

A7220

91390

FSC: 04/12/2018 TRIAL: 04/27/2018 OSC: 10/28/2019

1 LAWRENCE P. GRASSINI—SBN 49046
2 LARS C. JOHNSON—SBN 205712
3 BRIAN HONG—SBN 217932
4 GRASSINI, WRINKLE & JOHNSON
5 20750 Ventura Boulevard, Suite 221
6 Woodland Hills, CA 91364-6235
7 Tel: (818) 348-1717
8 Fax: (818) 348-7921
9 Email: mail@grassinilaw.com

FILED
Superior Court of California
County of Los Angeles

OCT 28 2016

Sherril K. Carter, Executive Officer/Clerk
By M. Soto Deputy
Moses Soto

Attorneys for Plaintiffs

93 - Hammock

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

11 STEVE DE CASTRO, CARLY DE
12 CASTRO,

13 Plaintiffs,

14 vs.

15 THOMAS E. SIZEMORE; PARAMOUNT
16 PICTURES CORPORATION; CAST &
17 CREW TALENT SERVICES, LLC; CAST
18 & CREW ENTERTAINMENT
19 SERVICES, LLC; VIACOM, INC.; and
20 DOES 1 through 100, Inclusive, et al.,

Defendants.

Case No.: BC 639107

COMPLAINT FOR PERSONAL INJURIES
AND DAMAGES – NEGLIGENCE;
PECULIAR RISK; BATTERY; ASSAULT;
INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS; LOSS OF
CONSORTIUM

21 COMES NOW, Plaintiffs STEVE DE CASTRO and CARLY DE CASTRO, and for
22 causes of action against Defendants THOMAS E. SIZEMORE, PARAMOUNT
23 CORPORATION, CAST & CREW TALENT SERVICES, LLC, CAST & CREW
24 ENTERTAINMENT SERVICES, LLC, VIACOM INC., and DOES 1 through 100, Inclusive,
25 and each of them, allege as follows:

FILED
RECEIVED: 10/28/16 03:27 PM
DATE PAID: 10/28/16 03:27 PM
PAYMENT: \$435.00
CHECK: \$435.00
CASH: \$0.00
CHARGE: \$0.00
CARD: \$0.00
LEB/DEF: BC639107
CIT/Case: BC639107

COMPLAINT FOR PERSONAL INJURIES AND DAMAGES – NEGLIGENCE; PECULIAR RISK; BATTERY;
ASSAULT: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS: LOSS OF CONSORTIUM

FIRST CAUSE OF ACTION

(For Negligence Against All Defendants)

1
2
3 1. The true names and capacities, whether corporate, associate, individual, or
4 otherwise, of defendants, DOES 1 through 100, inclusive, are unknown to plaintiffs, who
5 therefore sue said defendants by such fictitious names. Each of the defendants designated herein
6 as a DOE is negligently or otherwise legally responsible in some manner for the events and
7 happenings herein referred to and caused injuries and damages proximately thereby to the
8 plaintiffs, as herein alleged. Plaintiffs will ask leave of Court to amend this Complaint to show
9 their true names and capacities when the same have been ascertained.

10 2. At all times herein mentioned, defendants, and each of them, were either the
11 agents, servants, employees, permissive users, joint venturers, successors in interest, assigns and
12 subsidiaries, each of the other, and at all times pertinent hereto were acting within the course and
13 scope of their authority as such agents, servants, employees, permissive users, joint venturers,
14 successors in interest, assigns and subsidiaries, or were independent contractors hired by each of
15 the remaining defendants to perform work which was likely to involve a special risk of harm to
16 others which such defendants knew or should have known that the work was likely to involve
17 this risk or had some other legal relationship one to each other so as to impose legal, vicarious
18 liability on each defendant for the injury-producing acts of the other defendants.

19 3. At all times herein mentioned, Defendants THOMAS E. SIZEMORE and DOES
20 1 through 100, inclusive, and each of them, were and are residents of the County of Los Angeles,
21 State of California.

22 4. At all times herein mentioned, Defendants CAST & CREW TALENT
23 SERVICES, LLC, and DOES 1 through 100, inclusive, and each of them, were and are business
24 entities duly organized and existing under and by virtue of the laws of one of the fifty (50) states.

25 5. At all times herein mentioned, Defendants CAST & CREW TALENT
26 SERVICES, LLC, and DOES 1 through 100, inclusive, and each of them, were and are business
27 entities authorized to do business, and doing business in the State of California.
28

10/26/2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

6. At all times herein mentioned, Defendants CAST & CREW ENTERTAINMENT SERVICES, LLC, and DOES 1 through 100, inclusive, and each of them, were and are business entities duly organized and existing under and by virtue of the laws of one of the fifty (50) states.

