

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Andy Epstein SBN: 220402 20211 Spectrum Irvine, CA 92618 T- 619-846-7369 F- 866-212-7227 taxcpaesq@gmail.com	FOR COURT USE ONLY
<input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Rosa Carcamo	
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION	
In re: Verity Health System of California, Inc. Debtor(s).	CASE NO.: 2:18-20151-ER CHAPTER: 11
	NOTICE OF MOTION AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (with supporting declarations) (ACTION IN NONBANKRUPTCY FORUM)
	DATE: 07/15/2019 TIME: 10:00 am COURTROOM: 1568
Movant: Rosa Carcamo	

1. **Hearing Location:**

- ☒ 255 East Temple Street, Los Angeles, CA 90012 ☐ 411 West Fourth Street, Santa Ana, CA 92701
☐ 21041 Burbank Boulevard, Woodland Hills, CA 91367 ☐ 1415 State Street, Santa Barbara, CA 93101
☐ 3420 Twelfth Street, Riverside, CA 92501

2. Notice is given to the Debtor and trustee (*if any*)(Responding Parties), their attorneys (*if any*), and other interested parties that on the date and time and in the courtroom stated above, Movant will request that this court enter an order granting relief from the automatic stay as to Debtor and Debtor's bankruptcy estate on the grounds set forth in the attached Motion.
3. To file a response to the motion, you may obtain an approved court form at www.cacb.uscourts.gov/forms for use in preparing your response (optional LBR form F 4001-1.RFS.RESPONSE), or you may prepare your response using the format required by LBR 9004-1 and the Court Manual.



4. When serving a response to the motion, serve a copy of it upon the Movant's attorney (or upon Movant, if the motion was filed by an unrepresented individual) at the address set forth above.
5. If you fail to timely file and serve a written response to the motion, or fail to appear at the hearing, the court may deem such failure as consent to granting of the motion.
6. ☒ This motion is being heard on REGULAR NOTICE pursuant to LBR 9013-1(d). If you wish to oppose this motion, you must file and serve a written response to this motion no later than 14 days before the hearing and appear at the hearing.
7. ☐ This motion is being heard on SHORTENED NOTICE pursuant to LBR 9075-1(b). If you wish to oppose this motion, you must file and serve a response no later than (date) _____ and (time) _____; and, you may appear at the hearing.
- a. ☐ An application for order setting hearing on shortened notice was not required (according to the calendaring procedures of the assigned judge).
- b. ☐ An application for order setting hearing on shortened notice was filed and was granted by the court and such motion and order have been or are being served upon the Debtor and upon the trustee (if any).
- c. ☐ An application for order setting hearing on shortened notice was filed and remains pending. After the court rules on that application, you will be served with another notice or an order that specifies the date, time and place of the hearing on the attached motion and the deadline for filing and serving a written opposition to the motion.

Date: 06/12/2019

Andy Epstein Esq., CPA

Printed name of law firm (if applicable)

Andy Epstein

Printed name of individual Movant or attorney for Movant



Signature of individual Movant or attorney for Movant

MOTION FOR RELIEF FROM THE AUTOMATIC STAY AS TO NONBANKRUPTCY ACTION

1. In the Nonbankruptcy Action, Movant is:

- a. ☒ Plaintiff
- b. ☐ Defendant
- c. ☐ Other (specify):

2. The Nonbankruptcy Action: There is a pending lawsuit or administrative proceeding (Nonbankruptcy Action) involving the Debtor or the Debtor's bankruptcy estate:

- a. *Name of Nonbankruptcy Action:* Carcamo v. St. Francis Medical Center et al
- b. *Docket number:* TC029195
- c. *Nonbankruptcy forum where Nonbankruptcy Action is pending:*
Superior Court for the County of Los Angeles, Compton Courthouse
- d. *Causes of action or claims for relief (Claims):*
 - 1. Retaliation in Violation of California Labor Code Section 1102.5
 - 2. Wrongful Termination
 - 3. Intentional Infliction of Emotional Distress

3. Bankruptcy Case History:

- a. ☒ A voluntary ☐ An involuntary petition under chapter ☐ 7 ☒ 11 ☐ 12 ☐ 13
was filed on (date) 08/31/2018.
- b. ☐ An order to convert this case to chapter ☐ 7 ☐ 11 ☐ 12 ☐ 13
was entered on (date) _____.
- c. ☐ A plan was confirmed on (date) _____.

4. Grounds for Relief from Stay: Pursuant to 11 U.S.C. § 362(d)(1), cause exists to grant Movant relief from stay to proceed with the Nonbankruptcy Action to final judgment in the nonbankruptcy forum for the following reasons:

- a. ☐ Movant seeks recovery only from applicable insurance, if any, and waives any deficiency or other claim against the Debtor or property of the Debtor's bankruptcy estate.
- b. ☒ Movant seeks recovery primarily from third parties and agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.
- c. ☐ Mandatory abstention applies under 28 U.S.C. § 1334(c)(2), and Movant agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.
- d. ☐ The Claims are nondischargeable in nature and can be most expeditiously resolved in the nonbankruptcy forum.
- e. ☒ The Claims arise under nonbankruptcy law and can be most expeditiously resolved in the nonbankruptcy forum.

f. ☐ The bankruptcy case was filed in bad faith.

- (1) ☐ Movant is the only creditor, or one of very few creditors, listed or scheduled in the Debtor's case commencement documents.
- (2) ☐ The timing of the filing of the bankruptcy petition indicates that it was intended to delay or interfere with the Nonbankruptcy Action.
- (3) ☐ Multiple bankruptcy cases affect the Nonbankruptcy Action.
- (4) ☐ The Debtor filed only a few case commencement documents. No schedules or statement of financial affairs (or chapter 13 plan, if appropriate) has been filed.

g. ☐ Other (specify):

5. **Grounds for Annulment of Stay.** Movant took postpetition actions against the Debtor.

