

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Levi Reuben Uku, Esquire (CSB#196406) 1055 W. 7th Street, Suite 3300 Los Angeles, CA 90017  Phone: 213.385.0193  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Sophia Holley-Horton		FOR COURT USE ONLY	
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION <input type="checkbox"/>			
In re: Verity Health System of California, INC et al.          Debtor(s).		CASE NO.: 2:18-bk-20151-ER CHAPTER: 11 <input type="checkbox"/>	
		<b>NOTICE OF MOTION AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (with supporting declarations) (ACTION IN NONBANKRUPTCY FORUM)</b>	
		DATE: 02/22/2021 TIME: 10:00 am COURTROOM: 1568	
Movant: Sophia Holly-Hurton (Creditor).			

1. **Hearing Location:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012 | <input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701 |
| <input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367        | <input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101  |
| <input type="checkbox"/> 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](http://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: 01/22/2021

Law Offices of Levi Reuben Uku

Printed name of law firm (if applicable)

Levi Reuben Uku, Esquire

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:* Sophia Holly-Hurton v. Verity Health System of California
- b. *Docket number:* BC706278
- c. *Nonbankruptcy forum where Nonbankruptcy Action is pending:*  
Los Angeles Superior Court, Central District, Los Angeles, California
- d. *Causes of action or claims for relief (Claims):*  
Personal Injury-Slip and Fall

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: 01/22/2021

Law Offices of Levi Reuben Uku

Printed name of law firm (if applicable)

Levi Reuben Uku, Esquire

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)* Jude Akubuilu, Esquire, 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)*:

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*: Sophia Holly-Hurton v. Verity Health System of California  
b. *Docket number*: BC706278  
c. *Nonbankruptcy court or agency where Nonbankruptcy Action is pending*:  
Superior Court of California, County of Los Angeles, Central District

5. **Procedural Status of Nonbankruptcy Action:**

- a. The Claims are:  
Personal Injury-Slip and Fall and Damages- A copy of the Non-Bankruptcy Complaint is attached herewith as Exhibit "A".
- 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)* 05/18/2018.
- d. Trial or hearing began/is scheduled to begin on *(date)* \_\_\_\_\_.
- e. The trial or hearing is estimated to require 3 days *(specify)*.
- f. Other plaintiffs in the Nonbankruptcy Action are *(specify)*:  
N/A



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

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*) 05/30/2021. 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.

01/22/2021

Jude Akubuilu, Esquire

Date

Printed name

Signature



## **EXHIBIT 'A'**

**SUMMONS  
(CITACION JUDICIAL)**

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

Verity Health System of California Inc., St. Vincent Medical Center,  
and DOES 1 to 25 Inclusive

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

Sophia Holley-Horton

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

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

MAY 14 2018

Sherri R. Carter, CLERK, OFFICE/CLERK  
By: M. Soto, Deputy  
Moses Soto

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

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

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

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

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

The name and address of the court is:

(El nombre y dirección de la corte es): Stanley Mosk Courthouse

111 N. Hill St.

Los Angeles, CA 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Law Office of Jude A. Akubailo, 3655 Torrance Blvd., Suite 300, Torrance, CA 90503 Tel: (310)406-3765

CASE NUMBER:  
(Número del Caso)

BC 706278

DATE:

(Fecha)

MAY 14 2018

SHERRI R. CARTER

Clerk, by  
(Secretario)

M. Soto

, Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

**NOTICE TO THE PERSON SERVED:** You are served

1. ☐ as an individual defendant.

2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

4. ☐ by personal delivery on (date):

COMBINED STATE  
JAN 26 2021  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAN 26 2021