7. At all times herein mentioned, Defendants CAST & CREW ENTERTAINMENT SERVICES, LLC, and DOES 1 through 100, inclusive, and each of them, were and are business entities authorized to do business, and doing business in the State of California.

8. At all times herein mentioned, Defendants PARAMOUNT PICTURES CORPORATION and DOES 1 through 100, inclusive, and each of them, were and are business entities duly organized and existing under and by virtue of the laws of one of the fifty (50) states.

9. At all times herein mentioned, Defendants PARAMOUNT PICTURES CORPORATION and DOES 1 through 100, inclusive, and each of them, were and are business entities authorized to do business, and doing business in the State of California.

10. At all times herein mentioned, Defendants VIACOM INC., and DOES 1 through 100, inclusive, and each of them, were and are business entities duly organized and existing under and by virtue of the laws of one of the fifty (50) states.

11. At all times herein mentioned, Defendants VIACOM INC., and DOES 1 through 100, inclusive, and each of them, were and are business entities authorized to do business, and doing business in the State of California.

12. At all times herein mentioned, defendants, and each of them, supervised, financed, created, managed, operated, maintained, and controlled the production of a cable television series entitled "Shooter."

13. At all times herein mentioned, defendants, and each of them, were the registered owners, operators, lessees, and lessors of a certain automobile, and at all times herein mentioned, were operating said automobile with the knowledge, permission, and consent, each of the other.

14. At all times herein mentioned, Plaintiff STEVE DE CASTRO, was a film industry professional working primarily as a stuntman through his loan-out corporation, Stevie D Corp.

10787015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

15. On or about July 6, 2016, Plaintiff STEVE DE CASTRO was at the Agua Dulce Airport in the County of Los Angeles, State of California working as a stuntman on the remote location for the filming and production of "Shooter", at which time and place the defendants, and each of them, so negligently, carelessly, recklessly, and unlawfully, owned, drove, maintained, operated, entrusted, and controlled said vehicle, so negligently, carelessly, recklessly, and unlawfully managed, produced, directed, controlled, operated, supervised and produced the filming and production of the above referenced film production and otherwise so negligently conducted themselves, so as to cause such vehicle to collide with Plaintiff STEVE DE CASTRO thereby directly and legally causing the injuries and damages to plaintiffs as hereinafter enumerated.

16. On or about July 6, 2016, during the aforementioned production, defendants, and each of them, so negligently, carelessly, recklessly and unlawfully planned, prepared, directed, controlled, managed, operated, and supervised such activities, and negligently hired, retained, supervised and controlled participants, and otherwise so negligently conducted themselves, so as to cause Plaintiff STEVE DE CASTRO to directly and legally suffer the injuries and damages hereinafter enumerated.

17. The injuries and damages described herein were proximately caused by the intoxication of Defendants THOMAS E. SIZEMORE and DOES 1-100.

18. The injuries and damages described herein were proximately caused by the willful and unprovoked physical acts of aggression of Defendants THOMAS E. SIZEMORE and DOES 1-100.

19. On or about July 6, 2016, Defendant THOMAS E. SIZEMORE became intoxicated knowing he would operate a motor vehicle and then operated said motor vehicle in a reckless, dangerous manner knowing that Plaintiff STEVE DE CASTRO and other cast members and bystanders were lying on the ground nearby. The actions of Defendant THOMAS E. SIZEMORE, as alleged herein, were willful, wanton, intentional, malicious, oppressive, despicable, vile, contemptible and more done in conscious disregard for the rights and safety of

10/15/2016

1 plaintiff, thereby justifying an award of exemplary damages against Defendant THOMAS E.
2 SIZEMORE in an amount to be determined at the time of trial.

3 20. As a direct and legal result of the acts and omissions of the defendants, and each
4 of them, plaintiff was rendered sick, sore, lame, disabled, and disordered, both internally and
5 externally and suffered, among other things, numerous internal and external injuries, severe
6 fright, shock, pain, discomfort, and anxiety. The exact nature and extent of said injuries are not
7 known to plaintiff who will pray leave of Court to insert the same when they are ascertained.
8 Plaintiff does not at this time know the exact duration of permanence of said injuries, but is
9 informed and believes, and thereon alleges, that some of the said injuries are reasonably certain
10 to be permanent in character.

