

AL0017
91006

LAW OFFICE OF TIMOTHY L. JOENS
A Professional Corporation
TIMOTHY L. JOENS, ESQ. - STATE BAR #090532
MATTHEW J. JOENS, ESQ. - STATE BAR #274529
2201 Dupont Drive, Suite 820
Irvine, California 92612
Telephone: (949) 851-0866
Fax: (949) 851-1250

FILED
Superior Court Of California
County Of Los Angeles

SEP 17 2015

By Paul So Executive Officer/Clerk
Deputy [Signature]

Attorneys for Plaintiff,
EZZAT MIKHAIL & SALMA MIKHAIL as Trustees for the
EZZAT A. & SALMA MIKHAIL LIVING
TRUST DATED OCTOBER 1, 2006

D45 Mtl Becana

SUPERIOR COURT OF CALIFORNIA

BY FAX

COUNTY OF LOS ANGELES, STANLEY MOSK COURTHOUSE

EZZAT MIKHAIL & SALMA MIKHAIL as
TRUSTEES for the EZZAT A. & SALMA
MIKHAIL LIVING TRUST DATED OCTOBER
1, 2006,

Case No.

BC 5 9 4 9 6 3

Plaintiffs,

vs.

APRIL VERLATO, an individual; VERLATO
AND ROBERTS, an entity of unknown form;
and, DOES 1 through 500, inclusive,

COMPLAINT FOR DECLARATORY
FOR DECLARATORY RELIEF;
BREACH OF CONTRACT;
PROFESSIONAL NEGLIGENCE;
AND, BREACH OF FIDUCIARY
DUTY

(Unlimited Jurisdiction)

Defendants.

Plaintiffs allege:

FIRST CAUSE OF ACTION

(Declaratory Relief)

(Against All Defendants.)

- At all times herein mentioned, Plaintiffs, EZZAT MIKHAIL and SALMA MIKHAIL are and were individuals and are and were the Trustees for the EZZAT A. and SALMA MIKHAIL LIVING TRUST DATED OCTOBER 1, 2006, residing in the County of Orange, State of California.
- Plaintiffs are informed and believe, and based thereon allege that at all times herein mentioned, Defendant, APRIL VERLATO, is and was an individual residing in the County of Los Angeles.

CIT/CASE: BC594963
LEA/DEF#:
RECEIVED:
DATE PAID: 09/17/15 10:36 AM
PAYMENT: \$435.00
CASH: \$0.00
CHECK: \$0.00
CARD: \$0.00

FIRST AMENDED COMPLAINT

09/17/2015

1 Angeles, state of California, and is and was practicing as an attorney at law.

2 3. Plaintiffs are informed and believe, and based thereon allege, that Defendant, VERLATO
3 AND ROBERTS, is and was an entity of unknown form of which APRIL VERLATO was a member
4 and with which she was practicing law.

5 4. Plaintiffs are ignorant of the true names and capacities of defendants sued herein as DOES
6 1 through 500, inclusive, and each of them, and therefore sue said defendants by such fictitious
7 names. Plaintiffs will amend this complaint to allege the true names and capacities of said defendants
8 when ascertained. Plaintiffs are informed and believe, and based thereon allege that each of said
9 fictitiously named defendants acted intentionally, negligently, and/or recklessly and is responsible in
10 some manner for the occurrences herein alleged, and that Plaintiffs' injuries and damages as herein
11 alleged were proximately and legally caused by said defendants' actions.

12 5. Plaintiffs are informed and believe, and based thereon allege that all of the defendants
13 identified herein, whether identified by name or by fictitious name, were and are the agents, servants,
14 and employees of each of the remaining defendants, and that in doing the things alleged herein were
15 acting within the purpose, course and scope of said agency, service, and/or employment and with the
16 permission, consent, authorization, and subsequent ratification of each of the remaining defendants.

