant of the true names and
18 capacities of the defendants sued herein as DOES 1 through 25,
19 inclusive, and DOES 25 through 50, inclusive, and therefore sues
20 Defendants by such fictitious names. Plaintiffs are informed and
21 believe, and based thereon allege, that Defendants DOES 1 to 50
22 are in some manner liable to Plaintiffs for wrongful death
23 (medical negligence), intentional infliction of emotional
24 distress and/or deceit and concealment alleged herein and
25 therefore sue said defendants by such fictitious names.
26 Plaintiffs will amend this Complaint to allege the true names,
27 identities and capacities of DOES Defendants when the same have
28 been ascertained.

1 13. Plaintiffs are informed and believe and based thereon
2 allege that at all times relevant herein, Defendants, including
3 those named herein above and as DOES 1 through 25, were
4 principals, physicians, medical groups, laboratories,
5 corporations, professional partnerships/corporations or other
6 types of business entities, whom acted as the agents or principal
7 of each other and in doing the acts alleged herein, they acted
8 within the purpose, scope, course and parameters of that
9 agent/principal relationship and with the knowledge and/or
10 consent, either express or implied of the remaining Defendants
11 and that Plaintiffs' losses and damages, as herein alleged, were
12 proximately caused by and the result of the Defendant's
13 intentional and/or negligent, direct and/or indirect, actions
14 and/or other acts or omissions causing Peter's death and injury
15 to the Plaintiffs as herein alleged.

16 14. Plaintiffs are informed and believe and allege that at
17 all times relevant herein, Defendants, including those named
18 herein as DOES 25 through 50, inclusive, were owners, officers,
19 directors, managers, supervisors, employees and/or agents of
20 Defendants Orange County Global Inc., Elite Inc., Dr. Chen or Dr.
21 Lane and Does 1 to 25 in the capacity of doctors, health care
22 professionals, group medical specialists, medical technicians,
23 medical assistants or other types of professional healthcare
24 providers and were acting within the course and scope of their
25 medical capacity, agency, consultation, employment with the
26 permission, consent, and knowledge of Defendants Orange County
27 Global Inc., Elite Inc., Dr. Chen and/or Dr. Lane.

28 15. The Plaintiffs named hereinabove shall be referenced

1 throughout this complaint individually or where appropriate
2 collectively as "Plaintiffs."

3 //

4 **JURISDICTION AND VENUE**

5 16. Plaintiffs reallege and incorporate by reference each and
6 every allegation contained in all previous paragraphs as though
7 fully set forth herein.

8 17. This Court has jurisdiction over the causes of action
9 asserted herein pursuant to the California Constitution, Article VI
10 section 10, because this case is a cause not directed by statute to
11 other trial courts.

12 18. This Court has jurisdiction over each and every defendant
13 named herein because they conduct business in, reside and/or are
14 citizens of the County of Orange, State of California. 19 .

15 Venue is proper in this Court because defendants' wrongful
16 acts and Plaintiffs' injuries occurred within the County of Orange.
17 Therefore, venue is proper in the County of Orange pursuant to
18 California Code of Civil Procedure sections 395 and 395.5.

19 **ALLEGATIONS AS TO ALL CAUSES OF ACTION**

20 20. Plaintiffs reallege and incorporate by reference each and
21 every allegation contained in all previous paragraphs (1-19) as
22 though fully set forth herein.

23 21. On Friday, June 28, 2019, Decedent/Peter was hit by an
24 auto. He was transported by emergently to Orange County Global
25 Medical Center Emergency Room, still alive but in extremely
26 critical condition. In the Emergency Room medical records Peter
27 was listed as an "organ donor" and a representative for One Legacy,
28 the designated donor agency, was "assigned" to Peter's case.

1 22. On July 1, 2019, Rose was contacted for the first time
2 about Peter's condition. She was told he had been in an accident,
3 was in extremely critical condition and on a ventilator. She was
4 told to come to the hospital immediately. Rose was also told that
5 any immediate family members in the area should come to the
6 hospital. Rose contacted Daniel. Rose was the first Plaintiff to
7 arrive at Orange County Global Medical center and identified
8 herself to the ICU front desk personnel. Rose walked into Peter's
9 room and was shocked to see that Peter's head was visibly extremely
10 swollen. A hospital representative spoke to Rose and stated that,
11 "Your brother is dead and your brother is swollen because we are
12 hydrating his organs so that they stay viable until we can harvest
13 them." When Rose questioned the employee about why nothing had
14 been done to treat her brother and try to save his life over the
15 last four day. She was told that Peter could not be revived or
16 survive but was an appropriate organ donor.

17 23. Shortly thereafter, One Legacy communicated with Rose and
18 pressured Rose to sign a "Do Not Resuscitate" form (DNR). When she
19 refused and asked why they were pressuring her, they stated
20 "because if Peter were to code during the night, we would then have
21 to resuscitate him." Rose refused to sign the DNR. The
22 Representative from One Legacy told Rose that Peter was considered
23 a "Gold Star Donor" since he was allegedly irreversibly "brain
24 dead" but by keeping him on a life support ventilator, all of his
25 organs would remain viable for "harvesting" and transplantation.
26 At this point Rose asked One Legacy representatives not to bother
27 her, her brothers or Peter's children any more at this time about
28 signing a DNR.