11 21. As a further direct and legal result of the acts and omissions of the defendants,
12 and each of them, plaintiff has been forced to incur expenses for medical care, X-rays, and
13 laboratory costs during the period of plaintiff's disabilities and is informed and believes and
14 thereon alleges, that plaintiff will in the future be forced to incur additional expenses of the same
15 nature, all in an amount which is at present unknown. Plaintiff will pray leave of Court to show
16 the exact amount of said expenses at the time of trial.

17 22. Prior to the occurrence of this accident, plaintiff was an able-bodied individual,
18 but since said accident plaintiff has been unable to engage fully in his occupation, and is
19 informed and believes, and thereon alleges, that he will be incapacitated and unable to perform
20 his usual work for an indefinite period of time in the future, all to plaintiff's damage in an
21 amount which is at present unascertained. Plaintiff will pray leave of Court to show the total
22 amount of loss of earnings at the time of trial.

23 23. Plaintiff has been generally damaged in an amount within the jurisdictional limits
24 of this Court.

10/18/2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SECOND CAUSE OF ACTION

(For Peculiar Risk Against All Defendants)

24. Plaintiffs hereby repeat, reallege, and replead all of the First Cause of Action herein, and incorporate the same by reference, as though set forth in full at this place.

25. The activities of the defendants as described above, involved presence, work and activities including stunts, staged firefights, and involving the dangerous operation of various vehicles, and other work and activities that posed extreme risk of severe harm, and were foreseeably likely to involve a special risk of harm to others, including Plaintiff STEVE DE CASTRO.

26. At all times herein, the defendants, and each of them, knew or should have known that such presence, work, and activities were likely to involve such special risk.

27. Defendants, and each of them, failed to use reasonable care or to take specific safety measures appropriate to the danger to avoid such risk.

28. Such failure on the part of defendants, and each of them, was a direct, legal, and proximate cause of and substantial factor in causing the injuries and damages to plaintiffs as described herein.

THIRD CAUSE OF ACTION

(For Battery Against All Defendants)

29. Plaintiffs hereby repeat, reallege, and replead all of the First and Second Causes of Action herein, and incorporate the same by reference, as though set forth in full at this place.

30. Defendants, and each of them, willfully and unlawfully used, and caused to be used, force and violence upon Plaintiff STEVE DE CASTRO, with the intent to harm plaintiff and without plaintiff's consent.

31. As a direct and legal result of the acts and omissions of the defendants, and each of them, Plaintiff was placed in great fear for his life and physical well-being, and suffered non-consensual, harmful and offensive contact.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

32. At such time and place defendants, and each of them, committed a willful and unprovoked physical act of aggression upon the plaintiff by intentionally and with conscious disregard for causing injury and harm to the plaintiff running over his prone body with a motor vehicle.

33. At all times mentioned herein, the officers, directors, and/or managing agents of defendants, and each of them, directed, authorized and ratified the above described battery, willful and unprovoked physical act of aggression and conduct of their agents and employees which conduct was likely to result in serious injury to cast members and bystanders including plaintiff. Defendants and each of them ratified the injurious conduct of Defendants THOMAS E. SIZEMORE and DOES 1-100 by not terminating him from the production when they discovered that he had severely injured and nearly killed the plaintiff by the above described battery and willful and unprovoked physical act of aggression upon the plaintiff and by failing to discipline Defendants THOMAS E. SIZEMORE and DOES 1-100 under such circumstances.

34. As a direct and legal result of the acts and omissions of the defendants, and each of them, plaintiff was rendered sick, sore, lame, disabled, and disordered, both internally and externally and suffered, among other things, numerous internal and external injuries, severe fright, shock, pain, discomfort, and anxiety. The exact nature and extent of said injuries are not known to plaintiff who will pray leave of Court to insert the same when they are ascertained. Plaintiff does not at this time know the exact duration of permanence of said injuries, but is informed and believes, and thereon alleges, that some of the said injuries are reasonably certain to be permanent in character.

35. As a further legal result of the acts and omissions of the defendants, and each of them, plaintiff has been forced to incur expenses for medical care, X-rays, and laboratory costs during the period of plaintiff's disability, and is informed and believes, and thereon alleges, that plaintiff will in the future be forced to incur additional expenses of the same nature, all in an amount which is at present unknown. Plaintiff will pray leave of Court to show the exact amount of said expenses at the time of trial.

1693812818

1 36. Prior to the occurrence of this incident, plaintiff was an able-bodied individual,
2 but since said incident, plaintiff has been unable to engage fully in his occupation, and is
3 informed and believes, and thereon alleges, that he will be incapacitated and unable to perform
4 his usual work for an indefinite period of time in the future, all to plaintiff's damage in an
5 amount which is at present unascertained. Plaintiff will pray leave of Court to show the total
6 amount of loss of earnings and/or earning potential at the time of trial.

7 37. Plaintiff has been generally damaged in an amount within the jurisdictional limits
8 of this Court.

9
10 **FOURTH CAUSE OF ACTION**

11 **(For Assault Against All Defendants)**

12 38. Plaintiffs hereby repeat, reallege, and replead all of the First, Second, and Third
13 Causes of Action herein, and incorporate the same by reference, as though set forth in full at this
14 place.

15 39. Defendants, and each of them, intended to cause and did cause Plaintiff STEVE
16 DE CASTRO to suffer apprehension of an immediate harmful contact without plaintiff's
17 consent.

18 40. At such time and place defendants, and each of them, committed a willful and
19 unprovoked physical act of aggression upon the plaintiff by intentionally and with conscious
20 disregard for causing injury and harm to the plaintiff running over his prone body with a motor
21 vehicle.

22 41. At all times mentioned herein, the officers, directors, and/or managing agents of
23 defendants, and each of them, directed, authorized and ratified the above described assault,
24 willful and unprovoked physical act of aggression and conduct of their agents and employees
25 which conduct was likely to result in serious injury to cast members and bystanders including
26 plaintiff. Defendants and each of them ratified the injurious conduct of Defendants THOMAS E.
27 Sizemore and DOES 1-100 by not terminating him from the production when they discovered
28

1 that he had severely injured and nearly killed the plaintiff by the above described assault and
2 willful and unprovoked physical act of aggression upon the plaintiff and by failing to discipline
3 Defendants THOMAS E. SIZEMORE and DOES 1-100 under such circumstances.

4 42. As a direct and legal result of the acts and omissions of the defendants, and each
5 of them, plaintiff was rendered sick, sore, lame, disabled, and disordered, both internally and
6 externally and suffered, among other things, numerous internal and external injuries, severe
7 fright, shock, pain, discomfort, and anxiety. The exact nature and extent of said injuries are not
8 known to plaintiff who will pray leave of Court to insert the same when they are ascertained.
9 Plaintiff does not at this time know the exact duration of permanence of said injuries, but is
10 informed and believes, and thereon alleges, that some of the said injuries are reasonably certain
11 to be permanent in character.

12 43. As a further legal result of the acts and omissions of the defendants, and each of
13 them, plaintiff has been forced to incur expenses for medical care, X-rays, and laboratory costs
14 during the period of plaintiff's disability, and is informed and believes, and thereon alleges, that
15 plaintiff will in the future be forced to incur additional expenses of the same nature, all in an
16 amount which is at present unknown. Plaintiff will pray leave of Court to show the exact amount
17 of said expenses at the time of trial.

18 44. Prior to the occurrence of this incident, plaintiff was an able-bodied individual,
19 but since said incident, plaintiff has been unable to engage fully in his occupation, and is
20 informed and believes, and thereon alleges, that he will be incapacitated and unable to perform
21 his usual work for an indefinite period of time in the future, all to plaintiff's damage in an
22 amount which is at present unascertained. Plaintiff will pray leave of Court to show the total
23 amount of loss of earnings and/or earning potential at the time of trial.

24 45. Plaintiff has been generally damaged in an amount within the jurisdictional limits
25 of this Court.

19/08/2016

FIFTH CAUSE OF ACTION

(For Intentional Infliction of Emotional Distress Against All Defendants)

46. Plaintiffs hereby repeat, reallege, and replead all of the First, Second, Third, and Fourth Causes of Action herein, and incorporate the same by reference, as though set forth in full at this place.

47. Defendants, and each of them, negligently, carelessly, recklessly, intentionally, and unlawfully conducted themselves so as to directly and legally cause the injuries and damages to plaintiffs as alleged herein.

48. The acts and omissions of the defendants, and each of them, as described herein were engaged in by defendants, and each of them, with a willful and knowing disregard of the rights and safety of Plaintiff STEVE DE CASTRO. Defendants, and each of them, acted with reckless disregard of the probability that plaintiff would suffer severe emotional distress. The conduct of defendants, and each of them, was so extreme and outrageous so as to exceed all bounds of that usually tolerated in a decent and civilized society.