- a. ☐ The actions were taken before Movant knew that the bankruptcy case had been filed, and Movant would have been entitled to relief from stay to proceed with these actions.
- b. ☐ Although Movant knew the bankruptcy case was filed, Movant previously obtained relief from stay to proceed in the Nonbankruptcy Action in prior bankruptcy cases affecting the Nonbankruptcy Action as set forth in Exhibit. _____.
- c. ☐ Other (specify):

6. **Evidence in Support of Motion: (Important Note: declaration(s) in support of the Motion MUST be signed under penalty of perjury and attached to this motion.)**

- a. ☒ The DECLARATION RE ACTION IN NONBANKRUPTCY FORUM on page 6.
- b. ☒ Supplemental declaration(s).
- c. ☐ The statements made by Debtor under penalty of perjury concerning Movant's claims as set forth in Debtor's case commencement documents. Authenticated copies of the relevant portions of the Debtor's case commencement documents are attached as Exhibit. _____.
- d. ☐ Other evidence (specify):

7. ☐ **An optional Memorandum of Points and Authorities is attached to this Motion.**

Movant requests the following relief:

- 1. Relief from the stay pursuant to 11 U.S.C. § 362(d)(1).
- 2. ☒ Movant may proceed under applicable nonbankruptcy law to enforce its remedies to proceed to final judgment in the nonbankruptcy forum, provided that the stay remains in effect with respect to enforcement of any judgment against the Debtor or property of the Debtor's bankruptcy estate.
- 3. ☐ The stay is annulled retroactively to the bankruptcy petition date. Any postpetition acts taken by Movant in the Nonbankruptcy Action shall not constitute a violation of the stay.

4. ☐ The co-debtor stay of 11 U.S.C. § 1201(a) or § 1301(a) is terminated, modified, or annulled as to the co-debtor, on the same terms and condition as to the Debtor.
5. ☐ The 14-day stay prescribed by FRBP 4001(a)(3) is waived.
6. ☐ The order is binding and effective in any bankruptcy case commenced by or against the Debtor for a period of 180 days, so that no further automatic stay shall arise in that case as to the Nonbankruptcy Action.
7. ☐ The order is binding and effective in any future bankruptcy case, no matter who the debtor may be, without further notice
8. ☐ Other relief requested.

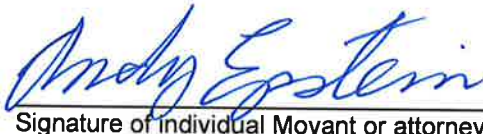
Date: 06/12/2019

Andy Epstein Esq., CPA

Printed name of law firm (if applicable)

Andy Epstein

Printed name of individual Movant or attorney for Movant



Signature of individual Movant or attorney for Movant

DECLARATION RE ACTION IN NONBANKRUPTCY FORUM

I, (name of Declarant) Andy Epstein, declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and, if called upon to testify, I could and would competently testify thereto. I am over 18 years of age. I have knowledge regarding (Nonbankruptcy Action) because:
 - ☐ I am the Movant.
 - ☐ I am Movant's attorney of record in the Nonbankruptcy Action.
 - ☐ I am employed by Movant as (title and capacity):
 - ☒ Other (specify): I am engaged by Movant's Nonbankruptcy Attorney to handle Bankruptcy Matters
2. I am one of the custodians of the books, records and files of Movant as to those books, records and files that pertain to the Nonbankruptcy Action. I have personally worked on books, records and files, and as to the following facts, I know them to be true of my own knowledge or I have gained knowledge of them from the business records of Movant on behalf of Movant, which were made at or about the time of the events recorded, and which are maintained in the ordinary course of Movant's business at or near the time of the acts, conditions or events to which they relate. Any such document was prepared in the ordinary course of business of Movant by a person who had personal knowledge of the event being recorded and had or has a business duty to record accurately such event. The business records are available for inspection and copies can be submitted to the court if required.
3. In the Nonbankruptcy Action, Movant is:
 - ☒ Plaintiff
 - ☐ Defendant
 - ☐ Other (specify):
4. The Nonbankruptcy Action is pending as:
 - a. Name of Nonbankruptcy Action: Carcamo v. St. Francis Medical Center et al
 - b. Docket number: TC029195
 - c. Nonbankruptcy court or agency where Nonbankruptcy Action is pending:
Superior Court for the County of Los Angeles, Compton Courthouse
5. **Procedural Status of Nonbankruptcy Action:**
 - a. The Claims are:
 1. Retaliation in Violation of California Labor Code Section 1102.5
 2. Wrongful Termination
 3. Intentional Infliction of Emotional Distress
 - b. True and correct copies of the documents filed in the Nonbankruptcy Action are attached as Exhibit A.
 - c. The Nonbankruptcy Action was filed on (date) 06/29/2018.
 - d. Trial or hearing began/is scheduled to begin on (date) _____.
 - e. The trial or hearing is estimated to require 5 days (specify).
 - f. Other plaintiffs in the Nonbankruptcy Action are (specify):
None

g. Other defendants in the Nonbankruptcy Action are (*specify*):

Allen Bookatz MD, Jamie Viramontes
Derek Drake

6. **Grounds for relief from stay:**

- a. ☒ Movant seeks recovery primarily from third parties and agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or the Debtor's bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.
- b. ☐ Mandatory abstention applies under 28 U.S.C. § 1334(c)(2), and Movant agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or the Debtor's bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.
- c. ☐ Movant seeks recovery only from applicable insurance, if any, and waives any deficiency or other claim against the Debtor or property of the Debtor's bankruptcy estate. The insurance carrier and policy number are (*specify*):

d. ☒ The Nonbankruptcy Action can be tried more expeditiously in the nonbankruptcy forum.

(1) ☐ It is currently set for trial on (*date*) _____.