1 24. Peter's brothers Daniel and Curtis John Michael Finocchi
2 arrived at the hospital on July 1, 2019, approximately one hour
3 after Rose arrived, as did long-time family friend, Pastor Tom
4 Phipps, and long-time family friend, Rochelle Small-Ware. Doctors
5 explained to all present that two doctors were needed to declare
6 Peter "brain dead." Dr. Shah represented that while Peter was not
7 completely lacking all brain activity as there was too much brain
8 activity to declare him irreversibly "brain dead"; "Peter's brain
9 activity is not sustainable and not survivable. The family was
10 told they would be doing additional tests on Peter in order to
11 prove that he was "brain dead" and then could legally move forward
12 with the organ harvesting by One Legacy. When asked why Peter was
13 not receiving any type of active treatment (since the family at
14 this time had visualized him moving spontaneously and still
15 exhibiting some brain activity), they were told by Dr. Shah, that,
16 "Peter was simply not categorized as someone who could possibly
17 survive and therefore he was not going to be given any treatment
18 beyond the most basic life support. And therefore would not be
19 providing him any type of surgery or other medical interventions to
20 relieve the pressure on his brain" or otherwise attempt to revive
21 or resuscitate him; instead only what was required to preserve his
22 organs for harvesting and transplantation.

23 25. Prior to Rose's arrival at the Hospital on July 1, 2019,
24 Dr. Shah had already declared Peter "brain dead", despite Peter's
25 brain activity, significant body movements and some breathing over
26 the ventilator. Peter's Hospital chart notes reflexes in both
27 Peter's legs and feet indicating brain activity, and the doctors'
28 plan was to "wait for Peter's reflexes to stop and then proceed

1 with the organ harvest." This harvesting was to occur on July 1,
2 2019, the day Rose and Peter's family first presented at OCGMC.

3 26. Rose called Peter's five children who lived resided
4 outside of California to begin arrangements to fly them to
5 California. However, Rose was also told by the attending nurses
6 that, "Peter's vital signs keep improving and they had never seen
7 anything like it or the way Peter was moving and nobody could
8 explain it." Rose again asked why no one was doing anything about
9 getting his brain to stop swelling and possibly prevent his death.
10 Again, she was told that, "because he is a donor, and the doctors
11 consider him 'brain dead.'" Rose was told that Dr. Shah had said
12 Peter was "brain dead" but that other doctors did not agree with
13 him.

14 27. On July 2, 2019, Peter's oldest son Joshua; niece Angela,
15 and Nephew Travis arrived at the hospital, were in Peter's
16 presence, and were apprised of the situation by Rose as related
17 above. Peter's son, Joshua, was designated by the family as their
18 "spokesman" relative to Peter's medical condition and further
19 treatment.

20 28. At one point, Rose lifted Peter's eyelids and saw gas
21 bubbles which she believed indicated brain swelling and pleaded for
22 intervention as she belived Peter was suffering. A radiologist
23 noted brain swelling and edema on Peter's brain and called it to
24 the doctors' attention, but nothing was done to alleviate any
25 possible pain or to treat that condition. The autopsy report later
26 showed an untreated hematoma at the front of Peter's brain. Dr.
27 Lane was extremely frustrated and agitated by family's request to
28 treat Peter given his continued visible muscle movement and brain

1 activity; exclaiming to Rose, Travis and Angela, "If we'd known
2 this guy was going to have seventeen people show up for him, we'd
3 sure as hell done things a lot differently!" Said plaintiffs were
4 shocked by this exclamation by Dr. Lane and what he meant by what
5 things would have been "done" a lot differently."

6 29. On July 4, 2019, the Hospital Administrator, Director of
7 Nurses, and some security guards came to the family and stated they
8 wanted to discuss some "miscommunications." Rose, Daniel, Michael,
9 Nathan and Joshua were taken into a conference room where the nurse
10 spoke and kept stating there were a lot of "miscommunications."
11 Rose stated in their presence that they had been told that, "as
12 long as we were here no later than 6:30 in the morning Joshua and
13 I would be able to witness the further tests regarding Peter's
14 alleged "brain death." The nurse stated that was a
15 miscommunication but Rose told her their previous words were very
16 clear. The nurse apologized for the miscommunication and she
17 stated that she "hoped our family would accept the apology on
18 behalf of the hospital and doctors for the numerous
19 miscommunications" that had kept occurring. Rose told the Hospital
20 Administrator that she no longer trusted the hospital because it
21 seemed that all they wanted were Peter's organs. Rose stated that
22 she had been told her brother was a "Gold Star" donor (because less
23 than 2% of all organ donations are harvested from "brain dead"
24 patients.) Rose also told them that she was told that Peter's
25 organs would no longer be viable after Saturday morning. Rose
26 informed the Hospital Administrator that if she had to, Rose would
27 go to court to continue trying to get them to make some medical
28 efforts to save Peter's life. The Hospital Administrator looked at

1 Rose and sarcastically stated: "You don't have enough time to get
2 a court order before we [the Hospital] will declare him 'brain
3 dead' and taken Peter's organs."

4 30. Later on July 4, 2019, Peter's two younger children,
5 Zachary and Nyna, also arrived from Missouri. The hospital was
6 continually pressuring the family to sign a DNR. The family
7 refused. Then the hospital asked if they could run the "brain
8 death" test again. The family responded that the hospital was not
9 authorized to run any more such brain apnea tests.