49. As a direct and legal result of the acts and conduct of defendants, and each of them, plaintiff has been caused to, and did suffer, and continues to suffer severe and permanent emotional and mental distress and anguish, humiliation, embarrassment, fright, shock, pain, discomfort and anxiety. The exact nature and extent of said injuries is presently unknown to plaintiff who will pray leave of Court to assert the same when they are ascertained.

50. As a direct and legal result of the acts and omissions of defendants, and each of them, plaintiff was rendered sick, sore, lame, disabled and disordered, both internally and externally, and suffered, among other things, a severe laceration to the face, severe fright, shock, pain, discomfort and anxiety. The exact nature and extent of said injuries are not known to the plaintiff, who will pray leave of Court to assert the same when they are ascertained. Plaintiff does not at this time know the exact duration or permanence of said injuries, but is informed and believes, and thereon alleges, that some of the said injuries are reasonably certain to be permanent in character.

10/23/2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

51. As a further legal result of the acts and omissions of the defendants, and each of them, plaintiff has been forced to incur expenses for medical care, X-rays, and laboratory costs during the period of plaintiff's disability, and is informed and believes, and thereon alleges, that plaintiff will in the future be forced to incur additional expenses of the same nature, all in an amount which is at present unknown. Plaintiff will pray leave of Court to show the exact amount of said expenses at the time of trial.

52. Prior to the occurrence of the incident, plaintiff was an able-bodied individual, but since said incident, plaintiff has been unable to engage fully in his occupation, and is informed and believes, and thereon alleges, that he will be incapacitated and unable to perform his usual work for an indefinite period of time in the future, all to plaintiff's damage in an amount which is at present unascertained. Plaintiff will pray leave of Court to show the total amount of loss of earnings at the time of trial.

53. Plaintiff has been generally damaged in an amount within the jurisdictional limits of this Court.

SIXTH CAUSE OF ACTION

(For Loss of Consortium Against All Defendants)

54. Plaintiff CARLY DE CASTRO hereby repeats, realleges, and repleads all of the First, Second, Third, Fourth, and Fifth Causes of Action herein, and incorporates the same by reference, as though set forth in full at this place.

55. Plaintiff CARLY DE CASTRO is the wife of Plaintiff STEVE DE CASTRO and at all times herein mentioned has been a loving and dutiful wife to him.

56. As a result of the acts and omissions of the defendants, and each of them, as alleged herein, Plaintiff CARLY DE CASTRO has been deprived of the care, comfort, society, companionship, and conjugal benefits of her marriage to Plaintiff STEVE DE CASTRO, and that loss of consortium continues.

16070672016

1 57. The nature and extent of said loss is not fully ascertained. Plaintiff CARLY DE
2 CASTRO will seek leave of Court at the time of trial to show the total amount of loss.

3 58. Plaintiff CARLY DE CASTRO has been generally damaged in an amount within
4 the jurisdictional limits of this Court.

5
6 WHEREFORE, Plaintiffs STEVE DE CASTRO and CARLY DE CASTRO pray
7 judgment against Defendants THOMAS E. SIZEMORE and DOES 1 through 100, inclusive, and
8 each of them, as follows:

- 9 1. For general damages in an amount within the jurisdictional limits of this Court;
- 10 2. For medical expenses and related items of expense, according to proof;
- 11 3. For loss of earnings, according to proof;
- 12 4. For loss of earning capacity, according to proof;
- 13 5. For costs of suit incurred herein;
- 14 6. For prejudgment interest according to proof;
- 15 7. For punitive and exemplary damages according to proof; and
- 16 8. For such other and further relief as the Court may deem just and proper.

17 WHEREFORE, Plaintiffs STEVE DE CASTRO and CARLY DE CASTRO pray
18 judgment against Defendants PARAMOUNT PICTURES CORPORATION, CAST & CREW
19 TALENT SERVICES, LLC, CAST & CREW ENTERTAINMENT SERVICES, LLC,
20 VIACOM INC., and DOES 1 through 100, inclusive, and each of them, as follows:

- 21 1. For general damages in an amount within the jurisdictional limits of this Court;
- 22 2. For medical expenses and related items of expense, according to proof;
- 23 3. For loss of earnings, according to proof;
- 24 4. For loss of earning capacity, according to proof;
- 25 5. For costs of suit incurred herein;
- 26 6. For prejudgment interest according to proof; and

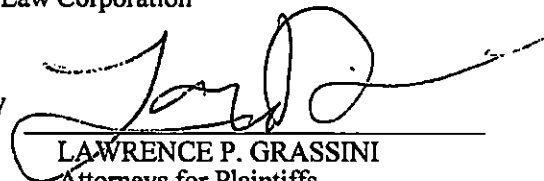
10/28/2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

7. For such other and further relief as the Court may deem just and proper.

DATED: October 18, 2016

GRASSINI, WRINKLE & JOHNSON
A Law Corporation

By 
LAWRENCE P. GRASSINI
Attorneys for Plaintiffs

10/18/2016

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, SBN number, and address): LAWRENCE P. GRASSINI - SBN 49046 GRASSINI, WRINKLE & JOHNSON 20750 Ventura Boulevard, Suite 221 Woodland Hills, CA 91364-6235 TELEPHONE NO.: (818) 348-1717 FAX NO.: (818) 348-7921		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles OCT 28 2016 Sherri K. Carter, Executive Judicial Clerk By <u>M. Soto</u> , Deputy Moses Soto
ATTORNEY FOR (Name): Plaintiffs, Steve De Castro & Carly De Castro SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: CENTRAL DISTRICT - STANLEY MOSK COURT		
CASE NAME: DE CASTRO v. THOMAS E. SIZEMORE, et al.		CASE NUMBER: BC 639107
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	JUDGE: DEPT:

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

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

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

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. Large number of separately represented parties. d. Large number of witnesses

b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve. e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court

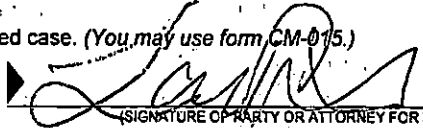
c. Substantial amount of documentary evidence. f. Substantial postjudgment judicial supervision

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

4. Number of causes of action (specify): Negligence; Peculiar risk; Battery; Assault; Intentional infliction of emotional distress; Loss of consortium

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: **October 24, 2016**
LAWRENCE P. GRASSINI - SBN 49046
 (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.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

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

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

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

CASE TYPES AND EXAMPLES

Auto Tort

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

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

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

Non-PI/PD/WD (Other) Tort

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

Employment

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

Contract

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

Real Property

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

Unlawful Detainer

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

Judicial Review

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

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

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

Enforcement of Judgment

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

Miscellaneous Civil Complaint

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

Miscellaneous Civil Petition

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

SHORT TITLE: DE CASTRO v. THOMAS E. SIZEMORE, et al.

CASE NUMBER

BC 639107

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? [X] YES CLASS ACTION? [] YES LIMITED CASE? [] YES TIME ESTIMATED FOR TRIAL 5 [] HOURS/ [X] 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.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office
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.

Table with 3 columns: A Civil Case Cover Sheet Category No., B Type of Action (Check only one), C Applicable Reasons - See Step 3 Above. Rows include Auto Tort (Auto, Uninsured Motorist) and Other Personal Injury/Property Damage/Wrongful Death Tort (Asbestos, Product Liability, Medical Malpractice, Other Personal Injury Property Damage Wrongful Death).

SHORT TITLE: DE CASTRO v. THOMAS E. SIZEMORE, et al.	CASE NUMBER
--	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
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., 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	2., 3.
Employment	Wrongful Termination (36)	<input 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)	2., 5., 6, 11 2., 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.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6080 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)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: DE CASTRO v. THOMAS E. SIZEMORE, et al.	CASE NUMBER
--	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review		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	2., 9.
		<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 9.
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.
Miscellaneous Civil Complaints	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	2., 3., 9.
		<input type="checkbox"/> A6123 Workplace Harassment	2., 3., 9.
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2., 3., 9.
		<input type="checkbox"/> A6190 Election Contest	2.
		<input type="checkbox"/> A6110 Petition for Change of Name	2., 7.
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2., 3., 4., 8.
		<input type="checkbox"/> A6100 Other Civil Petition	2., 9.

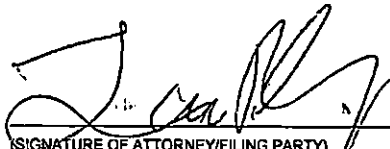
SHORT TITLE: DE CASTRO v. THOMAS E. SIZEMORE, et al.	CASE NUMBER
--	-------------

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

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input checked="" 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: Agua Dulce Airport, 33638 Agua Dulce Canyon Rd. Cause of action arose within this jurisdiction		
CITY:	STATE:	ZIP CODE:			
Santa Clarita	CA	91390			

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: October 24, 2016


 (SIGNATURE OF ATTORNEY/FILING PARTY)
 LAWRENCE P. GRASSINI

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.