(2) ☐ It is in advanced stages of discovery and Movant believes that it will be set for trial by (*date*) _____. The basis for this belief is (*specify*):

(3) ☒ The Nonbankruptcy Action involves non-debtor parties and a single trial in the nonbankruptcy forum is the most efficient use of judicial resources.

e. ☐ The bankruptcy case was filed in bad faith specifically to delay or interfere with the prosecution of the Nonbankruptcy Action.

(1) ☐ Movant is the only creditor, or one of very few creditors, listed or scheduled in the Debtor's case commencement documents.

(2) ☐ The timing of the filing of the bankruptcy petition indicates it was intended to delay or interfere with the Nonbankruptcy Action based upon the following facts (*specify*):

(3) ☐ Multiple bankruptcy cases affecting the Property include:

(A) Case name:

Case number:

Chapter:

Date filed:

Date discharged:

Date dismissed:

Relief from stay regarding this Nonbankruptcy Action ☐ was ☐ was not granted.

(B) Case name:

Case number:

Chapter:

Date filed:

Date discharged:

Date dismissed:

Relief from stay regarding this Nonbankruptcy Action ☐ was ☐ was not granted.

(C) Case name:

Case number:

Chapter:

Date filed:

Date discharged:

Date dismissed:

Relief from stay regarding this Nonbankruptcy Action ☐ was ☐ was not granted.

☐ See attached continuation page for information about other bankruptcy cases affecting the Nonbankruptcy Action.

☐ See attached continuation page for additional facts establishing that this case was filed in bad faith.

f. ☐ See attached continuation page for other facts justifying relief from stay.

7. ☐ Actions taken in the Nonbankruptcy Action after the bankruptcy petition was filed are specified in the attached supplemental declaration(s).

a. ☐ These actions were taken before Movant knew the bankruptcy petition had been filed, and Movant would have been entitled to relief from stay to proceed with these actions.

b. ☐ Movant knew the bankruptcy case had been filed, but Movant previously obtained relief from stay to proceed with the Nonbankruptcy Action enforcement actions in prior bankruptcy cases affecting the Property as set forth in Exhibit ____

c. ☐ For other facts justifying annulment, see attached continuation page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

06/12/2019

Date

Andy Epstein

Printed name


Signature

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
249 East Ocean Blvd. #814
Long Beach, CA 90802

A true and correct copy of the foregoing document entitled: **NOTICE OF MOTION AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (with supporting declarations) (ACTION IN NONBANKRUPTCY FORUM)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 06/12/2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:
See attached

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

U.S. Trustee United States Trustee (LA), 915 Wilshire Blvd, Suite 1850 Los Angeles, CA 90017
Verity Health System of California, Inc. 2040 E. Mariposa Avenue, El Segundo, CA 90245

☐ Service information continued on attached page

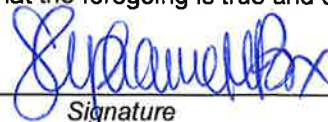
3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Hon. Ernest M Robles
United States Bankruptcy Court Central District of California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1560
Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

06/13/2019 Stephanie Box
Date Printed Name


Signature

6/3/2019

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CM/ECF - U.S. Bankruptcy Court (V5.2.1 - LIVE)

DEFER, PlnDue, DsclsDue, JNTADMN, LEAD, APLDIST, APPEAL

**U.S. Bankruptcy Court
Central District of California (Los Angeles)
Bankruptcy Petition #: 2:18-bk-20151-ER**

Assigned to: Ernest M. Robles
Chapter 11
Voluntary
Asset

Date filed: 08/31/2018
341 meeting: 10/22/2018
Deadline for filing claims: 04/01/2019
Deadline for filing claims (govt.): 04/01/2019

Debtor

Verity Health System of California, Inc.
2040 E. Mariposa Avenue
El Segundo, CA 90245
LOS ANGELES-CA
SSN / ITIN: xxx-xx-5484
Tax ID / EIN: 91-2145484

represented by **Sam J Alberts**

DENTONS US LLP
1900 K Street NW
Washington, DC 20006
202-408-7004
Fax : 202-496-7756

Shirley Cho

Pachulski Stang Ziehl & Jones LLP
10100 Santa Monica Bl 13th Fl
Los Angeles, CA 90067-4100
310-277-6910
Fax : 310-201-0760
Email: scho@pszjlaw.com

Steven J Kahn

10100 Santa Monica Blvd Ste 13th Flr
Los Angeles, CA 90067-4003
310-277-6910
Fax : 310-201-0760
Email: skahn@pszyjw.com

Nicholas A Koffroth

Dentons US LLP
601 South Figueroa Street
Suite 2500
Los Angeles, CA 90017
213-623-9300
Fax : 213-623-9924
Email: nick.koffroth@dentons.com

Samuel R Maizel

Dentons US LLP
601 South Figueroa Street
Suite 2500
Los Angeles, CA 90017
213-892-2910
Email: samuel.maizel@dentons.com

Patrick Maxcy

Dentons US LLP
233 S Wacker Dr Ste 5900
Chicago, IL 60606

John A Moe, II

Dentons US LLP
601 S. Figueroa Street

6/3/2019

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CM/ECF - U.S. Bankruptcy Court (V.S.2.1 - LIVE)

Suite 2500
Los Angeles, CA 90017-5704
213-892-4905
Fax : 213-623-9924
Email: john.moe@dentons.com

Claude D Montgomery
Dentons US LLP
1221 Avenue of the Americas
New York, NY 10020-1001
212-768-6700

Tania M Moyron
Dentons US LLP
601 South Figuerora Street
Suite 2500
Los Angeles, CA 90017-5704
213-623-9300
Fax : 213-623-9924
Email: tania.moyron@dentons.com

U.S. Trustee
United States Trustee (LA)
915 Wilshire Blvd, Suite 1850
Los Angeles, CA 90017
(213) 894-6811

represented by **Alvin Mar**
915 Wilshire Boulevard, Ste 1850
Los Angeles, CA 90017
213-894-4219
Fax : 213-894-2603
Email: alvin.mar@usdoj.gov