17 6. In or before late 2010 or early 2011, Defendants, and each of them, entered into a written
18 contingent fee agreement with Plaintiffs providing that Defendants, and each of them, would be and
19 were retained and employed by Plaintiff EZZAT MIKHAIL to represent himself individually and
20 himself and his wife, SALMA MIKHAIL, as trustees of the EZZAT and SALMA MIKHAIL LIVING
21 TRUST DATED OCTOBER 1, 2006, as their attorneys to prosecute a certain case against Albert
22 Hanna and certain others to collect damages caused to Plaintiffs by said parties' negligence, fraud,
23 and other actionable conduct. At such time and place, Defendants, and each of them, accepted such
24 employment and agreed to perform such services for Plaintiffs.

25 7. Pursuant to said agreement, Defendants, and each of them, promised, covenanted and
26 agreed to undertake, and did undertake, the representation of Plaintiffs in the prosecution of a civil
27 action filed on Plaintiffs' behalf entitled MIKHAIL, et al. vs. Hanna, etc., et al., which said
28 defendants then filed in the Superior Court for the State of California in the County of Orange under

1 case number 30-2010-00434346 (hereinafter referred to as "the Civil Action"). The terms of the
2 written contingent fee agreement stated that Plaintiffs would compensate Defendants, and each of
3 them, by paying them 33 1/3% of any sums said Defendants recovered on Plaintiffs' behalf after
4 filing suit in the prosecution of the Civil Action. Said agreement further provided that Defendants,
5 and each of them, had the right to withdraw from representing Plaintiff "without any further
6 obligation whatsoever by the client [*i.e.*, Plaintiff] or by the attorney [*i.e.*, Defendants]."

7 8. In or about April, 2011, undertook the prosecution of the Civil Action on Plaintiffs' behalf.

8 9. Although Defendants undertook the prosecution thereof, they did so negligently and
9 Defendants, and each of them, have failed to exercise reasonable care and skill in undertaking to
10 perform legal services for Plaintiffs in that each of them failed to respond to Plaintiffs concerning the
11 Civil Action, except to demand they be relieved of responsibility therefor and to send bills for
12 services rendered therein, and failed to take diligent action to secure the entry of a judgment in The
13 Civil Action in a timely fashion, caused a new action to be filed against Plaintiffs by the Hanna
14 defendant, and failed to take timely action to collect on the judgment that should have been entered
15 more than a year before it ultimately was entered.

16 10. As a legal, direct, and proximate result of the actions and failures to act of Defendants,
17 and each of them, said Defendants failed to obtain a judgment for over a year after it should have
18 been entered in Plaintiffs' favor in The Civil Action. Thereafter, one of the defendants in the Civil
19 Action, Albert Hanna, filed a complaint against Plaintiffs based on the fact Defendants failed to
20 properly prosecute The Action, filed and pursued an appeal of the judgment that was ultimately
21 entered, and failed to undertake prompt and diligent action on Plaintiffs' behalf. As a legal, direct and
22 proximate result of the actions and failures to act of Defendants, and each of them, Plaintiffs have
23 been damaged in a sum in excess of \$50,000.00 in lost interest, in having to compromise the claim
24 the Hanna defendants asserted against them, in not having the judgment entered and collected more
25 quickly, and in having to hire new and additional counsel to protect Plaintiffs' rights in The Civil
26 Action.

27 11. On or about September 19, 2014, Defendants withdraw from further representation of
28 Plaintiffs in the Civil Action.

1 12. Defendants have made demand for and continue to make demand for a purported lien as
2 against any recovery Plaintiffs obtained in the Civil Action, including a demand for compensation
3 based on sums that have not been collected therein and those that were ultimately collected after
4 Defendants withdrew from further representation of Plaintiffs.

5 13. Plaintiffs are also entitled to a set off of the approximate sum of \$10,000.00 earned by
6 and/or paid to the Law Office of Timothy L. Joens as against any sums, if any, found to be due and
7 owing to Defendants, and/or any of them.