10 31. On July 5, 2019, Rose went home and thereafter received
11 a call from Joshua. The doctors had informed him that his father
12 had "flatlined." Joshua was crying and said that, "they're doing
13 it; they're declaring dad dead." When Rose arrived at the hospital
14 that day she asked Dr. Shah why he had told Joshua that Peter was
15 "flatlined" even though Peter was continuing to show brain
16 activity. Dr. Shah said that the law was "black and white" but
17 medicine is not. Dr. Shah stated that, "there was brain activity
18 but the brain activity was not sustainable; it is not survivable;
19 there is not a great amount of it." He also stated that, "I've
20 declared Peter dead at least five times but I'm waiting for a
21 second doctor to declare Peter dead so Peter can be 'officially'
22 declared dead."

23 32. On July 6, 2019, Peter was to have a last "brain apnea
24 test" (which was originally to be witnessed by Plaintiffs Rose and
25 Joshua, but which ultimately only Plaintiff Joshua Conley were
26 allowed to witness). After the test was performed, Dr. Chen met
27 with Joshua and Dr. Chen seemed very upset. He stated he had
28 already tested "this guy five times and he was getting really tired

1 of it. This would be the sixth test and One Legacy would not take
2 the organs after the seven-day deadline had passed." During their
3 interaction, Dr. Chen stated, "Your dad flunked the test, here sign
4 this." Joshua, thereupon, felt there was no hope and thus felt
5 compelled by Dr. Shah and Dr. Chen's medical determinations, and
6 insistence that Peter was now irreversibly "brain dead" and "signed
7 off" on the document as directed by Dr. Chen. At this time Dr.
8 Chen was the second doctor purporting to declare Peter brain dead.
9 (*See also: ¶ 63 and ¶67, infra*).

10 33. The family was then told as a result of this "brain
11 death" pronouncement by doctors Shah and Chen, One Legacy would now
12 "take over" custody and control of Peter's body and that Peter
13 would therefore be "technically" "discharged" from the hospital's
14 patient care. The family was told they had only two options.
15 Option one: was to keep Peter on the ventilator and the family
16 could stand by Peter's bedside and say their goodbyes and then One
17 Legacy would take him downstairs where they would remove all of the
18 organs and skin that they would use for donations and that no
19 anesthesia would be given because Peter was already "dead." Option
20 two: was for the family to be present while life support was
21 removed until Peter naturally stopped breathing. The family was
22 encouraged to go with option one due to the viability of organs if
23 Peter was still on a ventilator as opposed to being removed from
24 the ventilator and allowed to die naturally. Option one would
25 allow nineteen of Peter's organs to remain viable and Option two
26 would reduce that number to only three of Peter's organs being
27 viable thereby greatly reducing the ability to recover "multiple
28 organ procurements" for later "billing" and "federal

1 reimbursement". The family chose the second option and clearly
2 communicated that decision to the hospital staff and Peter's
3 attending doctors.

4 34. On July 7, 2019, after having being told by the Hospital
5 that Peter was irreversibly "brain dead," the family began to
6 arrange for return flights home. Rose returned to the hospital to
7 stay with Peter who was still on "life support" in preparation for
8 the upcoming organ harvesting. When Rose left his room for a short
9 time to drive Peter's children to the airport, she came back and
10 noticed a bag of liquid food was by his bedside. When she inquired
11 about this, she was told that, "Peter's organs still need to be
12 kept nourished in anticipation of being harvested."

13 35. On July 8, 2019 at approximately 6:30 p.m., a nurse from
14 One Legacy brought Rose into a conference room. Rose thought this
15 was "the end" for Peter and she was preparing to call her brothers
16 (who would be there) for Peter's final moments before he was
17 totally removed from life support and stop breathing naturally.
18 Instead, the staff said that, "One Legacy has its own neurological
19 medical team and its doctors and team do not agree with the opinion
20 of 'brain death' by Peter's doctors (Dr. Chen and Dr. Lane).
21 Further, they said they had reviewed in great detail all of Peter's
22 blood work since he arrived at OCGMC, including all of Peter's
23 radiology scans, and all of the other medical care
24 interventions/testing since Peter arrived at Orange County Global
25 Medical. They said they had gone over all of the brain apnea tests
26 since Peter arrived and they did not agree with the 'brain death'
27 determination of Peter's doctors." Dr. Havashi and the
28 neurological support team, including the nurse, physically

1 evaluated Peter. The nurse then stated that, "Dr. Havashi and the
2 neurological surgical team performed their own neurological
3 physical assessment on Peter and they all witnessed that Peter was
4 breathing on his own, and was moving a lot (not just minute,
5 twitching type movements). Peter had made movements as though he
6 were swimming and he was moving his abdomen very noticeably. All of
7 this information had thus apparently already been in the charts
8 from the previous hospital doctors and nurses since admission to
9 OCGMC. After seeing all of this, reviewing the monitors, seeing
10 that Peter was breathing over the ventilator and moving, Dr.
11 Havashi said that, "this man is not dead and we don't need organs
12 from a live donor." The nurse then stated that, "Peter has been
13 declared 'undead.' Peter is alive. He is once again a living
14 patient in this hospital." Rose expressed that she now no longer
15 trusted the hospital, but she was told by the One Legacy nurse
16 that, "Your brother, right now, is the absolute safest patient in
17 this hospital." Rose was then told, "When we returned your brother
18 back to this hospital and placed him back under its care, his
19 doctors proceeded to resign from his care and the Hospital
20 Administration has spent all last night and today trying to find
21 new doctors willing to take "your brother's" case. But there is no
22 doctor in the Hospital, not already associated with the case, who
23 is willing accept it." Rose decided she wanted Peter moved to
24 another hospital and One Legacy agreed. One Legacy further told
25 Rose they did not want anything to do with Peter and no longer
26 wanted his organs. Rose then went back to Peter's room believing
27 Peter was still alive after three days of being declared dead, and
28 upon entering Peter's room, the nurse said "Dr. Shah has again