Hatty K Yip
Office of the UST/DOJ
915 Wilshire Blvd., Suite 1850
Los Angeles, CA 90017
213-894-1507
Fax : 213-894-2603
Email: hatty.yip@usdoj.gov

Creditor Committee
Official Committee of Unsecured Creditors of Verity Health
System of California, Inc., et al.

represented by **James Cornell Behrens**
Milbank LLP
2029 Century Park East
33rd Floor
Los Angeles, CA 90067
424-386-4436
Fax : 213-892-4736
Email: jbehrens@milbank.com

Robert M Hirsh
Arent Fox LLP
1301 Avenue of the Americas, Floor 42
New York, NY 10019
212-484-3900
Fax : 212-484-3990
Email: Robert.Hirsh@arentfox.com

Abigail V O'Brient
Mintz Levin
2029 Century Park East, Suite 3100
Los Angeles, CA 90067
310-586-3200
Fax : 310-586-3202
Email: avobrient@mintz.com
SELF- TERMINATED: 02/04/2019

6/3/2019

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CM/ECF - U.S. Bankruptcy Court (v5.2.1 - LIVE)

Aram Ordubegian

Arent Fox LLP

555 W 5th St 48th Fl

Los Angeles, CA 90013-1065

213-629-7410

Fax : 213-629-7401

Email: ordubegian.aram@arentfox.com

Filing Date	#	Docket Text
08/31/2018	<u>1</u> (2810 pgs; 4 docs)	Chapter 11 Voluntary Petition Non-Individual. Fee Amount \$1717 Filed by Verity Health System of California, Inc. Statement About Your Social Security Numbers (Form 121) due by 09/14/2018. Signature of Attorney on Petition (Form 101 or 201) due 09/14/2018. Schedule J-2: Expenses for Separate Household of Debtor 2 (Form 106J-2) due 09/14/2018. Cert. of Credit Counseling due by 09/14/2018. Petition Preparer Notice, Declaration, and Signature - Form 119 due by 09/14/2018. Disclosure of Compensation of Bankruptcy Petition Preparer (Form 2800) due 09/14/2018. Disclosure of Compensation of Attorney for Debtor (Form 2030) due 09/14/2018. Declaration by Debtors as to Whether Income was Received from an Employer within 60 Days of the Petition Date (LBR Form F1002-1) due by 09/14/2018. Incomplete Filings due by 09/14/2018. Appointment of health care ombudsman due by 10/1/2018 (Attachments: # <u>1</u> Master Mailing Matrix) (Maizel, Samuel) WARNING: See entry <u>16</u> for corrective action. Case deficient for: Summary of Assets and Liabilities (Form 106Sum or 206Sum) due 9/14/2018. Schedule A/B: Property (Form 106A/B or 206A/B) due 9/14/2018. Schedule D: Creditors Who Have Claims Secured by Property (Form 106D or 206D) due 9/14/2018. Schedule E/F: Creditors Who Have Unsecured Claims (Form 106E/F or 206E/F) due 9/14/2018. Schedule G: Executory Contracts and Unexpired Leases (Form 106G or 206G) due 9/14/2018. Schedule H: Your Codebtors (Form 106H or 206H) due 9/14/2018. Statement of Financial Affairs (Form 107 or 207) due 9/14/2018. List of Equity Security Holders due 9/14/2018. The following items are not required on a Chapter 11 Non-Individual case: BPP Nte. Del. Sign. (Form 119); Cert. Credit Counseling; Del Db Emp Income (LBR F1002-1); Discl Comp of BPP (Form 2800); Schedule J-2 (Form 106J-2); Sign. of Atty (Form 101 or 201); Stat About Your SSN (Form 121); Modified on 8/31/2018 (Lomeli, Lydia R.). (Entered: 08/31/2018)
08/31/2018		Receipt of Voluntary Petition (Chapter 11)(2:18-bk-20151) [misc,volp11] (1717.00) Filing Fee. Receipt number 47627407. Fee amount 1717.00. (re: Doc# <u>1</u>) (U.S. Treasury) (Entered: 08/31/2018)
08/31/2018	<u>2</u> (152 pgs; 7 docs)	Adversary case 2:18-ap-01277. Complaint by Verity Health System of California, Inc. against Old Republic Insurance Company, City National Bank. (Charge To Estate). <i>Verified Complaint for Injunction Enjoining Defendant From Making Certain Draws on A Letter of Credit</i> (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D # <u>5</u> Exhibit E # <u>6</u> Exhibit F) Nature of Suit: (71 (Injunctive relief - reinstatement of stay)),(72 (Injunctive relief - other)) (Moyron, Tania) (Entered: 08/31/2018)
08/31/2018	<u>3</u> (1 pg)	Motion for Joint Administration <i>Debtors Ex Parte Emergency Motion For Entry Of An Order For Joint Administration Of Cases; Memorandum Of Points And Authorities; Declaration Of Richard G. Adcock</i> WARNING: Motion incomplete. Attorney to re-file complete motion. Filed by Debtor Verity Health System of California, Inc. (Moe, John) Modified on 8/31/2018 (Lomeli, Lydia R.). CORRECTION: See entry <u>5</u> for complete motion. Modified on 8/31/2018 (Lomeli, Lydia R.). (Entered: 08/31/2018)
08/31/2018	4	Notice to Filer of Error and/or Deficient Document Other - WARNING:

EXHIBIT A

1 ANDY EPSTEIN, SBN 220402
2 taxcpaesq@gmail.com
3 20211 Spectrum
4 Irvine, CA 92618
5 Telephone Number (619) 846-7369
6 FAX Number (866) 212-7227

7 Attorney for Movant: Rosa Carcamo

8 **UNITED STATES BANKRUPTCY COURT**
9
10 **CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION**