8 14. Plaintiffs are also entitled to a set off of the approximate sum of \$8,500.00 in interest lost
9 by them by virtue of Defendants' failure to secure the entry of judgment on a timely basis.

10 15. Plaintiffs are also entitled to a set off of the approximate sum of \$25,000.00 by virtue of
11 having to defend and compromise the affirmative claim asserted by the Hanna parties by virtue of
12 Defendants' failure to handle The Civil Action properly.

13 16. A present dispute exists between the parties hereto as to the validity and enforceability of
14 Defendants' claim they are entitled to compensation relative to and/or based on sums recovered in
15 The Civil Action.

16 17. A determination by this court is necessary for the parties to determine their respective
17 rights.

18 18. Plaintiffs request that the court determine, declare, and order that Plaintiffs owe nothing
19 to Defendants relative to their representation of Plaintiffs in The Civil Action.

20 **SECOND CAUSE OF ACTION**

21 **(Professional Negligence)**

22 **(Against All Defendants.)**

23 19. Plaintiffs refer to and incorporate herein by this reference, all of the allegations set forth in
24 Paragraphs 1 through 18, inclusive, above as though set forth again in full.

25 20. Defendants, and each of them, have failed to exercise reasonable care and skill in
26 undertaking to perform legal services for Plaintiffs in that each of them failed to respond to prosecute
27 in the Civil Action in a timely fashion, failed to possess the requisite knowledge, skill, and
28 competence to diligently and properly prosecute said action.

1 Defendants as herein alleged, Plaintiffs have been damaged in a sum according to proof, but in excess
2 of \$25,000.00 in sums Plaintiffs lost by virtue of the affirmative claim the Hanna parties asserted
3 based on Defendants' wrongful actions.

4 **FOURTH CAUSE OF ACTION**

5 **(Breach of Fiduciary Duty)**

6 **(Against All Defendants.)**

7 30. Plaintiffs refer to and incorporate herein by this reference, all of the allegations set forth in
8 Paragraphs 1 through 29, inclusive, above as though set forth again in full.

9 31. By virtue of the attorney-client relationship that existed between Plaintiffs and each of said
10 Defendants, and by virtue of Plaintiffs having placed trust and confidence in the fidelity and integrity
11 of Defendants, and each of them, and in entrusting each of said Defendants to represent them in the
12 legal matters set forth above, a confidential relationship existed at all times herein mentioned between
13 Plaintiff and Defendants, and each of them.

14 32. Despite having voluntarily accepted the trust and confidence of Plaintiffs with regard to
15 the legal matters set forth above, and in violation of that relationship of trust and confidence,
16 Defendants abused and violated that trust and confidence by failing to protect Plaintiffs' interests in
17 the Civil Action as set forth above and by advancing their own interests with regard thereto to the
18 detriment of Plaintiffs. In addition, each of said Defendants failed to protect the interests of Plaintiffs
19 in accepting a legal matter as to which they were incompetent and as to which they lacked the
20 necessary expertise, knowledge and training to properly and adequately represent Plaintiff.

21 33. As a legal, direct and proximate result of the breaches of fiduciary duty by each of said
22 Defendants as herein alleged, Plaintiffs have been damaged in a sum according to proof, but in excess
23 \$10,000.00 in having to retain the Law Office of Timothy L. Joens.

24 34. As a legal, direct and proximate result of the breaches of fiduciary duty by each of said
25 Defendants as herein alleged, Plaintiffs have been damaged in a sum according to proof, but in excess
26 of \$8,500.00 in lost interest that would have otherwise been earned and paid on the judgment in The
27 Civil Action.

28 35. As a legal, direct and proximate result of the breaches of fiduciary duty by each of said

1 Defendants as herein alleged, Plaintiffs have been damaged in a sum according to proof, but in excess
2 of \$25,000.00 in sums Plaintiffs lost by virtue of the affirmative claim the Hanna parties asserted
3 based on Defendants' wrongful actions.