1 declared Peter brain dead and we will get a second doctor to also
2 declare Peter brain dead and we will still take Peter's organs for
3 One Legacy". Rose told the nurse that, 'But One Legacy said they
4 won't take his organs now." and the nurse replied "We're still
5 going to be declaring your brother brain dead." To Rose's horror,
6 there were still no affirmative, positive medical treatment or
7 interventions being provided for Peter by the hospital and at
8 saving his life.

9 36. Rose then began to make phone calls to the entire family.
10 She phoned his children, his brothers, his sister, his niece and
11 his nephew, informing them all that Peter had been determined not
12 to be "dead"!

13 37. Rose then kept pushing for Peter to be transferred to
14 another hospital, but she was told no other hospital would take
15 him. The hospital administrator callously said with a smirk:
16 "Looks like you're stuck with us." The other nurse there taking
17 notes smiled and nodded. Because Rose no longer trusted the
18 doctors or the Hospital she would only leave Peter's bedside during
19 the "mandatory 2-hour blackouts" when she was requested by the
20 hospital to leave.

21 38. On July 9, 2019, Orange County Global Medical Center
22 contacted Joshua and again told him that his father was dead,
23 disagreeing with One Legacy's assessment. Its personnel pressured
24 Joshua to take Peter "off life support." Joshua told them he
25 needed 24 hours to think about it.

26 39. On July 10, 2019, Rose asked the nurse where Peter's
27 morphine drip was and she was told not to worry, they will get
28 around to it. Then a respiratory therapist took Rose to the side

1 and told her that they had all been instructed to not talk to Rose
2 and not tell Rose anything about Peter's condition.

3 40. On July 11, 2019, Orange County Global Medical Center
4 (under the direct supervision of Dr. Lane) removed Peter from the
5 ventilator. Dr. Lane gave Peter a morphine shot and then removed
6 the tube from Peter's mouth. Peter's heart rate began to slow and
7 continued to drop. Peter was no longer taking breaths or moving.
8 It was apparent to Rose that Peter was passing and she said her
9 final words to him. After Daniel and Michael left, Rose remained
10 with Peter. Sherwin, a male nurse, who was on duty and witnessed
11 the above event, he disclosed that before this, "Dr. Lane turned
12 off Peter's life support because Dr. Lane wanted to see how Peter
13 would do this morning when Dr. Lane turned it off." Plaintiffs
14 thereon allege that Dr. Lane in fact hastened Peter's death earlier
15 that morning and then reconnected Peter to the life-support so Dr.
16 Lane could be assured of the result when he would repeat its
17 removal in morning in front of family. Rose had previously been
18 forced to leave Peter's side during "black-out" hours (2:00 a.m. to
19 4:00 a.m.). Plaintiff are informed and believe that it was during
20 that "black out" time when Dr. Lane is believed to have come in and
21 turned off Peter's life support. It was reported by the same staff
22 that Peter actually "died" within minutes of Dr. Lane turning down
23 his life support earlier that morning and thus before the time that
24 the family arrived and was present consistent with Option two.

25 41. The Plaintiffs were initially told by hospital staff that
26 the coroner had decided not to do an autopsy; but that the family
27 could pay for one themselves if wanted. Thereafter, the family was
28 told the coroner would be doing an autopsy due to the bizarre

1 circumstances associated with Peter's "death." The coroner came to
2 Orange County Global Medical Center and took custody of Peter's
3 body. Rose then left the hospital premises.

4 42. Rose then personally called Peter's children, niece, and
5 nephew (the family) and informed everyone of the above events.

6 43. Rose was later informed by the coroner there was a "large
7 amount of morphine" in Peter's post-mortem blood system and that
8 the family would want someone to review the records and then
9 discuss with the family as to how the family might want to "move
10 forward".

11 44. The Plaintiffs served a CCP §364 Notice of Intent to Sue
12 on Defendants, dated July 8, 2020.

13 **FIRST CAUSE OF ACTION**

14 **Wrongful Death/Medical Negligence by Plaintiff Joshua, Peter's**
15 **Son Only**
16 **(Against All Defendants)**

17 45. Plaintiff Joshua, Peter's son, realleges and incorporates
18 by reference each and every allegation contained in all previous
19 paragraphs as though fully set forth herein.

20 46. At all time herein mentioned up to and including July
21 11, 2019, Defendants, and each of them, had a legal and medical
22 duty to attempt to keep Peter alive and to treat his various
23 critical injuries in an effort to save his life until such time as
24 either an authorized representative signed a DNR or Peter was
25 medically determined to be irreversibly, medically "brain dead."