11 In re:

12 VERITY HEALTH SYSTEMS OF
13 CALIFORNIA, INC. et al.

14 Debtor and Debtor in Possession

15 Affects Debtor Verity Health System of
16 California, Inc. (2:18-bk-20151-ER)

17 Affects Debtor St. Francis Medical Center
18 (2:18-bk-20165-ER)
19
20
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27
28

Case No.: 2:18-bk-20151-ER Lead Case

Chapter 11

**SUPPLEMENTAL DECLARATION OF
KEVIN MAHONEY IN SUPPORT OF
MOVANT ROSA CARCAMO'S MOTION
FOR RELIEF FROM AUTOMATIC STAY**

1 I Kevin Mahoney, declare as follows:

- 2 1. I have personal knowledge of the facts set forth below. I can testify that said facts are true
- 3 2. I am Movant's attorney of record in the case *Rosa Carcamo v. St. Francis Medical Center*
- 4 *et al.*, Superior Court for the County of Los Angeles, case no. TC 029195 ("Nonbankruptcy
- 5 Action").
- 6 3. I provide this declaration to supplement the facts set forth in the DECLARATION RE
- 7 ACTION IN NONBANKRUPTCY FORUM, attached as part of the Notice and Motion
- 8 for Relief from Automatic Stay (Form: F4001-1.RFS.NONBK. MOTION), filed
- 9 simultaneously herewith.
- 10 4. The Nonbankruptcy Action was filed on behalf of Movant Rosa Carcamo ("Movant") on
- 11 June 29, 2018 alleging Retaliation in Violation of California Labor Code Sec. 1102.5;
- 12 Wrongful Termination in Violation of Public Policy; and Intentional Infliction of
- 13 Emotional Distress against St Francis Medical Center and Verity Health Systems of
- 14 California (the "Bankruptcy Defendants") and Allen Bookatz, M.D, Derek Drake, and
- 15 James Viramontes, (the "Nonbankruptcy Defendants").
- 16 5. Movant worked as a registered nurse at St. Francis Medical Center which was subsequently
- 17 acquired by Verity Health Systems of California.
- 18 6. Movant's employment was terminated on or about March 8, 2018.
- 19 7. On or about September 6, 2018, Debtors filed a Notice of Bankruptcy Stay in the
- 20 Nonbankruptcy Action, stating that they had filed petitions for bankruptcy on August 31,
- 21 2018.
- 22 8. Movant desires to conduct additional discovery in the State Court action and prosecute the
- 23 case to judgment with the understanding that Movant will only attempt to collect from the
- 24 Nonbankruptcy defendants.
- 25
- 26
- 27
- 28

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct. This Declaration is executed this 17 day of June 2019.
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6 Kevin Mahoney, Declarant
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SUPPLEMENTAL DECLARATION OF KEVIN MAHONEY

EXHIBIT B

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CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JUN 2 2019

Sherri R. Carter, Executive Officer/Clerk

By Erica Garland, Deputy

Attorneys for Plaintiff ROSA CARCAMO, an individual,

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES-SOUTH CENTRAL DISTRICT

COMPTON COURTHOUSE

ROSA CARCAMO, an individual,

Plaintiff,

vs.

ST. FRANCIS MEDICAL CENTER; a
California Corporation; VERITY HEALTH
SYSTEM OF CALIFORNIA, INC., a
California Corporation; ALLEN BOOKATZ,
M.D., an individual; DEREK DRAKE, an
individual; JAMIE VIRAMONTES, an
individual; and DOES 1 through 50, inclusive,

Defendants.

Case No.:

TC 029195

COMPLAINT FOR DAMAGES

1. Retaliation in Violation of California Labor Code § 1102.5.;
2. Wrongful Termination in Violation of Public Policy; and
3. Intentional Infliction of Emotional Distress.

DEMAND FOR JURY TRIAL

1 **COMES NOW** the Plaintiff, ROSA CARCAMO, (hereinafter referred to as the
2 "Plaintiff" or "Ms. Carcamo"), who hereby respectfully complains and alleges against as follows:

3 **INTRODUCTION**

4 1. Plaintiff brings these causes of action against her employer Defendants ST.
5 FRANCIS MEDICAL CENTER ("SFMC"); VERITY HEALTH SYSTEM OF CALIFORNIA,
6 INC. ("VERITY"); ALLEN BOOKATZ, M.D. ("DR. BOOKATZ"); JAIME VIRAMONTES
7 ("VIRAMONTES") and DEREK DRAKE ("DRAKE") (collectively referred to as
8 "Defendants"), for damages arising out of employer's violation of the California Labor Code,
9 specifically, retaliation in violation of Labor Code section 1102.5 and intentional infliction of
10 emotional distress.

11 **PARTIES**

12 **The Plaintiff**

13 2. Plaintiff ROSA CARCAMO is, and at all times herein mentioned was, a resident
14 of the County of Los Angeles, of the State of California. Plaintiff was hired as a registered nurse
15 on or about July 9, 2007, by the Defendants SFMC, which has subsequently been acquired by
16 VERITY. Plaintiff's employment was terminated on or about March 08, 2018.

17 **Defendants**

18 3. Plaintiff is informed and believes, and based thereon alleges, that SFMC was her
19 employer at all times mentioned herein. On information and belief, SFMC operated with its
20 principal place of business located at 3630 East Imperial Highway, Lynwood, California, Los
21 Angeles County.

22 4. Plaintiff is informed and believes, and based thereon alleges, that VERITY was
23 her employer at all times mentioned herein. On further information and belief, VERITY owned
24 and/or operated SFMC located at 3630 East Imperial Highway, Lynwood, California, Los
25 Angeles County.

26 5. Plaintiff is informed and believes, and based thereon alleges, that Defendant
27 VIRAMONTES; is an individual and at all relevant times was a managing agent and Vice
28 President of Human Resources at SFMC who had the ability to set policies and/or procedures,

1 and who exercised substantial independent authority and judgment in his decision making at
2 SFMC.

3 6. Plaintiff is informed and believes, and based thereon alleges, that Defendant
4 DRAKE; is an individual and at all relevant times was a managing agent and Chief Nursing
5 Officer at the SFMC who had the ability to set policies and/or procedures, and who exercised
6 substantial independent authority and judgment in his decision making at SFMC.

7 7. Plaintiff is informed and believes, and based thereon alleges, that Defendant DR.
8 BOOKATZ is an individual and at all relevant times was an agent of Defendants at SFMC, who
9 had the ability to affect policies and/or procedures, and who exercised substantial independent
10 authority and judgment in his decision making at SFMC.

11 8. Plaintiff is not aware of the true names and/or capacities of those entities or
12 individuals sued herein as DOES 1 through 50, inclusive, and therefore sues these Defendants by
13 their fictitious names. Plaintiff will seek leave of this Court to amend this Complaint to insert
14 their true names and/or capacities when the same are ascertained.

15 9. Unless otherwise specified herein, each DOE Defendant was the agent and
16 employee of each Defendant, and in doing the things hereinafter mentioned, were at all times
17 acting within the course and scope of that agency and employment.

18 10. Whenever and wherever reference is made in this Complaint to an act, error,
19 omission, or other conduct by a Defendant or co-Defendant, such allegations and references shall
20 also be deemed to be the acts, errors or omissions of each Defendant acting individually, jointly
21 severally or concurrently.

22 **JURISDICTION AND VENUE**

23 11. Jurisdiction is proper in this Court by virtue of the California statutes, decisional
24 law and regulations, and the local rules under the Los Angeles County Superior Court Rules
25 because both Plaintiff and Defendants reside in Los Angeles County, California.

26 12. Venue in this Court is also proper because the subject matter of the causes of action
27 alleged herein all took place in the city of Lynwood, located in Los Angeles County, California.

28 ///

ADMINISTRATIVE PREREQUISITE

13. Plaintiff is not required to fulfill any pre-filing administrative pre-requisites as the only claims are for violation of Labor Code section 1102.5 and Intentional Infliction of Emotional Distress.

FACTUAL ALLEGATIONS RELEVANT TO ALL CAUSES OF ACTION

14. At all relevant times to this claim, Plaintiff was a registered nurse working for Defendants SFMC and VERITY. Plaintiff was qualified for the positions she held by reason of her education and training. Plaintiff also successfully completed and obtained certification as a Nurse Practitioner while working for SFMC and VERITY. Plaintiff joined the SFMC on or about July 9, 2007. During the course of her employment with Defendants SFMC and VERITY, Plaintiff performed her various responsibilities in an exemplary fashion and otherwise capably performed each and every condition of her employment agreement.

15. In or about mid-2016, Plaintiff worked in part as a charge nurse in SFMC and VERITY's emergency department. Plaintiff received multiple complaints from SFMC and VERITY nursing staff complaining of Defendant BOOKATZ harassing treatment of nursing staff. Plaintiff recommunicated complaints that Defendant BOOKATZ was yelling and acting aggressively towards the nursing staff who questioned his orders. For example, Defendant BOOKATZ became upset and angry, and yelled when the nursing staff questioned his orders to commence intravenous fluid and medication treatments in non-urgent care rooms where no patient monitoring equipment was available. Nursing staff questioned these orders based on safety patient concerns. Plaintiff reported the complaints to her superiors Amon McMaken, interim director of SFMC's emergency room, who stated he would address the matter with Defendant BOOKATZ.

16. In or about late 2016, Defendant BOOKATZ reported that an elderly patient who was admitted had a malfunctioning Percutaneous Endoscopic Gastrostomy ("PEG") feeding tube and ordered Plaintiff to complete procedures to address the malfunctioning PEG feeding tube. Plaintiff proceeded to review the condition of the PEG feeding tube in preparation for carrying out Defendant BOOKATZ's orders and found that the feeding tube was not malfunctioning.

1 Plaintiff in turn reported to Defendant BOOKATZ her findings that the PEG feeding tube was
2 not malfunctioning and that the ordered procedures were unnecessary at that time. Defendant
3 BOOKATZ responded to Plaintiff by stating words to the effect of "Don't worry about it we get
4 paid a lot for Medicare patients and the hospital needs the money." Plaintiff was shocked that
5 Defendant BOOKATZ would direct her to perform unnecessary and costly procedures on a
6 patient simply to charge Medicare for the cost of the services. Plaintiff told Defendant
7 BOOKATZ that such conduct was highly inappropriate. To this, Defendant BOOKATZ
8 responded by stating words to the effect of "I ordered it and that's that." On another occasion,
9 on or about late 2016, Defendant BOOKATZ ordered a screening for Septic Encephalopathy for
10 an elderly Medicare patient where it was not confirmed at the time that the patient had a urinary
11 tract infection. Plaintiff confronted Defendant BOOKATZ about what she believed to be the
12 ordering of unnecessary and costly procedures. Plaintiff then followed up by reporting
13 complaints of unnecessary ordering of medical procedures for Medicare patients to her superiors,
14 Vicky Del Castillo, Amon McMaken, Carlos Hernandez, and Justus Kelly, in addition to
15 reporting her complaint to SFMC's and VERITY's corporate compliance line. Plaintiff did not
16 receive a response to her complaints.

17 17. On or about September 18, 2017, Plaintiff was working and performing her usual
18 and customary duties at SFMC. Plaintiff was approached by Defendant BOOKATZ, wherein he
19 requested that Plaintiff perform certain tasks with respect to a patient. After assessing the patient,
20 Plaintiff believed that the procedure requested by Defendant BOOKATZ was not warranted.
21 While Plaintiff was speaking with a fellow nurse, Defendant BOOKATZ approached Plaintiff
22 and began screaming at Plaintiff. In fact, the condition that Defendant BOOKATZ described the
23 patient to be in was completely false. Plaintiff again believed that the procedure that Defendant
24 BOOKATZ requested was again unwarranted. Having a second and more unstable patient,
25 Plaintiff instead prioritized. Plaintiff's co-worker, Yashica Warren, was more familiar with the
26 patient that Defendant BOOKATZ was concerned with and had decided to take care of that
27 patient, while Plaintiff was dealing with the more unstable patient. As a result of Plaintiff
28 focusing on the more unstable patient instead, Defendant BOOKATZ filed a complaint against

1 Plaintiff for refusing to follow his orders despite that Plaintiff was attending to a patient who had
2 greater need for urgent care and despite that fact that Ms. Warren was carrying out Defendant Dr.
3 BOOKATZ's orders.

4 18. Soon thereafter, on or about September 21, 2017, Plaintiff was put on suspension
5 pending an investigation into Dr. BOOKATZ's complaints against Plaintiff. In or about October
6 2017, the investigation into Plaintiff's alleged misconduct was brought to a close with no findings
7 held against Plaintiff. Subsequently, Defendants refused to allow Plaintiff to return to work and
8 instead commenced a second investigation into Plaintiff's conduct in the workplace. This second
9 investigation culminated with Defendants' termination of Plaintiff.

10 **FIRST CAUSE OF ACTION**

11 **Retaliation in Violation of Labor Code 1102.5.**

12 **(Plaintiff against Defendants)**

13 19. The whistleblower protection statute of the Labor Code prohibits retaliation
14 against an employee who discloses information about, or refuses to participate in, an illegal
15 activity. (Lab. Code, § 1102.5(b), (c), (h).) Liability may be predicated on retaliation by "any
16 person acting on behalf of the employer." (Lab. Code, § 1102.5(a)–(d).)

17 20. An employer may not retaliate against an employee for disclosing information to
18 a government or law enforcement agency, where the employee has reasonable cause to believe
19 that the information discloses a violation of state or federal statute, or a violation or
20 noncompliance with a state or federal rule or regulation." "This provision reflects the broad public
21 policy interest in encouraging workplace whistle-blowers to report unlawful acts without fearing
22 retaliation." (internal citation omitted). To establish a prima facie case of retaliation, the plaintiff
23 "must show (1) she engaged in a protected activity, (2) her employer subjected her to an adverse
24 employment action, and (3) there is a causal link between the two." (*McVeigh v. Recology San*
25 *Francisco* (2013) 213 Cal.App.4th 443, 468.)

26 21. Plaintiff is able to establish a 1102.5 claim because Plaintiff engaged in protected
27 activity, including, but not limited to, complaining about Defendants deviation from proper
28 medical procedure. Furthermore, Plaintiff had previously filed numerous complaints regarding

1 Defendant BOOKATZ, specifically, complaints for performing medical procedures that
2 presented patient safety concerns, performing unnecessary medical procedures on patients, as
3 well as inappropriate comments to patients. Furthermore, Plaintiff had previously reported
4 Defendant BOOKATZ for what she believed to be Medicare/Medical fraud to CMS as well as to
5 Defendant SFMC's value line and to Defendant's labor-management committee, wherein
6 Defendant SFMC's and VERITY's employees and/or agents, specifically, Defendant DRAKE
7 and Vicky Del Castillo (former Vice-President of Human Resources), were present and made
8 aware.

9 22. Defendants, by and through its management, became upset that Plaintiff was
10 making complaints regarding patient safety, unnecessary medical procedures, and reporting to
11 governmental oversight departments, and as a result, Defendants SFMC and VERITY, by and
12 through its employees and agents, retaliated against Plaintiff. Plaintiff had previously lodged
13 complaints and charted in Risk-Pro regarding unlawful acts/medical procedures performed by
14 doctors, and more specifically, Defendant BOOKATZ, which caused Defendant to retaliate by
15 giving Plaintiff false write-up(s), suspending Plaintiff and ultimately terminating Plaintiff though
16 previously, Plaintiff had never had any disciplinary action taken against her during her
17 employment with Defendants.

18 23. As a direct result of this retaliatory conduct in violation of Labor Code section
19 1102.5, Plaintiff has sustained, and will continue to sustain, compensatory damages, including,
20 but not limited to, loss of income and lost future earning capacity, all to his detriment in an amount
21 according to proof, but which are in excess of the jurisdictional minimum of this Court.

22 24. As a further direct result of the aforementioned conduct, Plaintiff has suffered, and
23 will continue to suffer, damages for physical, emotional, and mental distress, and for pain and
24 suffering, all to his detriment in an amount according to proof, but which are in excess of the
25 jurisdictional minimum of this Court.

26 25. Plaintiff is entitled to her reasonable attorneys' fees and expenses pursuant to the
27 California Civil Procedure section 1021.5 as a significant benefit, whether pecuniary or
28 nonpecuniary, has been conferred on the general public, the necessity and financial burden of

1 private enforcement are such as to make the award appropriate, and such fees should not in the
2 interest of justice be paid out of the recovery.

3 **SECOND CAUSE OF ACTION**

4 **Wrongful Termination in Violation of Public Policy**

5 **(Plaintiff Against Defendants SFMC and VERITY)**

6 26. Plaintiff realleges and incorporates those matters contained in paragraphs 1
7 through 25 as though fully set forth.

8 27. At all times mentioned, the public policy of the State of California, as codified
9 expressed and mandated in California Government Code section 12940 prohibits employers from
10 discriminating and retaliating against any employee on the basis of his or his disability. Labor
11 Code section 1102.5 prohibits employers from retaliating against employees for complaining to
12 the government or to management about a subject matter that violates state law that the employee
13 reasonably believes violates the law. The public policy of the State of California is designed to
14 protect all employees and to promote the welfare and well-being of the community at large.

15 28. Plaintiff was employed with Defendants SFMC and VERITY on or about July 9,
16 2007, as a registered nurse. During the course of her employment with Defendants SFMC and
17 VERITY, Plaintiff performed her various responsibilities in an exemplary fashion and otherwise
18 capably performed each and every condition of her employment agreement. Plaintiff was
19 terminated on March 08, 2018.

20 29. Prior to her termination, Plaintiff engaged in protected activity, including, but not
21 limited to, complaining about Defendants deviation from proper medical procedure. Furthermore,
22 Plaintiff had previously filed numerous complaints regarding Defendant BOOKATZ,
23 specifically, complaints for performing medical procedures that presented patient safety concerns,
24 performing unnecessary medical procedures on patients, as well as inappropriate comments to
25 patients. Furthermore, Plaintiff had previously reported Defendant BOOKATZ for what she
26 believed to be Medicare/MediCal fraud to CMS as well as to Defendant SFMC's value line and
27 to Defendant's labor-management committee, wherein Defendant SFMC's and VERITY's
28

1 employees and/or agents, specifically, Defendant DRAKE and Vicky Del Castillo (former Vice-
2 President of Human Resources) were present and made aware.

3 30. On or about September 21, 2017, Plaintiff is informed and believes that
4 Defendants SFMC and VERITY initiated an investigation into Plaintiff as a result of Plaintiff
5 engaging in protected activity, including, but not limited to, making complaints against its
6 doctors, but more specifically, Defendant BOOKATZ for performing medical procedures that
7 presented patient safety concerns, performing unnecessary medical procedures on patients, as
8 well as inappropriate comments to patients. Furthermore, Plaintiff had previously reported
9 Defendant BOOKATZ for what she believed to be Medicare/MediCal fraud to CMS as well as to
10 Defendant SFMC's value line and to Defendant's labor-management committee.

11 31. Instead of investigating Plaintiff's as well as other nurse complaints regarding
12 unlawful medical practices and potential fraud against the government, Defendants SFMC and
13 VERITY wrongfully terminated Plaintiff's employment on March 08, 2018, as a result of her
14 complaints

15 32. As a result of the foregoing protected activity, Defendants SFMC and VERITY
16 wrongfully terminated Plaintiff's employment on March 08, 2018.

17 33. As a direct result of the wrongful termination, Plaintiff has sustained, and will
18 continue to sustain for a period of time, compensatory damages, including, but not limited to, loss
19 of income and loss of future earning capacity, all to his damage in an amount according to proof.
20 As a further direct result of the wrongful termination, Plaintiff has sustained, and will continue to
21 sustain for a period of time, severe physical, emotional, and mental pain, suffering, and distress,
22 all to his general damage in an amount according to proof.

23 34. The acts and conduct of Defendants, and each of them, including, but not limited
24 to, SFMC; VERITY; VIRAMONTES, DRAKE, constituted "malice," "oppression" and/or
25 "fraud" (as those terms are defined in Civil Code section 3294(c), in that it was intended by
26 Defendants, and each of them, to cause injury to Plaintiff or was despicable conduct which was
27 carried on by Defendants, and each of them, with a willful and conscious disregard of the rights
28 of Plaintiff.

36. Plaintiff realleges and incorporates those matters contained in paragraphs 1 through 35 as though fully set forth.

38. The conduct of Defendants, SFMC and VERITY, by and through its agents and employees, as well as all Defendants as described herein above, was intentional, malicious, despicable, extreme and outrageous, without substantial justification, unprivileged, and was of the type and variety known to create severe emotional and mental distress.

39. As direct result of the aforementioned conduct, Plaintiff sustained, and will continue to sustain, compensatory damages including, but not limited to, loss of income and lost

1 future earning capacity, all to her detriment in an amount according to proof, but which are in
2 excess of the jurisdictional minimum of this Court.

3 40. As a further direct result of the aforementioned conduct, Plaintiff has suffered, and
4 will continue to suffer, damages for physical, emotional, and mental distress, and for pain and
5 suffering, all to her detriment in an amount according to proof, but which are in excess of the
6 jurisdictional minimum of this Court.

7 **PRAYER FOR RELIEF**

8 **WHEREFORE**, Plaintiff prays for judgment as follows:

- 9 1. For special damages in an amount according to proof;
- 10 2. For general damages in an amount according to proof;
- 11 3. For attorneys' fees and expenses under California Labor Code;
- 12 4. For punitive damages in an amount according to proof;
- 13 5. For prejudgment interest according to proof;
- 14 6. For the costs of the suit herein incurred; and
- 15 7. For all such other and further relief as this Court may deem just and proper.

16
17 Dated: June 29, 2018

MAHONEY LAW GROUP, APC

18
19
20 By: 

Alexander Perez, Esq.

Attorneys for Plaintiff ROSA CARCAMO

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues so triable in the Complaint.

Dated: June 29, 2018

MAHONEY LAW GROUP, APC

By: 

Alexander Perez, Esq.

Attorneys for Plaintiff ROSA CARCAMO

SHORT TITLE Carcamo v. St. Francis Medical Center, et al.	CASE NUMBER TC 029195
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**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 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides. |
| 2. Permissive filing in central district. | 8. Location wherein defendant/respondent functions wholly. |
| 3. Location where cause of action arose. | 9. Location where one or more of the parties reside. |
| 4. Mandatory personal injury filing in North District. | 10. Location of Labor Commissioner Office. |
| 5. Location where performance required or defendant resides. | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle. | |

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE		CASE NUMBER
Carcamo v. St. Francis Medical Center, et al.		

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input checked="" type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE	Carcamo v. St. Francis Medical Center, et al.	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 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
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <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, 5, 11 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	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <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/Change of Gender <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, 8 2, 9

SHORT TITLE Carcamo v. St. Francis Medical Center, et al.	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: 3630 East Imperial Highway
CITY: Lynwood	STATE: CA	ZIP CODE: 90262	

Step 5: Certification of Assignment: I certify that this case is properly filed in the South Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: June 28, 2018


(SIGNATURE OF ATTORNEY/FILING PARTY)

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. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
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.