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
JAN 26 2021

NO 3 0 8

RECEIVED BY DIRECTOR

NO 3 0 8

NO 3 0 8

NO 3 0 8

NO 3 0 8

NO 3 0 8

NO 3 0 8



PLD-PI-001

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</b> Jude A. Akubuilu, SBN 147258 Law Offices of Jude A. Akubuilu, Ph.D. 3655 Torrance Blvd, Suite 300 Torrance, CA 90503 TELEPHONE NO: (310) 406-3765 FAX NO. (Optional): (888) 377-3075 E-MAIL ADDRESS (Optional): akubuilulaw@gmail.com ATTORNEY FOR (Name): Sophia Holley-Horton		<b>FOR COURT USE ONLY</b>  <b>CONFORMED COPY ORIGINAL FILED</b> Superior Court of California County of Los Angeles  MAY 14 2018 Sherri R. Gallo, Executive Officer/Clerk By: <u>M. Soto</u> , Deputy Moses Soto
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b> STREET ADDRESS: 111 N. Hill St. MAILING ADDRESS: 111 N. Hill St. CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse, Central District		
PLAINTIFF: Sophia Holley-Horton  DEFENDANT: Verity Health System of California Inc., et al. &		
<input checked="" type="checkbox"/> DOES 1 TO 25 Inclusive		
<b>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b> <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Pain and Suffering <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify): General		
<b>Jurisdiction (check all that apply):</b> <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited		CASE NUMBER:  BC 706278

1. Plaintiff (name or names): Sophia Holley-Horton  
alleges causes of action against defendant (name or names):  
Verity Health System of California Inc., St. Vincent Medical Center, and DOES 1 to 25 Inclusive
2. This pleading, including attachments and exhibits, consists of the following number of pages: 5
3. Each plaintiff named above is a competent adult
  - a. ☐ except plaintiff (name):
    - (1) ☐ a corporation qualified to do business in California
    - (2) ☐ an unincorporated entity (describe):
    - (3) ☐ a public entity (describe):
    - (4) ☐ a minor ☐ an adult
      - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
      - (b) ☐ other (specify):
    - (5) ☐ other (specify):
  - b. ☐ except plaintiff (name):
    - (1) ☐ a corporation qualified to do business in California
    - (2) ☐ an unincorporated entity (describe):
    - (3) ☐ a public entity (describe):
    - (4) ☐ a minor ☐ an adult
      - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
      - (b) ☐ other (specify):
    - (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

PLD-PI-001

SHORT TITLE:

Sophia Holley-Horton v. Verity Health System of California Inc., et al.

CASE NUMBER:

4. ☐ Plaintiff (name):

is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): Verity Health System c. ☒ except defendant (name): St. Vincent Medical

(1) ☐ a business organization, form unknown

(1) ☒ a business organization, form unknown

(2) ☒ a corporation

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(3) ☐ an unincorporated entity (describe):

(4) ☒ a public entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

(5) ☐ other (specify):

b. ☒ except defendant (name): Does 15-25

d. ☐ except defendant (name):

(1) ☒ a business organization, form unknown

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. ☒ Doe defendants (specify Doe numbers): 1-25, Inclusive were the agents or employees of other named defendants and acted within the scope of that agency or employment.

b. ☒ Doe defendants (specify Doe numbers): 1-25 are persons whose capacities are unknown to plaintiff.

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. ☐ at least one defendant now resides in its jurisdictional area.

b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.

c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.

d. ☐ other (specify):

9. ☐ Plaintiff is required to comply with a claims statute, and

a. ☐ has complied with applicable claims statutes, or

b. ☐ is excused from complying because (specify):



PLD-PI-001

**SHORT TITLE:**

**Sophia Holley-Horton v. Verity Health System of California Inc., et al.**

**CASE NUMBER:**

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☒ Premises Liability
- f. ☐ Other (specify):

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (specify):

**Pain and Suffering**

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☒ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

6

Date: 05/07/2018

**Jude A. Akubuilu, SBN 147258**

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)



SHORT TITLE:

Sophia Holley-Horton v. Verity Health System of California Inc., et al.

CASE NUMBER:

FIRST

(number)

CAUSE OF ACTION—Premises Liability

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ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

Prem.L-1. Plaintiff (name): Sophia Holley-Horton

alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.

On (date): 12/28/2016

plaintiff was injured on the following premises in the following

fashion (description of premises and circumstances of injury):

Plaintiff was on an invitee on the premises of St. Vincent Medical Center, 2131 W. 3rd Street, Los Angeles, CA 90057, when she slipped and fell on a wet floor.

Defendants knew or ought to have known that such a defective and wet floor constituted a great danger and hazard to plaintiff, and that failure to correct such known defect and clean up the wet floor, or posting adequate warnings to put patrons on notice about the grave nature of the danger posed by the premises could cause and did cause injuries to Plaintiff.

Prem.L-2. ☒ Count One—Negligence The defendants who negligently owned, maintained, managed and operated the described premises were (names):

Verity Health System of California Inc., St. Vincent Medical Center, and

☒ Does 1 to 25

Prem.L-3. ☒ Count Two—Willful Failure to Warn [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were (names):

Verity Health System of California Inc., St. Vincent Medical Center, and

☒ Does 1 to 25

Plaintiff, a recreational user, was ☐ an invited guest ☐ a paying guest.

Prem.L-4. ☐ Count Three—Dangerous Condition of Public Property The defendants who owned public property on which a dangerous condition existed were (names):

☐ Does \_\_\_\_\_ to \_\_\_\_\_

a. ☐ The defendant public entity had ☐ actual ☐ constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.

b. ☐ The condition was created by employees of the defendant public entity.

Prem.L-5. a. ☒ Allegations about Other Defendants The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

Verity Health System of California Inc., St. Vincent Medical Center, and

☒ Does 1 to 25

b. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are ☐ described in attachment Prem.L-5.b ☐ as follows (names):

PLD-PI-001(2)

SHORT TITLE:

Sophia Holley-Horton v. Verity Health System of California Inc., et al.

CASE NUMBER:

SECOND

(number)

**CAUSE OF ACTION—General Negligence**

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ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Sophia Holley-Horton

alleges that defendant (name): Verity Health System of California Inc., St. Vincent Medical Center

☒ Does 1 to 25 Inclusive

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): 12/28/2016

at (place): St. Vincent Medical Center, 2131 W. 3rd Street, Los Angeles, CA 90057

(description of reasons for liability):

Plaintiff was on an invitee on the premises of St. Vincent Medical Center, 2131 W. 3rd Street, Los Angeles, CA 90057, when she slipped and fell on a wet floor.

Defendants knew or ought to have known that such a defective and wet floor constituted a great danger and hazard to persons such as plaintiff who patronize their business, and that failure to correct such known defect and clean up the wet floor, or posting adequate warnings to put patrons on notice about the grave nature of the danger posed by the premises could cause, and did in fact cause Plaintiff significant injuries, which made Plaintiff to seek and continue to seek extended medical treatment and rehabilitation. Plaintiff has also suffered intensive pain and suffering, and lifestyle changes as a result of the injuries sustained in the slip and fall.



**PROOF OF SERVICE**

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and not a party to the within action; my business address is 1055 W. 7<sup>TH</sup> STREET, Suite 3300, Los Angeles, California 90017

On Jan. 26, 2021 I served the foregoing:  
**NOTICE OF MOTION AND MOTION TO FOR RELIEF FROM RELIEF AUTOMATIC STAY**

On the interested parties in this action a true copy in a sealed envelope addressed to each person as follows: VIA ECF AS FOLLOWS:

<b>SAMUEL R. MAIZEL (Bar No. 189301)</b> <b>samuel.maizel@dentons.com</b> <b>TANIA M. MOYRON (Bar No. 235736)</b> <b>tania.moyron@dentons.com</b> <b>DENTONS US LLP</b> <b>601 South Figueroa Street, Suite 2500</b> <b>Los Angeles, California 90017-5704</b>	<b>United States Trustee via ECF:</b> <b>Ustpregion16.wh.ecf@usdoj.gov</b>

☐ (By EMAIL) I caused above-referenced documents to be faxed to the addressee at the following Fax No.: Said facsimile transmission was reported completed without error.

☒ (By Mail) I caused such envelope, with postage thereon, fully pre-paid, to be placed in the U.S. Mail at Los Angeles, California 90017.

☐ (By Personal Service) I caused such envelope to be hand-delivered to the address set forth above.

☐ (By overnight delivery) by placing a true copy thereof enclosed in a sealed envelope with delivery fees provided for, addressed as follows, for collection by Federal Express for 2-day delivery at 1055 W 7<sup>th</sup> Street, Suite 3300, Los Angeles, CA 90017 as is the ordinary business practice

**STATE.** I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed on Jan. 26, 2021 at Los Angeles, California.

  
LEVI REUBEN UKU