26 47. At all times herein relevant, Peter emergently came under
27 the emergency/critical care and the medical responsibility of all
28 of the health care provider Defendants for full emergent and

1 comprehensive critical condition evaluation, assessment,
2 monitoring, medical interventions, including responsibility for
3 performing all recognized, reasonable and necessary medical care
4 treatment and/or interventions available in order to save Peter's
5 life and not to allow to further "harm" Peter or reduce his chances
6 of possible survival.

7 48. Plaintiff Joshua is informed and believes and thereon
8 alleges that all health care provider Defendants, including all DOE
9 health care provider Defendants negligently failed to comply with
10 the applicable standards of emergent, critical care, knowledge and
11 skill in examining, diagnosing, treating, monitoring, and providing
12 all appropriate critical medical care and interventions, as
13 hereinafter alleged, to reasonable and medically necessary to
14 prevent his death; and instead negligently, recklessly and
15 prematurely abandoned Peter; failing to provide or continue medical
16 efforts to preserve his life but instead abandoned any life saving
17 and support efforts by falsely declaring Peter irreversibly "brain
18 dead." While Peter was in the emergency room, he "coded" and was
19 resuscitated, but since he was noted as considered to be a
20 "homeless meth abuser" (as reflected in Peter's medical chart)/ At
21 that time, he was also designated as a "donor" and his body was
22 assigned to One Legacy. From June 28, 2019 throughout Peter's
23 hospital stay until July 11, 2019, Defendants took only those
24 medical actions and interventions to preserve Peter's organs for
25 "harvesting" by One Legacy, but none to save his life.

26 49. Plaintiff Joshua is informed and believes and thereon
27 more specifically alleges that all Defendant health care providers,
28 including all health care provider DOE Defendants, negligently

1 failed to comply with emergency, ICU and/or other standards of
2 appropriate critical care and treatment of Peter, *inter alia*, by
3 improperly and prematurely declaring Peter medically irreversibly
4 "brain dead" despite the medical tests and patient observations to
5 the contrary as hereinabove alleged. Despite, *inter alia*, Peter
6 manifesting numerous signs of neurological activity, muscle
7 movement, and blood flow, the Defendants, and each of them,
8 negligently refused to take any critical life saving or sustaining
9 measures or to reduce his cranial pressure and swelling, but
10 instead persisted in negligently insisting that Peter was medically
11 irreversibly "brain dead" and therefore discontinuing all life
12 support or recovery treatment, providing only that care and support
13 to sustain his organs for transplants. Plaintiffs are informed and
14 believe that Defendants' refusal was consciously or unconsciously
15 motivated by Defendants' improper and unreasonable medical opinion
16 that Peter's value, as a "Gold Star" organ donor, was more
17 important than his life, causing Defendants to actually accelerate
18 Peter's ultimate "brain death" in order to expedite the harvesting
19 of Peter's organs by One Legacy; as demonstrated by the Hospital's
20 own records and by One Legacy's ultimate evaluation that they could
21 not "harvest" Peter's organs, because in their medical opinion
22 Peter was "not [brain] dead" and therefore that his organs could
23 not be legally or ethically "harvested" by One Legacy. Even after
24 Peter was then returned to Defendants' care as a live patient,
25 Defendants recklessly and negligently continued to refuse to
26 provide Peter any active, possibly life preserving or saving
27 medical interventions, and instead accelerated Peter's ultimate
28 death by the prolonged lack of any interventions or life such

1 saving efforts and through the administration (unknown to
2 plaintiffs) an excessive amount(s) of morphine into his body (**after**
3 representing to the family that Peter was irreversibly "brain dead"
4 and therefore not in need of any pain killing medication;
5 specifically any morphine drip or infusion).

6 50. As a direct and proximate result of Defendants' negligent
7 and/or reckless failure or refusal to properly medically treat,
8 intervene, and otherwise preserve Peter's life within the
9 applicable standards of urgent critical medical care, Peter was
10 deprived of a reasonable probability of survival, wrongfully
11 causing and/or contributing to his untimely death on July 11, 2019.

12 51. Plaintiffs are informed and believe and thereon allege
13 that Defendant health care providers, including all DOE Defendants,
14 holding themselves out as having the requisite medical skill and
15 experience to evaluate, diagnose, care for and treat Peter, in fact
16 failed to properly evaluate, diagnose, care for and treat Peter
17 within the applicable standards of such critical care given his
18 grave medical condition. Defendants' above-alleged failures to
19 properly diagnose, evaluate, care for and to employ all appropriate
20 life supporting, life sustaining and life saving medical
21 interventions legally caused and/or contributed to in the untimely
22 and wrongful death of Peter as described herein at age sixty-one
23 (61).

24 52. The above-alleged medical negligence and/or reckless
25 malfeasance of Defendants, as herein alleged, caused and/or
26 contributed to Peter's untimely death.

27 53. Defendants and DOES 1 through 50 are not known to
28 plaintiffs but are alleged to have also negligently caused or were

1 also substantial factors in causing Peter's untimely and wrongful
2 death.

3 54. As a direct and proximate result of Defendants' medical
4 negligence, including DOE Defendants, and Peter's death, Plaintiff
5 Joshua has sustained the loss of his father's (Peter) love,
6 companionship, comfort, care, assistance, protection, affection,
7 society, moral and any support; all in amounts of both "economic"
8 and "non-economic" damages as determined according to proof at the
9 time of trial.

10 55. Joshua seeks any and all further damages recoverable, if
11 any, under applicable California law and according to proof at
12 trial.