4 WHEREFORE, Plaintiffs pray judgment against each Defendant herein as follows:

5 1. On Plaintiffs' First Cause of Action herein:

6 a. For a declaration hat Defendants, and each of them, are owed no attorney's
7 fees and/or any other sums by Plaintiffs and/or the trust of which they are the
8 trustees.

9 2. On Plaintiff s Second Cause of Action herein:

10 a. F or general damages according to proof;
11 b. For special damages according to proof, but in excess of the sum of
12 \$43,500.00.

13 3. On Plaintiff s Third Cause of Action herein:

14 a. F or general damages according to proof;
15 b. For special damages according to proof, but in excess of the sum of
16 \$43,500.00.

17 4. On Plaintiff's Fourth Cause of Action herein:

18 a. F or general damages according to proof;
19 b. For special damages according to proof, but in excess of the sum of
20 \$43,500.00.

21 5. On all causes of action herein:

22 a For costs of suit herein incurred; and,
23 b. For such other and further relief as to the court seems just and proper.

24 Dated: September 16, 2015

LAW OFFICE OF TIMOTHY L. JOENS
A Professional Corporation

25
26
27 By

TIMOTHY L. JOENS, ESQ.
Plaintiffs, EZZAT and SALMA MIKHAIL, etc.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Timothy L. Joens, Esq. - State Bar No. 90532 LAW OFFICE OF TIMOTHY L. JOENS, A Professional Corporation 2201 Dupont Drive, Suite 820		FOR COURT USE ONLY FILED Superior Court Of California County Of Los Angeles SEP 17 2015 By <u>Paul So</u> Deputy	
TELEPHONE NO.: 949-851-0866 FAX NO.: 949-851-1250 ATTORNEY FOR (Name): Plaintiffs		BY FAX	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: 111 N. Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse			
CASE NAME: Ezzat Mikhail, etc., et al. vs. April Verlato, etc., et al.			
CIVIL CASE COVER SHEET ☒ Unlimited (Amount demanded exceeds \$25,000) ☐ Limited (Amount demanded is \$25,000 or less)		Complex Case Designation ☐ Counter ☐ Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
CASE NUMBER: BC 594963		JUDGE: DEPT:	

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

1. Check one box below for the case type that best describes this case:

Auto Tort ☐ Auto (22) ☐ Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort ☐ Asbestos (04) ☐ Product liability (24) ☐ Medical malpractice (45) ☐ Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort ☐ Business tort/unfair business practice (07) ☐ Civil rights (08) ☐ Defamation (13) ☐ Fraud (16) ☐ Intellectual property (19) ☒ Professional negligence (25) ☐ Other non-PI/PD/WD tort (35) Employment ☐ Wrongful termination (36) ☐ Other employment (15)	Contract ☐ Breach of contract/warranty (06) ☐ Rule 3.740 collections (09) ☐ Other collections (09) ☐ Insurance coverage (18) ☐ Other contract (37) Real Property ☐ Eminent domain/inverse condemnation (14) ☐ Wrongful eviction (33) ☐ Other real property (26) Unlawful Detainer ☐ Commercial (31) ☐ Residential (32) ☐ Drugs (38) Judicial Review ☐ Asset forfeiture (05) ☐ Petition re: arbitration award (11) ☐ Writ of mandate (02) ☐ Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) ☐ Antitrust/Trade regulation (03) ☐ Construction defect (10) ☐ Mass tort (40) ☐ Securities litigation (28) ☐ Environmental/Toxic tort (30) ☐ Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment ☐ Enforcement of judgment (20) Miscellaneous Civil Complaint ☐ RICO (27) ☐ Other complaint (not specified above) (42) Miscellaneous Civil Petition ☐ Partnership and corporate governance (21) ☐ Other petition (not specified above) (43)
---	--	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. ☐ Large number of separately represented parties | d. ☐ Large number of witnesses |
| b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. ☐ Substantial amount of documentary evidence | f. ☐ Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): Four (4)
5. This case ☐ is ☐ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: September 16, 2015
 Timothy L. Joens, Esq.