13 **SECOND CAUSE OF ACTION**

14 **Intentional Infliction of Emotional Distress Upon Family Members**
15 **ROSE MARY GEORGE-ANN FINOCCHI, JOSHUA JOSEPH CONLEY, DANIEL PAUL**
16 **FINOCCHI, TRAVIS FINOCCHI AND ANGELA FINOCCHI**
17 **(As to all Defendants)**

18 56. Plaintiffs reallege and incorporate by reference each and
19 every allegation contained in all previous paragraphs, including
20 Plaintiffs' first cause of action, as though fully set forth
21 herein.

22 57. Plaintiffs were, at all times herein relevant between
23 July 1, 2019 and July 11, 2019, known by Defendants and each of
24 them to be related to Peter as "family" members (i.e., children,
25 siblings, niece and nephew, respectively) and that Plaintiffs were
26 highly concerned about Peter and highly distressed as to Peter's
27 life-threatening injuries and expressed to Defendants they wanted
28 defendants to exercise all medically possible life supporting and

1 life saving medical interventions, within the applicable standards
2 of medical care, to save Peter's life; by refusing to agree to any
3 proffered "DNR" authorization.

4 58. Despite Defendants' actual and constructive knowledge of
5 the family's highly probable susceptibility to extreme emotional
6 distress, mental suffering and related medical and physical trauma,
7 Defendants and each of them callously and intentionally continued
8 to make false misrepresentations to Plaintiffs as alleged
9 hereinabove, to the effect that Peter was already irreversibly
10 "brain dead," was beyond any possible medical treatment or efforts
11 to save his life. Defendants also continually depreciated Peter's
12 visible signs of bodily movements, breathing and limited brain
13 activity as being like a "chicken with its head cut-off"; all done
14 intentionally to emotionally and psychologically pressure
15 Plaintiffs to concede to Defendants' medical rationale for refusing
16 to provide or take any possible life-saving medical procedures or
17 treatment of Peter (despite such signs), and to focus only upon
18 preserving Peter's organs for harvesting and donation to One Legacy
19 but not any efforts to save his life.

20 59. Further, Defendants knew or should have known that they
21 had the legal and ethical duty under such critical,
22 life-threatening circumstances to communicate professionally,
23 accurately and honestly with Peter's family members and not to
24 communicating any false, disparaging, misleading and/or conflicting
25 medical representations as alleged hereinabove; including,
26 concealing important medical information and facts Defendants knew
27 they had a legal and ethical duty to honestly disclose to the
28 family, Defendants intentionally wrongfully attempted to deceive

1 and coerce Plaintiffs, to conceal Defendants' own
2 misrepresentations and unjustified and unreasonable failure/refusal
3 to employ all medical interventions medically possible and
4 appropriate to save Peter's life instead of prematurely
5 discontinuing any prolonged and expensive critical medical care
6 and life saving procedures and instead to unlawfully actively
7 expediting Peter's death by withholding critical care and support
8 and by improperly administering a large dosage of morphine to
9 accelerate "brain death" and thereby expedite the harvesting of
10 Peter's organs.

11 60. As the foreseeable result of Defendants' intentional
12 misrepresentations, concealments, false statements, unethical
13 actions, unprofessional remarks and outrageous misconduct toward
14 plaintiffs as family members as alleged herein above; Plaintiffs,
15 and each of them suffered severe emotional and mental distress and
16 related bodily injuries as a result of Defendants' alleged
17 outrageous, intentional and callous misrepresentations and
18 persistent stated refusals to provide Peter any potentially
19 life-saving medical interventions; finally compelling the family
20 through Joshua, to concede to accept Defendants' representations
21 and to authorize Defendants taking Peter off life support as
22 hereinabove alleged; only to later be informed as alleged
23 hereinabove that Peter was not "brain dead" but still alive.

24 61. The Plaintiffs and each of them suffered severe emotional
25 and mental distress as alleged hereinabove and including deep
26 sadness, sleeplessness, desperation, and an overall dread that
27 Peter's death could have been prevented but for Defendants'
28 intentional and unlawful refusal to provide Peter any possibly

1 life-saving treatment or interventions before Peter was in fact
2 medically, legally and irreversibly "brain dead" and the extreme
3 continuing feelings of grief, sadness, remorse, frustration and
4 guilt of not having been able to get the hospital to change its
5 medical opinions or decisions regarding making affirmative attempts
6 to save Peter's life; in amounts to be shown by proof at trial.

7 **THIRD CAUSE OF ACTION**

8 **Fraudulent Deceit and Concealment**

9 62. Plaintiffs reallege and incorporate by reference each and
10 every allegation contained in paragraphs 1 through 61 above, as
11 though fully set forth herein.

12 63. In their respective capacities as medical physicians
13 hospital management and staff and other healthcare providers under
14 California law who undertook and provided critical medical care to
15 Decedent/Peter, Defendants had the legal duty to use all available
16 reasonable and necessary emergency and life-saving medical care,
17 treatment, diagnoses, monitoring devices, medicines, medical
18 interventions, IV's, ventilators, defibrillators and any and all
19 other available life-saving, life support and resuscitating
20 procedures in attempting to preserve Peter's life, up to and until
21 either (1) a legal "DNR" was properly and knowingly executed by the
22 family and/or (2) it was properly determined and confirmed by
23 accepted medical standards criteria and recognized protocols that
24 Peter was, in fact, irreversibly medically and legally "brain dead"
25 before prematurely declaring Peter medically "dead" and thereupon
26 to justify persistent refusal to provide Peter with any potentially
27 life saving medical interventions or treatment as hereinabove
28 alleged; the family was subjected to several emotional, mental and

1 physical distress and were compelled to choose between option one
2 and option two as alleged supra.

3 64. Given the above-alleged medical and legal duties owed to
4 Peter and his family, Defendants and each of them had the
5 additional legal and ethical duty of care **not** to discontinue life
6 support and resuscitation/life saving efforts for Peter until Peter
7 was irreversibly (medically) "dead" by the applicable medical and
8 legal standards to do "no harm," and to accurately and truthfully
9 inform Peter's family members present as to Peter's true medical
10 condition and to comply with the family's reasonable directives as
11 to when life-saving efforts and life support for Peter should be
12 discontinued; including all accurate and true medical reasons
13 claimed to establish any purported irreversible "brain death"
14 pronouncements and the proper timing, protocols and procedures by
15 which any and all life-saving and life support measures were to be
16 discontinued, so that Peter's family members present could say
17 their last goodbye's before Peter was medically dead and his body
18 transferred for organ donation.

19 65. Unknown to Plaintiffs and intentionally not disclosed to
20 Peter's family members present by Defendants or any of them, was
21 that Defendants were, in fact, on information and belief, motivated
22 to intentionally hasten Peter's "brain death" as of June 28, 2019
23 and through July 6, 2019, *inter alia*, for the following unlawful
24 fraudulent and deceitful reasons:

25 (a) Defendants and each of them wanted to prematurely
26 declare Peter medically and irreversibly "brain dead" so that they
27 could persuade the family to execute a "DNR" allowing Defendants to
28 obviate the need for Defendants to undertake any efforts to provide

1 Peter any extensive and expensive life support and/or life-saving
2 care, monitoring, treatment, procedures and interventions which
3 might not be covered by any medical coverage or any other
4 financially responsible sources due to Peter's known lack of
5 finances and his homelessness; and,

6 (b) Defendants and each of them unlawfully and
7 wrongfully had overriding concerns and/or interests contrary to the
8 best intents of Peter and the family insuring that Peter's body and
9 organs (as a "Gold Star" organ donor) would be maintained (even
10 post-mortem) in such a manner as to preserve the viability of his
11 multiple organs so they could be promptly "harvested" by One Legacy
12 (once Peter was declared, legally and medically, irreversibly
13 "brain dead") for immediate transplantation into waiting donor
14 recipients.

15 66. As alleged in detail hereinabove, beginning on or about
16 June 28, 2019 and continuously through and including July 6, 2019,
17 Defendants and each of them repeatedly, falsely, intentionally,
18 recklessly and deceitfully, both by intentional misrepresentations
19 and by intentional concealment of Peter's true medical status by
20 insisting that Peter was irreversibly "brain dead" and as
21 purportedly being without any significant brain activity, blood
22 flow, brain or body movements; such as to render the use of any
23 life saving interventions futile; and in order to justify
24 Defendants being relieved of the duty to provide Peter any and all
25 possible life saving medical treatment or medical interventions
26 which the family wanted. Defendants repeatedly and falsely
27 medically advised Peter's family members that they should sign a
28 "DNR" authorization and thereby give consent to remove Peter from

1 further life saving medical treatment and/or interventions and to
2 let Peter die; thereafter continuing only those interventions and
3 procedures necessary to preserve the viability of Peter's internal
4 organs long enough to be harvested by One Legacy.

5 67. As also alleged, *supra*, Plaintiffs and each of them (and
6 ultimately Joshua) were coerced, pressured and compelled to believe
7 and rely upon Defendants' above-alleged persistent medical
8 concealments and misrepresentations as establishing that Peter was
9 irreversibly "brain dead" and therefore should not be provided any
10 potentially life saving treatments, medical interventions or
11 procedures but rather to have him be immediately declared "brain
12 dead" thereupon permitting Peter's "dead body" to be placed under
13 the control of One Legacy solely for the purpose of harvesting his
14 organs for transplantation. On the morning of July 6, 2019, the
15 last day Peter's organs were still viable for harvesting by One
16 Legacy; Defendants and each of them finally specifically compelled
17 Plaintiff Joshua Conley to accept that Peter, upon additional
18 purported "brain death" test results which Peter purportedly
19 "failed" and the Death Declaration of two Defendants (Dr. Shah and
20 Dr. Chen) that Peter was irreversibly "brain dead"; in order to
21 compel Joshua to authorize Defendants not to provide Peter any
22 possibly life saving medical treatments and/or interventions and to
23 allow Peter to "die" (pursuant to "Option One" or "Option Two") by
24 taking him off life support; explaining that once off life support,
25 Peter would immediately be handed over to One Legacy as "dead"
26 thereafter providing only such medical interventions and life
27 support as necessary, if any, to preserve Peter's organs; and
28 including discontinuing any pain medications based upon Defendants'

1 false representations that since Peter was irreversibly "brain
2 dead" he could not possibly feel any pain.

3 68. From June 28, 2019 ("first death") to July 7, 2019
4 ("final death"), Dr. Shah repeatedly insisted that even though
5 Peter had brain activity, it was not "sustainable or liveable": but
6 never denying Peter had some brain activity. Various Plaintiffs
7 continued to "visit" Peter at Orange County Global Medical Center
8 thereafter, and directly observed Peter exhibit periodic
9 significant body movements and were informed by staff that Peter
10 still had some blood flow, breathing over the ventilator and brain
11 wave activity. But when said Plaintiffs further inquired of
12 Defendants, the hospital staff and doctors insisted it these were
13 insignificant and that Peter was "brain dead" and defendants
14 refused to provide any actual life saving efforts and provided only
15 what was necessary to preserve the transplant viability of his
16 organs. In an outrageous and conscious disregard of Plaintiffs'
17 emotional and mental states and vulnerability to great emotional
18 and mental harm, Defendants callously waived off the significance
19 of any of Peter's continued periodic body movements, brain
20 activity, breathing and/or bloodflow as nothing indicative of any
21 possibility of survival and expressly described to Plaintiffs that
22 Peter was essentially like "a chicken with its head cut off." All
23 of which cumulatively causing manifestly foreseeable, severe
24 emotional distress, mental upset and trauma to the Plaintiffs by
25 defendants so intentionally misinforming and deceiving Plaintiffs
26 in such an inappropriate, unprofessional and discompassionate
27 manner.

28 69. On July 8, 2019, One Legacy brought Rose into a

1 conference room. Rose thought this was "the end" of the 'Option
2 two' process the family had chose and she was preparing to call her
3 brothers who were there) for Peter's final moments before being
4 removed from life support. Instead, the One Legacy representative
5 informed the family that, "One Legacy has its own neurological
6 medical team and its doctors and team do not agree with the
7 findings of 'brain death' by Peter's two doctors (Dr. Chen and Dr.
8 Lane). Further, that One Legacy's team had reviewed in great
9 detail all of Peter's prior blood work since he arrived at Orange
10 County Global Hospital as well as all of Peter's radiology scans
11 and all of the other medical interventions/testing since Peter
12 arrived. They had gone over all of the brain apnea tests since
13 Peter arrived and they did not agree with the "brain death"
14 determination of by Dr. Chen and Dr. Lane. Dr. Havashi and the
15 neurological support team, including the nurse, also physically
16 evaluated Peter. The nurse then stated that," Dr. Havashi and the
17 neurological surgical team performed their own neurological
18 physical assessment on Peter and Peter was breathing on his own and
19 was moving often (not just minor reflex movements). One Legacy said
20 Peter was instead making movements as though he were swimming and
21 he was moving his abdomen very noticeably. All of this medical
22 information was known to Defendants and had already been in the
23 charts from the previous hospital doctors and nurses. After seeing
24 all of this, reviewing the monitors, seeing that Peter was
25 breathing over the ventilator and moving, Dr. Havashi said that,
26 "this man is not dead and we don't need organs from a live donor."
27 The nurse then stated that, "Peter has been declared undead [sic].
28 Peter is alive. He is once again a live patient in this hospital."

1 Rose exclaimed that she could now no longer trust the hospital, but
2 was told by the One Legacy nurse that, "Your brother, right now, is
3 the absolute safest patient in this hospital." Rose was then told,
4 "When we returned your brother back to this hospital and placed him
5 back under its care, his doctors proceeded to resign from his care
6 and the Hospital Administration has spent all last night and today
7 trying to find new doctors willing to take your brother's case.
8 But there is no doctor in the Hospital, not already associated with
9 the case, who is willing accept it."

10 70. Plaintiffs hereby reserve the right to bring a later
11 motion for leave to seek punitive damages as to Plaintiffs' Second
12 and Third Causes of Action, only, in the event evidence legally
13 supporting a potentially viable claim for punitive damages is
14 established during the course of subsequent investigation and
15 discovery.

16 **PRAYER**

17 WHEREFORE, Plaintiffs request trial by jury on all claims so
18 triable and pray for judgment against Defendants, and DOES 1
19 through 50, inclusive, as appropriate to each cause of action
20 alleged, as set for below:

21 **AS TO THE FIRST CAUSE OF ACTION AS TO PLAINTIFF JOSHUA CONLEY ONLY**

- 22 A. For economic damages and non-economic damages and as
23 allowed by law the wrongful death of Peter by his natural
24 son named herein above;
- 25 B. All funeral, burial or other expenses according to proof;
- 26 C. Interest to the extent allowed by law;
- 27 D. Costs of the suit; and
- 28 E. Any other relief the court deems just and proper based

1 upon the evidence.

2 **AS TO SECOND CAUSE OF ACTION FOR ALL PLAINTIFFS**

- 3 A. For economic and non-economic damages as allowed by law
4 and according to proof at trial;
5 B Interest to the extent allowed by law;
6 C. Costs of the suit; and
7 D. Any other relief the court deems just and proper based
8 upon the evidence.

9 **AS TO THE THIRD CAUSE OF ACTION FOR ALL PLAINTIFFS**

- 10 A. For economic and non-economic damages as allowed by law
11 and according to proof at trial;
12 B Interest to the extent allowed by law;
13 C. Costs of the suit; and
14 D. Any other relief the court deems just and proper based
15 upon the evidence.

16 Dated: April 13, 2022

Respectfully submitted,

17 **HUNT & ADAMS, INC.**
18 **LAW OFFICES OF CHAMBERS & NORONHA**

19
20 BY: 

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