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

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

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

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

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

CASE TYPES AND EXAMPLES

Auto Tort

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

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

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

Non-PI/PD/WD (Other) Tort

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

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

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

Real Property

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

Unlawful Detainer

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

Judicial Review

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

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

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

Enforcement of Judgment

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

Miscellaneous Civil Complaint

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

Miscellaneous Civil Petition

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

BY FAX

SHORT TITLE: EZZAT MIKHAIL, etc., et al. vs. APRIL VERLATO, etc., et al.	CASE NUMBER BC 5 9 4 9 6 3
--	--------------------------------------

**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.

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

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

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

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

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

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.3.

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

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |
| | 11. Mandatory Filing Location (Hub Case) |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	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)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall)	1., 4.
		☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		☐ A7270 Intentional Infliction of Emotional Distress ☐ A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 3. 1., 4.

SHORT TITLE: EZZAT MIKHAIL, etc., et al. vs. APRIL VERLATO, etc., et al.

CASE NUMBER

Non-Personal Injury/Property
Damage/Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	☐ A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	☐ A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	☒ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	2., 3.

Employment

Wrongful Termination (36)	☐ A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1., 2., 3. 10.

Contract

Breach of Contract/Warranty (06) (not insurance)	☐ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) ☐ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) ☐ A6019 Negligent Breach of Contract/Warranty (no fraud) ☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case ☐ A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	2., 5., 6., 11 2., 5., 11 5, 6, 11
Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	☐ A6009 Contractual Fraud ☐ A6031 Tortious Interference ☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.

Real Property

Eminent Domain/Inverse Condemnation (14)	☐ A7300 Eminent Domain/Condemnation Number of parcels_____	2.
Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	☐ A6018 Mortgage Foreclosure ☐ A6032 Quiet Title ☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.

Unlawful Detainer

Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	☐ A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:

EZZAT MIKHAIL, etc., et al. vs. APRIL VERLATO, etc., et al.

CASE NUMBER

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus ☐ A6152 Writ - Mandamus on Limited Court Case Matter ☐ A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	☐ A6007 Construction Defect	1., 2., 3.
Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	☐ A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	☐ A6141 Sister State Judgment ☐ A6160 Abstract of Judgment ☐ A6107 Confession of Judgment (non-domestic relations) ☐ A6140 Administrative Agency Award (not unpaid taxes) ☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax ☐ A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	☐ A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only ☐ A6040 Injunctive Relief Only (not domestic/harassment) ☐ A6011 Other Commercial Complaint Case (non-tort/non-complex) ☐ A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	☐ A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment ☐ A6123 Workplace Harassment ☐ A6124 Elder/Dependent Adult Abuse Case ☐ A6190 Election Contest ☐ A6110 Petition for Change of Name ☐ A6170 Petition for Relief from Late Claim Law ☐ A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

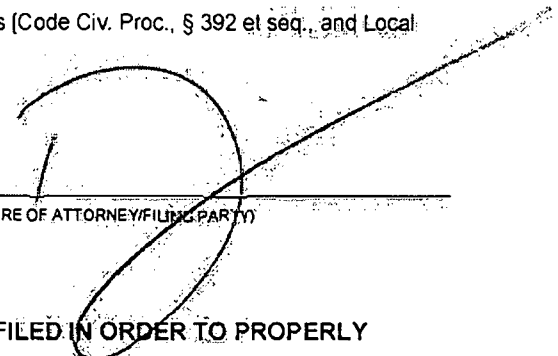
SHORT TITLE: EZZAT MIKHAIL, etc., et al. vs. APRIL VERLATO, etc., et al.	CASE NUMBER
--	-------------

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

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. ☐ 1. ☐ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10. ☐ 11.			ADDRESS: 33 East Huntington Drive, Arcadia, CA 91066
CITY: Arcadia	STATE: CA	ZIP CODE: 91066	

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles (Code Civ. Proc., § 392 et seq., and Local Rule 2.3, subd.(a)).

Dated: September 16, 2015


 (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. 03/15).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION