

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Gary A. Dordick, Esq. S/B# 128008 GARY A. DORDICK, A LAW CORPORATION 509 South Beverly Drive Beverly Hills, California 90212 TELEPHONE NO.: 310-551-0949 FAX NO.: 855-299-4444

FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles AUG 02 2016 Sherri R. Carter, Executive Officer/Clerk By: Judi Lara, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: Central District

CASE NAME: YELCHIN, et al., vs. FCA US LLC, et al.

CIVIL CASE COVER SHEET [X] 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 6 2 9 0 9 6 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, Contract, Provisionally Complex Civil Litigation, Other PI/PD/WD, Real Property, Enforcement of Judgment, Non-PI/PD/WD, Unlawful Detainer, Miscellaneous Civil Complaint, Employment, Judicial Review, Miscellaneous Civil Petition

- 2. This case [] is [X] 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, b. Extensive motion practice, c. Substantial amount of documentary evidence, d. Large number of witnesses, e. Coordination with related actions, f. Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. [X] monetary b. [X] nonmonetary; declaratory or injunctive relief c. [X] punitive 4. Number of causes of action (specify): 4 5. This case [] is [X] 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-016.) Date: August 2, 2016 Gary A. Dordick, Esq. (TYPE OR PRINT NAME) [Signature] (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

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

- | | | |
|---|---|--|
| <p>Auto Tort</p> <ul style="list-style-type: none"> Auto (22)—Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) <i>(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</i> <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <ul style="list-style-type: none"> Asbestos (04) <ul style="list-style-type: none"> Asbestos Property Damage Asbestos Personal Injury/Wrongful Death Product Liability <i>(not asbestos or toxic/environmental)</i> (24) Medical Malpractice (45) <ul style="list-style-type: none"> Medical Malpractice—Physicians & Surgeons Other Professional Health Care Malpractice Other PI/PD/WD (23) <ul style="list-style-type: none"> 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 <p>Non-PI/PD/WD (Other) Tort</p> <ul style="list-style-type: none"> Business Tort/Unfair Business Practice (07) Civil Rights (e.g., discrimination, false arrest) <i>(not civil harassment)</i> (08) Defamation (e.g., slander, libel) (13) Fraud (16) Intellectual Property (19) Professional Negligence (25) <ul style="list-style-type: none"> Legal Malpractice Other Professional Malpractice <i>(not medical or legal)</i> Other Non-PI/PD/WD Tort (35) <p>Employment</p> <ul style="list-style-type: none"> Wrongful Termination (36) Other Employment (15) | <p>Contract</p> <ul style="list-style-type: none"> Breach of Contract/Warranty (06) <ul style="list-style-type: none"> Breach of Rental/Lease Contract <i>(not unlawful detainer or wrongful eviction)</i> Contract/Warranty Breach—Seller Plaintiff <i>(not fraud or negligence)</i> Negligent Breach of Contract/Warranty Other Breach of Contract/Warranty Collections (e.g., money owed, open book accounts) (09) <ul style="list-style-type: none"> Collection Case—Seller Plaintiff Other Promissory Note/Collections Case Insurance Coverage <i>(not provisionally complex)</i> (18) <ul style="list-style-type: none"> Auto Subrogation Other Coverage Other Contract (37) <ul style="list-style-type: none"> Contractual Fraud Other Contract Dispute <p>Real Property</p> <ul style="list-style-type: none"> Eminent Domain/Inverse Condemnation (14) Wrongful Eviction (33) Other Real Property (e.g., quiet title) (26) <ul style="list-style-type: none"> Writ of Possession of Real Property Mortgage Foreclosure Quiet Title Other Real Property <i>(not eminent domain, landlord/tenant, or foreclosure)</i> <p>Unlawful Detainer</p> <ul style="list-style-type: none"> Commercial (31) Residential (32) Drugs (38) <i>(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</i> <p>Judicial Review</p> <ul style="list-style-type: none"> Asset Forfeiture (05) Petition Re: Arbitration Award (11) Writ of Mandate (02) <ul style="list-style-type: none"> Writ—Administrative Mandamus Writ—Mandamus on Limited Court Case Matter Writ—Other Limited Court Case Review Other Judicial Review (39) <ul style="list-style-type: none"> Review of Health Officer Order Notice of Appeal—Labor Commissioner Appeals | <p>Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)</p> <ul style="list-style-type: none"> Antitrust/Trade Regulation (03) Construction Defect (10) Claims Involving Mass Tort (40) Securities Litigation (28) Environmental/Toxic Tort (30) Insurance Coverage Claims <i>(arising from provisionally complex case type listed above)</i> (41) <p>Enforcement of Judgment</p> <ul style="list-style-type: none"> Enforcement of Judgment (20) <ul style="list-style-type: none"> Abstract of Judgment (Out of County) Confession of Judgment <i>(non-domestic relations)</i> Sister State Judgment Administrative Agency Award <i>(not unpaid taxes)</i> Petition/Certification of Entry of Judgment on Unpaid Taxes Other Enforcement of Judgment Case <p>Miscellaneous Civil Complaint</p> <ul style="list-style-type: none"> RICO (27) Other Complaint <i>(not specified above)</i> (42) Declaratory Relief Only Injunctive Relief Only <i>(non-harassment)</i> Mechanics Lien Other Commercial Complaint Case <i>(non-tort/non-complex)</i> Other Civil Complaint <i>(non-tort/non-complex)</i> <p>Miscellaneous Civil Petition</p> <ul style="list-style-type: none"> Partnership and Corporate Governance (21) Other Petition <i>(not specified above)</i> (43) <ul style="list-style-type: none"> Civil Harassment Workplace Violence Elder/Dependent Adult Abuse Election Contest Petition for Name Change Petition for Relief from Late Claim Other Civil Petition |
|---|---|--|

**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 2.0 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 TRIAL⁷⁻¹⁰ 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 2.0.

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 |

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

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)	<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	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	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	1., 2., 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.

Contract

Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2., 5.
	<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.

Real Property

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.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2., 6.
	<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.

Unlawful Detainer

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- 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.

	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 <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	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) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 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 <input type="checkbox"/> A6100 Other Civil Petition		2., 3., 4., 8. 2., 9.	

SHORT TITLE: YELCHIN, et al., vs. FCA US LLC, 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.

ADDRESS: Berry Drive

CITY:

Studio City

STATE:

CA

ZIP CODE:

91604

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 Los Angeles courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: August 2, 2016

(SIGNATURE OF ATTORNEY/FILING PARTY)

GARY A. DORDICK, ESQ.

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. 03/11).
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.

SUMMONS
(CITACION JUDICIAL)

SUM-100

NOTICE TO DEFENDANT: FCA US LLC; ZF NORTH AMERICA, (AVISO AL DEMANDADO): INC.; AUTO COMPANY XXIII, INC., dba AUTONATION CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD; and DOES 1 to 100, Inclusive

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

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

AUG 02 2016

Sherrri R. Carter, Executive Officer/Clerk
By: Judi Lara, Deputy

YOU ARE BEING SUED BY PLAINTIFF: VICTOR YELCHIN, an (LO ESTÁ DEMANDANDO EL DEMANDANTE): individual, IRINA YELCHINA, an individual; and the ESTATE OF ANTON YELCHIN, by and through his Successors-in-Interest, VICTOR YELCHIN and IRINA YELCHINA

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), 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), the California Courts Online Self-Help Center (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), 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), en el Centro de Ayuda de las Cortes de California, (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 ó 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):

SUPERIOR COURT OF CALIFORNIA
111 North Hill Street
Los Angeles, California 90012
Central District

CASE NUMBER:
(Número del Caso) BC 6 2 9 0 9 6

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):
Gary A. Dordick, Esq. S/B# 128008 Tel: 310-551-0949 Fax: 855-299-4444
GARY A. DORDICK, A LAW CORPORATION
509 South Beverly Drive
Beverly Hills, California 90212

DATE: AUG 02 2016 SHERRI R. CARTER Clerk, by Judi Lara, Deputy
(Fecha) (Secretario) (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)).

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 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):
- 4. by personal delivery on (date):

[SEAL]

1 Gary A. Dordick, Esq. S/B# 128008
Diana S. Diskin, Esq. S/B# 251366
2 GARY A. DORDICK, A LAW CORPORATION
509 South Beverly Drive
3 Beverly Hills, California 90212-4514
Tel: (310) 551-0949 • Fax: (855) 299-4444
4 Email: dordicklaw@aol.com
Email: diana@dordicklaw.com

5 Attorneys for Plaintiffs

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ORIGINAL FILED
Superior Court of California
County of Los Angeles

AUG 02 2016

Sherri R. Carter, Executive Officer/Clerk
By: Judi Lara, Deputy

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7
8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10 VICTOR YELCHIN, an individual, IRINA
11 YELCHINA, an individual; and the
12 ESTATE OF ANTON YELCHIN, by and
through his Successors-in-Interest,
13 VICTOR YELCHIN and IRINA
YELCHINA,

14 Plaintiffs,

15 v.

16 FCA US LLC; ZF NORTH AMERICA,
INC.; AUTO COMPANY XXIII, INC., dba
17 AUTONATION CHRYSLER DODGE
JEEP VALENCIA and CA
18 SUPERSTORES VALENCIA CJD; and
DOES 1 to 100, Inclusive,

19 Defendants.

CASE NO.:

BC 6 2 9 0 9 6

COMPLAINT FOR DAMAGES

JURY TRIAL DEMANDED

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21
22 VICTOR YELCHIN, an individual; IRINA YELCHINA, an individual; and the
23 ESTATE OF ANTON YELCHIN, by and through his Successors-in-Interest, VICTOR
24 YELCHIN and IRINA YELCHINA, allege as follows:

25 1. Plaintiff VICTOR YELCHIN is the surviving father to decedent ANTON
26 YELCHIN and is a resident of Los Angeles County, California. Plaintiff VICTOR
27 YELCHIN has standing to file this action for Decedent's wrongful death pursuant to
28 *Code of Civil Procedure* sections 377.11, 377.32, and 377.60. Plaintiff VICTOR

1 YELCHIN succeeded to the Decedent's interest in the action because, at the time of
2 Decedent's death, the Decedent was not married and had no children. The statement
3 required pursuant to *Code of Civil Procedure* section 377.32 is attached hereto as
4 Exhibit "1".

5 2. Plaintiff IRINA YELCHINA is the surviving mother to decedent ANTON
6 YELCHIN and is a resident of Los Angeles County, California. Plaintiff IRINA
7 YELCHINA has standing to file this action for Decedent's wrongful death pursuant to
8 *Code of Civil Procedure* sections 377.11, 377.32, and 377.60. Plaintiff IRINA
9 YELCHINA succeeded to the Decedent's interest in the action because, at the time of
10 Decedent's death, the Decedent was not married and had no children. The statement
11 required pursuant to *Code of Civil Procedure* section 377.32 is attached hereto as
12 Exhibit "1".

13 3. Plaintiffs are informed and believe, and based upon such information and
14 belief, allege that they are the Decedent's lawful heirs and successors-in-interest, and
15 therefore this Complaint does not name any adverse heir in connection with this claim
16 for Wrongful Death.

17 4. Plaintiffs are informed and believe and, based upon such information and
18 belief, allege that Defendant FCA US LLC is now and at all times mentioned herein an
19 unknown business entity authorized and/or qualified to do business and is doing
20 business in the State of California.

21 5. Plaintiffs are informed and believe and, based upon such information and
22 belief, allege that Defendant FCA US LLC engages in the business of designing,
23 manufacturing, testing, marketing, and distributing the 2015 Jeep Grand Cherokee
24 Model, License No. 7HXG997 (hereinafter the "Subject Vehicle") which included the
25 defective monostable gear selector, also known as a monostable electronic "E-shift"
26 gear shift assembly (hereinafter the "Subject Gear Selector") which has caused the
27 death of ANTON YELCHIN.

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1 6. Plaintiffs are informed and believe and, based upon such information and
2 belief, allege that Defendant ZF NORTH AMERICA, INC., is now and at all times
3 mentioned herein an unknown business entity authorized and/or qualified to do
4 business and is doing business in the State of California.

5 7. Plaintiffs are informed and believe and, based upon such information and
6 belief, allege that Defendant ZF NORTH AMERICA, INC., engages in the business of
7 designing, manufacturing, testing, marketing, and distributing the Subject Gear Selector
8 featured in the Subject Vehicle which has caused the death of ANTON YELCHIN.

9 8. Plaintiffs are informed and believe and, based upon such information and
10 belief, allege that Defendant AUTO COMPANY XXIII, INC., dba AUTONATION
11 CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, is
12 now and at all times mentioned herein an unknown business entity authorized and/or
13 qualified to do business and is doing business in the State of California.

14 9. Plaintiffs are informed and believe and, based upon such information and
15 belief, allege that Defendant AUTO COMPANY XXIII, INC., dba AUTONATION
16 CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD,
17 engages in the business of selling and/or leasing vehicles, including the Subject Vehicle
18 which has caused the death of ANTON YELCHIN.

19 10. Plaintiffs are informed and believe and, based upon such information and
20 belief, allege that Defendants FCA US LLC, ZF NORTH AMERICA, INC., AUTO
21 COMPANY XXIII, INC., dba AUTONATION CHRYSLER DODGE JEEP VALENCIA and
22 CA SUPERSTORES VALENCIA CJD, and DOES 1 to 100, and each of them were the
23 manufacturers, designers, developers, processors, producers, assemblers, builders,
24 testers, inspectors, installers, equippers, endorsers, exporters, wholesalers, retailers,
25 lessors, renters, sellers, modifiers, servicers, repairers, providers and otherwise
26 distributors of the Subject Vehicle and Subject Gear Selector.

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1 11. Plaintiffs are informed and believe and, based upon such information and
2 belief, allege that DOES 1 to 100, and each of them, are individuals, corporations,
3 partnerships, limited partnerships, associations, trusts, parent companies and/or
4 subsidiaries put together with the other aforementioned individuals or entities duly
5 authorized to do and are doing business in the State of California.

6 12. The true names and capacities – whether individual, corporate,
7 governmental, associate(d) or otherwise – of Defendants Does 1 through 100, inclusive,
8 and each of them, are unknown to Plaintiffs, who therefore sue said Defendants by
9 such fictitious names.

10 13. Plaintiffs are informed and believe and, upon such information and belief,
11 allege that each of the Defendants fictitiously named herein as a Doe is legally
12 responsible, negligently or in some other actionable manner, for the events and
13 happenings hereinafter referred to and that, thereby, each proximately caused the
14 wrongful death of ANTON YELCHIN and the injuries and damages to Plaintiffs as
15 hereinafter alleged.

16 14. Plaintiffs will amend this Complaint to show the true names and capacities
17 of such fictitiously named Defendants when such names and capacities have been
18 ascertained together with the proper charging allegations.

19 15. Plaintiffs are informed and believe and, based upon such information and
20 belief, allege that all of the acts, conduct, and nonfeasance herein carried out by each
21 and every representative, employee, or agent of each and every corporate and
22 business Defendant was authorized, ordered, and directed by their and/or its respective
23 Defendant's corporate or business employers, officers, directors, and/or managing
24 agents. In addition thereto, said corporate or business employers, officers, directors,
25 and/or managing agents had advance knowledge of and authorized and participated in
26 the herein described acts, conduct, and nonfeasance of their representatives,
27 employees, agents, and each of them. In further addition thereto, upon the completion
28 of the aforesaid acts, conduct, and nonfeasance of the aforesaid employees and

1 agents, the aforesaid corporate and business employers, officers, directors, and/or
2 managing agents respectively ratified, accepted the benefits of, condoned and
3 approved of each and all of said acts, conduct, and/or nonfeasance of their
4 co-employees, employees, and agents. In addition, at all times herein relevant, each
5 Defendant, whether named herein or designated as a Doe, was a principal, master,
6 employer, and/or joint venturer of every other Defendant, and every Defendant was
7 acting within the course and scope of said agency, authority, employment and joint
8 venture.

9 16. Plaintiffs are informed and believe and, based upon such information and
10 belief, allege that between at least 2011 and 2015, Defendants FCA US LLC and ZF
11 NORTH AMERICA, INC., designed and manufactured the defective Subject Gear
12 Selector.

13 17. Plaintiffs are informed and believe and, based upon such information and
14 belief, allege that between at least 2011 and 2015, Defendant FCA US LLC designed
15 and manufactured certain vehicles, including the 2012-2014 Dodge Charger, 2012-
16 2014 Chrysler 300, 2014 Dodge Durango, 2014-2015 Jeep Grand Cherokee, and the
17 Subject Vehicle, and that said vehicles included the defective Subject Gear Selector.

18 18. Plaintiffs are informed and believe and, based upon such information and
19 belief, allege that between at least 2011 and 2015, Defendants FCA US LLC and AUTO
20 COMPANY XXIII, INC., dba AUTONATION CHRYSLER DODGE JEEP VALENCIA and
21 CA SUPERSTORES VALENCIA CJD, and DOES 1 to 100, inclusive, sold certain
22 vehicles, including the 2012-2014 Dodge Charger, 2012-2014 Chrysler 300, 2014
23 Dodge Durango, 2014-2015 Jeep Grand Cherokee, and the Subject Vehicle, to the
24 general public and that said vehicles included the defective Subject Gear Selector.

25 19. Plaintiffs are informed and believe and, based upon such information and
26 belief, allege that the Subject Vehicle, the Subject Gear Selector, and/or their
27 components possessed one or more defects in design, manufacture, or otherwise,
28 which were either known or should have been known by Defendants. The defect(s)

1 substantially caused ANTON YELCHIN's death and Plaintiffs' injuries as more fully
2 described herein.

3 20. More specifically, Plaintiffs are informed and believe and, based upon
4 such information and belief, allege that the design and/or manufacture of the Subject
5 Vehicle – and other certain vehicles, including the 2012-2014 Dodge Charger, 2012-
6 2014 Chrysler 300, 2014 Dodge Durango, and 2014-2015 Jeep Grand Cherokee – as
7 well as the design and/or manufacture of the Subject Gear Selector were defective in
8 that the Subject Gear Selector has an unfamiliar movement that is not intuitive and that
9 provides poor tactile and visual feedback to drivers, increasing the potential for
10 unintended gear selection and vehicle rollaway. Drivers could exit these vehicles when
11 the engine is running and the transmission is not in PARK, resulting in unattended
12 vehicle rollaway. Further, the Subject Vehicle – and these other certain vehicles,
13 including the 2012-2014 Dodge Charger, 2012-2014 Chrysler 300, 2014 Dodge
14 Durango, 2014-2015 Jeep Grand Cherokee – failed to include sufficient rollaway
15 prevention features as well as sufficient warning features and/or measures so as to
16 prevent drivers from exiting these vehicles with the engine running and the transmission
17 not in PARK and/or to avoid vehicle rollaway

18 21. Plaintiffs are also informed and believe and, based upon such information
19 and belief, allege that the design and/or manufacture of the Subject Vehicle – and other
20 certain vehicles, including the 2012-2014 Dodge Charger, 2012-2014 Chrysler 300,
21 2014 Dodge Durango, and 2014-2015 Jeep Grand Cherokee – as well as the design
22 and/or manufacture of the Subject Gear Selector were defective in that these vehicles'
23 ignition START/STOP button could fail to engage, resulting in incidents where drivers
24 believed they put the vehicle in PARK and attempted to shutoff the vehicle using the
25 ignition ON/OFF button, then exited the vehicle without realizing that the vehicle was
26 not in PARK and the engine continued to run.

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1 22. Plaintiffs are informed and believe and, based upon such information and
2 belief, allege that, by at least August 2015, Defendants FCA US LLC, ZF NORTH
3 AMERICA, INC., and AUTO COMPANY XXIII, INC., dba AUTONATION CHRYSLER
4 DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, and DOES 1 to
5 100, inclusive, were aware of multiple crashes and numerous additional complaints
6 attributed to the defective Subject Gear Selector in its Chrysler 300 and Dodge Charger.
7 Nevertheless, Defendants and each of them recklessly installed the defective Subject
8 Gear Selector into the 2014 and 2015 Grand Cherokee. As of April 12, 2016, the
9 defective design and/or manufacture of the Subject Vehicle and Subject Gear Selector
10 had resulted in at least 700 field reports to Defendant FCA US LLC that were potentially
11 related to this issue, including 212 crashes, 308 claims of property damage, and at
12 least 41 injuries. The defective design and/or manufacture of the Subject Vehicle and
13 Subject Gear Selector affected at least 800,000 vehicles.

14 23. Plaintiffs are informed and believe and, based upon such information and
15 belief, allege that, despite said actual knowledge of the defective design and/or
16 manufacture of the Subject Vehicle and Subject Gear Selector, Defendants FCA US
17 LLC, ZF NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION
18 CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, and
19 DOES 1 to 100, inclusive, failed to timely and/or adequately remedy the defective
20 Subject Vehicle and/or defective Subject Gear Selector.

21 24. Plaintiffs are informed and believe and, based upon such information and
22 belief, allege that, on June 19, 2016, decedent ANTON YELCHIN was the operator of
23 the Subject Vehicle and that the Subject Vehicle was being used in a reasonably
24 foreseeable manner in Studio City, in the State of California.

25 25. Plaintiffs are informed and believe and allege that, on or about June 19,
26 2016, decedent ANTON YELCHIN parked the Subject Vehicle at or near the top of his
27 driveway, then exited the Subject Vehicle and traversed towards the base of his
28 driveway. As a result of the defective design and/or manufacture of the Subject

1 Vehicle, the Subject Vehicle did not properly engage and/or maintain the "Park" gear
2 position, causing the unmanned Subject Vehicle to travel down the driveway, where it
3 impacted ANTON YELCHIN. ANTON YELCHIN was crushed and lingered alive for
4 some time, trapped and suffocating until his death.

5
6 **FIRST CAUSE OF ACTION BY PLAINTIFFS AGAINST FCA US LLC, ZF NORTH**
7 **AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION CHRYSLER**
8 **DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, AND DOES 1**
9 **TO 100, INCLUSIVE FOR STRICT LIABILITY**

10 26. Plaintiffs re-allege Paragraphs 1 through 25 and incorporate them by
11 reference as though fully set forth herein.

12 27. Plaintiffs are informed and believe and thereon allege that at all times
13 herein mentioned, Defendants FCA US LLC, ZF NORTH AMERICA, INC., AUTO
14 COMPANY XXIII, INC., dba AUTONATION CHRYSLER DODGE JEEP VALENCIA and
15 CA SUPERSTORES VALENCIA CJD, and DOES 1 through 100, inclusive, and each of
16 them, were the manufacturers, designers, developers, processors, producers,
17 assemblers, builders, testers, inspectors, installers, warners, equippers, endorsers,
18 exporters, wholesalers, retailers, renters, sellers, lessors, modifiers, servicers, repairers,
19 providers, and/or distributors of the Subject Vehicle as well as the Subject Gear
20 Selector used in the Subject Vehicle.

21 28. Plaintiffs are informed and believe and, based upon such information and
22 belief, allege that the Subject Vehicle and the Subject Gear Selector in the Subject
23 Vehicle was defective at the time of its manufacture, design, development, production,
24 assembly, building, testing, inspection, installation, equipping, endorsement,
25 exportation, importation, wholesaling, retailing, selling, renting, leasing, modification,
26 service, repair and entrustment.

27 29. Plaintiffs are informed and believe and, based upon such information and
28 belief, allege that the Subject Vehicle along with the Subject Gear Selector failed to

1 meet the reasonable expectations of safety for the class of persons of which Decedent
2 and Plaintiffs were members.

3 30. Plaintiffs are informed and believe and, based upon such information and
4 belief, allege that any benefits derived from the design of the Subject Vehicle and/or
5 Subject Gear Selector were substantially outweighed by the risk of harm inherent in
6 said design in that, and not by way of limitation, despite the availability to defendants of
7 safer alternative designs, said defective Subject Vehicle and/or Subject Gear Selector
8 presented a substantial and unreasonable risk of injury and/or death to the users of the
9 Subject Vehicle or those in the vicinity of the Subject Vehicle.

10 31. Specifically, Plaintiffs are informed and believe and, based upon such
11 information and belief, allege that said Subject Vehicle and Subject Gear Selector were
12 defective in their design, construction, assembly and manufacture and dangerous to life
13 and limb of the users and occupants thereof, in that, among other things and not by
14 way of limitation, the Subject Vehicle and Subject Gear Selector were so poorly
15 designed and manufactured that they failed to maintain their integrity under normal
16 operating conditions, including the subject incident. The aforementioned defects
17 created a substantial danger which was unknown to Decedent and Plaintiffs and to the
18 public in general, and would not be recognized by the ordinary user, and Defendants
19 and each of them failed to give adequate warning of such danger.

20 32. Plaintiffs are informed and believe and, based upon such information and
21 belief, allege that prior to the sale and distribution of said Subject Vehicle, Defendants
22 FCA US LLC, ZF NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba
23 AUTONATION CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES
24 VALENCIA CJD, and DOES 1 through 100, inclusive, and DOES 1 to 100, knew the
25 Subject Vehicle and/or Subject Gear Selector were in a defective condition as
26 previously described. Further, said Defendants, through their officers, directors and
27 managing agents, had prior notice and knowledge of the defects and/or defective
28 design of Subject Vehicle and Subject Gear Selector and that these defects and/or

1 defective design presented a substantial and unreasonable risk of harm to the
2 American motoring public, including decedent ANTON YELCHIN and Plaintiffs in that
3 said defects and/or defective design unreasonably subjected vehicle operators and/or
4 occupants to injury and death as a result of failure in the event of foreseeable motor
5 vehicle use and misuse. Defendants' prior notice and knowledge arose from several
6 sources, including but not limited to multiple tests, investigations, and test results
7 available prior to the date of said accident, internal memoranda and correspondence,
8 industry publications, as well as notice of multiple injuries and hundreds of complaints
9 caused by the design of the Subject Vehicle and Subject Gear Selector.

10 33. Additionally, Plaintiffs are informed and believe and, based upon such
11 information and belief, allege that Defendants, and each of them, had unfettered ability,
12 after years of extensive in-house, government, and independent testing to minimize the
13 substantial risk of serious bodily harm or death caused by the Subject Vehicle and
14 Subject Gear Selector by redesigning or warning of the potential for serious risk or
15 harm, thereby minimizing or eliminating said potential. But Defendants consciously
16 chose not to take steps to exercise that ability, including but not limited to, providing
17 proper design and manufacturing provisions, and Defendants' failure to take such steps
18 allowed Defendants to save money, avoid loss of sales, and repair and recall costs.
19 Defendants' acts prevented the public from becoming aware that the defects in the
20 Subject Vehicle and Subject Gear Selector were, in reality, unsafe, dangerous, and
21 defective, and/or prevented the public from realizing the extent of danger presented by
22 the defects, thereby causing the injuries, death, and damages to Decedent and
23 Plaintiffs. In addition, Plaintiffs are informed and believe and thereon allege that the
24 aforementioned malfeasance, nonfeasance, defects, failure to warn, were done with the
25 advanced knowledge, authorization, approval and ratification of officers, directors
26 and/or managing agents of the aforesaid Defendants.

27 34. Plaintiffs are informed and believe and, based upon such information and
28 belief, allege that Defendants, and each of them, failed to timely admit that the Subject

1 Vehicle and Subject Gear Selector were defectively designed and/or manufactured, and
2 unreasonably delayed in issuing an effective recall of the Subject Vehicle.

3 35. As a further proximate result of the acts of defendants, and each of them,
4 and due to the dangerous condition as alleged, Plaintiffs have incurred substantial
5 funeral and burial expenses.

6 36. As a proximate result of the above-described conduct of Defendants, and
7 each of them, the Plaintiffs have and will, suffer the loss of Decedent's love,
8 companionship, guidance, comfort, society, solace, moral support, financial support and
9 physical assistance, all to their general damages, in a sum to be proven at time of trial.

10 37. Defendants FCA US LLC, ZF NORTH AMERICA, INC., AUTO COMPANY
11 XXIII, INC., dba AUTONATION CHRYSLER DODGE JEEP VALENCIA and CA
12 SUPERSTORES VALENCIA CJD, and DOES 1 through 100, inclusive, their acts
13 and/or omissions were either committed by or authorized, ratified, or otherwise
14 approved in a deliberate, cold, callous, malicious, reckless, intentional, and/or
15 unreasonable manner, as fully set forth above, under California *Civil Code* section
16 3294, causing injury and damage to plaintiffs, and the death of ANTON YELCHIN and
17 done with a conscious disregard of Plaintiffs' and Decedent's rights and safety,
18 Plaintiffs request the assessment of punitive damages against Defendants in an
19 amount appropriate to punish or set an example of them.

20
21 **SECOND CAUSE OF ACTION BY PLAINTIFFS AGAINST DEFENDANTS FCA US**
22 **LLC, ZF NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION**
23 **CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD,**
24 **AND DOES 1 THROUGH 100, INCLUSIVE, FOR NEGLIGENT PRODUCT LIABILITY**

25 38. Plaintiffs re-allege Paragraphs 1 through 37 and incorporates them by
26 reference as though fully set forth herein.

27 39. Plaintiffs are informed and believe and, based upon such information and
28 belief, allege that, at all times herein mentioned, Defendants, and each of them, had a

1 duty not to unreasonably manufacture, develop, design, process, produce, assemble,
2 build, test, inspect, install, warn, equip, endorse, export, import, wholesale, retail, sell,
3 lease, rent, modify, service, repair, or entrust said Subject Vehicle and Subject Gear
4 Selector.

5 40. Plaintiffs are informed and believe and, based upon such information and
6 belief, allege that said Defendants, and each of them, breached their duty to Decedent
7 ANTON YELCHIN and plaintiffs, thereby causing injuries, death, and damages as
8 herein described. More specifically, Defendants, and each of them acted unreasonably
9 in designing, installing, selling, manufacturing, and marketing products which presented
10 a substantial and unreasonable risk of injury or death to vehicle occupants, including
11 Decedent ANTON YELCHIN and Plaintiffs, and in failing to warn of such dangers.

12 41. Plaintiffs are informed and believe and, based upon such information and
13 belief, allege that, at all relevant times herein mentioned, Defendants, and each of
14 them, breached their duty of ordinary care or skill in that they negligently, wantonly,
15 carelessly, recklessly and/or unlawfully installed, service, tested, inspected, maintained,
16 modified, changed, designed and manufactured and furnished the defective Subject
17 Vehicle and Subject Gear Selector so as to cause, permit and/or allow the same to be
18 in a dangerous, defective, unguarded and unsafe condition, and such acts and/or
19 omissions were a substantial factor contributing to the injuries suffered by Plaintiffs and
20 the death of ANTON YELCHIN, as herein alleged.

21 42. Plaintiffs are informed and believe and, based upon such information and
22 belief, allege that the negligence of said Defendants, and each of them, was a
23 substantial factor in causing the injuries, death, and damages herein alleged.

24 43. As a further proximate result of the acts and omissions of Defendants,
25 and each of them, and due to the dangerous condition as alleged, Plaintiffs have
26 incurred funeral and burial expenses and will continue to incur other cost related
27 expenses, the total amount of such expenses are not known to Plaintiffs at this time

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1 and plaintiffs will move to amend this complaint to state such amount when the same
2 becomes known to them, or on proof thereof.

3 44. As a proximate result of the above-described conduct of Defendants, and
4 each of them, the Plaintiffs have and will, suffer the loss of Decedent ANTON
5 YELCHIN's consortium, love, companionship, guidance, comfort, society, solace, moral
6 support, all to their general damages, in a sum to be proven at time of trial.

7 45. Because the acts and/or omissions of Defendants FCA US LLC, ZF
8 NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION
9 CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, and
10 DOES 1 THROUGH 100, inclusive, were either committed by or authorized, ratified, or
11 otherwise approved in a deliberate, cold, callous, malicious, intentional, and/or
12 unreasonable manner, as fully set forth herein, causing injury and damage to Plaintiffs,
13 and the death of ANTON YELCHIN, and were done with a conscious disregard of
14 Plaintiffs' and Decedent's rights and safety, Plaintiffs request the assessment of
15 punitive damages against Defendants in an amount appropriate to punish or set an
16 example of them, pursuant to under *Civil Code* section 3294.

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18 **THIRD CAUSE OF ACTION BY PLAINTIFFS AND AGAINST DEFENDANTS FCA US**
19 **LLC, ZF NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION**
20 **CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD,**
21 **AND DOES 1 THROUGH 100, INCLUSIVE, FOR BREACH OF WARRANTY**

22 46. Plaintiffs re-allege Paragraphs 1 through 45 and incorporate them by
23 reference as though fully set forth herein.

24 47. Plaintiffs are informed and believe and, based upon such information and
25 belief, allege that, at all times herein mentioned, Defendants FCA US LLC, ZF NORTH
26 AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION CHRYSLER
27 DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, and DOES 1
28 THROUGH 100, inclusive, designed, developed, processed, repaired, serviced,

1 inspected, represented, tested, distributed, sold, consigned, delivered, maintained,
2 installed, and operated for purpose of sale and distribution said Subject Vehicle and
3 Subject Gear Selector for use by the general public.

4 48. Plaintiffs are informed and believe and, based upon such information and
5 belief, allege that at the time and place of said sale, delivery, distribution, repair,
6 service, installation, consignment, maintenance, or operation of said products,
7 Defendants FCA US LLC, ZF NORTH AMERICA, INC., AUTO COMPANY XXIII, INC.,
8 dba AUTONATION CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES
9 VALENCIA CJD, and DOES 1 THROUGH 100, inclusive, expressly, implicitly, and
10 impliedly warranted to each buyer and user and to all persons reasonably expected to
11 be in the immediate vicinity of said products during use in any manner, that said
12 Subject Vehicle and Subject Gear Selector were reasonably fit and safe for their
13 intended purposes, and that said products were accordingly of merchantable quality
14 throughout.

15 49. Plaintiffs are informed and believe and, based upon such information and
16 belief, allege that, at the time and place of said sale, delivery, installation, distribution or
17 supply, the Subject Vehicle and Subject Gear Selector were not reasonably fit and safe
18 for their intended uses by buyers, users, or persons reasonably anticipated to be in the
19 vicinity of the use of the Subject Vehicle, including Decedent ANTON YELCHIN, and
20 were, therefore, not of merchantable quality and constituted extreme danger and
21 hazard to persons using or in the vicinity of the Subject Vehicle and/or Subject Gear
22 Selector, due to the latent defects in the Subject Vehicle and/or Subject Gear Selector.

23 50. Plaintiffs are informed and believe and, based upon such information and
24 belief, allege that, in reliance upon such warranties, Decedent ANTON YELCHIN
25 operated the Subject Vehicle with the Subject Gear Selector installed in it, in a manner
26 foreseeable and as intended by Defendants. Plaintiffs are informed and believe and,
27 based upon such information and belief, allege that, as a direct and substantial result of
28 the breach of such implied warranty by these Defendants, and each of them, the

1 Subject Vehicle and/or Subject Gear Selector malfunctioned causing the Subject
2 Vehicle to roll away and strike ANTON YELCHIN, resulting in his untimely death.

3 51. As a result of said breaches of warranty, both express and implied,
4 Plaintiffs sustained injuries, death, and damages as herein alleged.

5 52. As a further proximate result of the acts of defendants, and each of them,
6 and due to the dangerous condition as alleged, Plaintiffs have incurred funeral and
7 burial expenses and will continue to incur other cost related expenses, the total amount
8 of such expenses are not known to Plaintiffs at this time and plaintiffs will move to
9 amend this complaint to state such amount when the same becomes known to them, or
10 on proof thereof.

11 53. As a proximate result of the above-described conduct of Defendants, and
12 each of them, the Plaintiffs have and will, suffer the loss of Decedent ANTON
13 YELCHIN's consortium, love, companionship, guidance, comfort, society, solace, moral
14 support, all to their general damages, in a sum to be proven at time of trial.

15 54. Because the acts and/or omissions of Defendants FCA US LLC, ZF
16 NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION
17 CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, and
18 DOES 1 THROUGH 100, inclusive, were either committed by or authorized, ratified, or
19 otherwise approved in a deliberate, cold, callous, malicious, intentional, and/or
20 unreasonable manner, as fully set forth herein, causing injury and damage to Plaintiffs,
21 and the death of ANTON YELCHIN, and were done with a conscious disregard of
22 Plaintiffs' and Decedent's rights and safety, Plaintiffs request the assessment of
23 punitive damages against Defendants in an amount appropriate to punish or set an
24 example of them, pursuant to under *Civil Code* section 3294.

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1 **FOURTH CAUSE OF ACTION BY PLAINTIFFS AGAINST DEFENDANTS FCA US**
2 **LLC, ZF NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION**
3 **CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD,**
4 **AND DOES 1 THROUGH 100, INCLUSIVE, FOR NEGLIGENCE (WRONGFUL**
5 **DEATH AND PERSONAL INJURIES)**

6 55. Plaintiffs re-allege Paragraphs 1 through 54 and incorporate them by
7 reference as though fully set forth herein.

8 56. Plaintiffs are informed and believe, and thereupon allege, that at said time
9 and place, Defendants FCA US LLC, ZF NORTH AMERICA, INC., AUTO COMPANY
10 XXIII, INC., dba AUTONATION CHRYSLER DODGE JEEP VALENCIA and CA
11 SUPERSTORES VALENCIA CJD, and DOES 1 THROUGH 100, inclusive, and each of
12 them negligently, recklessly and carelessly manufactured, designed, developed,
13 processed, produced, assembled, built, tested, inspected, installed, warned, equipped,
14 endorsed, exported, wholesaled, retailed, lessors, rented, sold, modified, serviced,
15 repaired, installed, provided, and/or otherwise distributed the Subject Vehicle and
16 Subject Gear Selector, which malfunctioned and caused the Subject Vehicle to roll
17 away and strike ANTON YELCHIN, resulting in his untimely death.

18 57. Defendants, and each of them, knew or should have known that it was
19 likely that a person such as Decedent ANTON YELCHIN would use the Subject Vehicle
20 in a reasonably foreseeable manner and would suffer serious injuries and even death
21 because of the defect(s) of the Subject Vehicle and Subject Gear Selector.

22 58. As a direct and proximate result of the conduct of Defendants, and each
23 of them, ANTON YELCHIN sustained severe injuries which resulted in his untimely
24 death.

25 59. As a further proximate result of the acts of defendants, and each of them,
26 and due to the dangerous condition as alleged, Plaintiffs have incurred funeral and
27 burial expenses and will continue to incur other cost related expenses, the total amount
28 of such expenses are not known to Plaintiffs at this time and plaintiffs will move to

1 amend this complaint to state such amount when the same becomes known to them, or
2 on proof thereof.

3 60. As a proximate result of the above-described conduct of Defendants, and
4 each of them, the Plaintiffs have and will, suffer the loss of Decedent ANTON
5 YELCHIN's consortium, love, companionship, guidance, comfort, society, solace, moral
6 support, all to their general damages, in a sum to be proven at time of trial.

7 61. Because the acts and/or omissions of Defendants FCA US LLC, ZF
8 NORTH AMERICA, INC., AUTO COMPANY XXIII, INC., dba AUTONATION
9 CHRYSLER DODGE JEEP VALENCIA and CA SUPERSTORES VALENCIA CJD, and
10 DOES 1 THROUGH 100, inclusive, were either committed by or authorized, ratified, or
11 otherwise approved in a deliberate, cold, callous, malicious, reckless, intentional, and/or
12 unreasonable manner, as fully set forth herein, causing injury and damage to Plaintiffs,
13 and the death of ANTON YELCHIN, and were done with a conscious disregard of
14 Plaintiffs' and Decedent's rights and safety, Plaintiffs request the assessment of
15 punitive damages against Defendants in an amount appropriate to punish or set an
16 example of them, pursuant to under *Civil Code* section 3294.

17 62. Plaintiffs are the lawful heirs of Decedent ANTON YELCHIN, as defined
18 under *California Code of Civil Procedure*, sections 377.11 and 377.60.

19
20 **DEMAND FOR JURY TRIAL**

21 Plaintiffs VICTOR YELCHIN, individually and as Successor-In-Interest to
22 ANTON YELCHIN, and IRINA YELCHINA, individually and as Successor-in-Interest to
23 ANTON YELCHIN hereby request a trial by jury

24 **WHEREFORE**, Plaintiffs VICTOR YELCHIN, individually and as Successor-In-
25 Interest to ANTON YELCHIN, and IRINA YELCHINA, individually and as Successor-in-
26 Interest to ANTON YELCHIN, pray for judgment against Defendants, and each of them,
27 as follows:

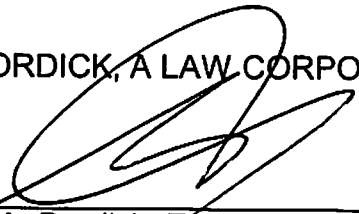
28 ///

1. All general damages, including but not limited to loss of the Decedent's consortium, according to proof at time of trial;
2. All special damages, including all funeral/mortuary, consequential, and incidental expenses incurred, and all additional economic losses, according to proof at time of trial;
3. For prejudgment interest, as determined and accrued according to applicable statutes;
4. For punitive damages against Defendants in an amount that is to be ascertained;
5. Attorneys' fees;
6. Costs of bringing this suit; and
7. Such other and further relief as the Court deems just and proper.

DATED: August 2, 2016

GARY A. DORDICK, A LAW CORPORATION

By:



Gary A. Dordick, Esq.
Diana S. Diskin, Esq.
Attorneys for Plaintiffs

EXHIBIT 1

1 Gary A. Dordick, Esq. S/B# 128008
2 Diana S. Diskin, Esq. S/B#251366
3 GARY A. DORDICK, A LAW CORPORATION
4 509 South Beverly Drive
5 Beverly Hills, California 90212-4514
6 Tel: (310) 551-0949 • Fax: (855) 299-4444
7 Email: dordicklaw@aol.com
8 Email: diana@dordicklaw.com

9 Attorneys for Plaintiffs

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

VICTOR YELCHIN, an individual, IRINA
YELCHINA, an individual; and the
ESTATE OF ANTON YELCHIN, by and
through his Successors-in-Interest,
VICTOR YELCHIN and IRINA
YELCHINA,

Plaintiffs,

v.

FCA US LLC; ZF NORTH AMERICA,
INC.; AUTO COMPANY XXIII, INC., dba
AUTONATION CHRYSLER DODGE
JEEP VALENCIA and CA
SUPERSTORES VALENCIA CJD; and
DOES 1 to 100, Inclusive,

Defendants.

CASE NO.:

**DECLARATION OF VICTOR YELCHIN
AND IRINA YELCHINA AS
SUCCESSORS-IN-INTEREST
PURSUANT TO CODE OF CIVIL
PROCEDURE §377.32**

**JOINT DECLARATION OF PLAINTIFFS IRINA YELCHINA AND VICTOR YELCHIN,
AS SUCCESSORS-IN-INTEREST TO ANTON YELCHIN (C.C.P. §377.32)**

Plaintiffs IRINA YELCHINA and VICTOR YELCHIN make the following declaration pursuant to *Code of Civil Procedure* section 377.32:

1. We are the Plaintiffs in this action and the successors-in-interest to Anton Yelchin. If called upon as witnesses to testify, we could and would competently testify to the following facts and information.

1.

DECLARATION OF VICTOR YELCHIN AND IRINA YELCHINA AS SUCCESSORS-IN-INTEREST PURSUANT TO CODE OF CIVIL PROCEDURE §377.32

1 2. We seek to commence an action or proceeding as the decedent's
2 Successors In Interest.

3 3 The name of the decedent is ANTON YELCHIN.

4 4. On or about June 19, 2016, ANTON YELCHIN died in Los Angeles,
5 California, as a result of Defendants' negligence.

6 5. A true and correct copy of the decedent's death certificate is attached hereto
7 as Exhibit A.

8 6. A proceeding is now pending in California for the administration of Anton's
9 estate, by which we will be named as co-administrators of Anton's estate.

10 7. We are the decedent's parents and successors in interest, as defined in
11 section 377.11 of the California Code of Civil Procedure. We succeed equally to the
12 decedent's interest in the action or proceeding.

13 8. Aside from us, no other person has a superior right to commence the action
14 pr proceeding or to be substituted for the decedent in the pending action or proceeding.
15

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct and that this declaration was executed on August 1, 2016, at
18 Los Angeles, California.

19 
20 IRINA YELCHINA

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct and that this declaration was executed on August 1, 2016, at
23 Los Angeles, California.

24 
25 VICTOR YELCHIN
26
27
28

EXHIBIT A



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH

CERTIFICATE OF VITAL RECORD

CERTIFICATE OF DEATH

3052016122327

3201619027563

1. NAME OF DECEDENT - FIRST (Given)		ANTON	
2. MIDDLE		V.	
3. LAST (Family)		YELCHIN	
4. DATE OF BIRTH (month/day/yr)			
03/11/1989		27	
5. AGE YRS			
27			
6. SEX			
M			
7. DATE OF DEATH (month/day/yr)			
06/19/2016		FND	
8. HOURS (24 hour)			
0110			
9. BIRTH STATE/FORIGN COUNTRY			
RUSSIA			
10. SOCIAL SECURITY NUMBER			
616-28-2391			
11. EVEN IN U.S. ARMED FORCES?			
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK <input type="checkbox"/>			
12. MARITAL STATUS (at the date of death)			
NEVER MARRIED			
13. EDUCATION - highest completed (was completed on date)			
HS GRADUATE			
14. USUAL OCCUPATION - type of work for most of life. DO NOT USE RETIRED.			
ENTERTAINMENT			
15. YEARS IN OCCUPATION			
18			
20. DECEDENT'S RESIDENCE (street and number, or location)			
3866 BERRY DR.			
21. CITY			
STUDIO CITY			
22. COUNTY/PROVINCE			
LOS ANGELES			
23. ZIP CODE			
91604			
24. YEARS IN COUNTY			
27			
25. STATE/FOREIGN COUNTRY			
CA			
26. DECEASED'S NAME, RELATIONSHIP			
VICTOR YELCHIN, FATHER			
27. DECEASED'S MAILING ADDRESS (street and number, or rural route number, city or town, state and zip)			
4203 COLFAX AVE. #F, STUDIO CITY, CA 91604			
28. NAME OF SURVIVING SPOUSE/SPOUSE-ALIVE			
-			
29. MIDDLE			
-			
30. LAST (BIRTH NAME)			
YELCHIN			
31. NAME OF FATHER-PARENT-FIRST			
VICTOR			
32. MIDDLE			
-			
33. LAST			
YELCHIN			
34. BIRTH STATE			
RUSSIA			
35. NAME OF MOTHER-PARENT-FIRST			
IRINA			
36. MIDDLE			
G.			
37. LAST (BIRTH NAME)			
KORINA			
38. BIRTH STATE			
RUSSIA			
39. PLACE OF FINAL DISPOSITION			
MOUNT SINAI MEMORIAL PARK			
5950 FOREST LAWN DR., LOS ANGELES, CA 90068			
40. TYPE OF DISPOSITION			
BU			
41. SIGNATURE OF EVALUATOR			
NOT EMBALMED			
42. LICENSE NUMBER			
-			
43. NAME OF FUNERAL ESTABLISHMENT			
MOUNT SINAI MORTUARY			
44. LICENSE NUMBER			
FD-1010			
45. SIGNATURE OF LOCAL REGISTRAR			
JEFFREY GUNZENHAUSER, MD			
46. DATE (month/day/yr)			
06/21/2016			
101. PLACE OF DEATH			
DRIVEWAY			
102. FACILITY ADDRESS OR LOCATION WHERE FOUND (street and number, or location)			
3866 BERRY DRIVE			
103. CITY			
STUDIO CITY			
107. CAUSE OF DEATH			
Enter the chain of events - disease, injury, or complication - that directly caused death. DO NOT abbreviate.			
BLUNT TRAUMATIC ASPHYXIA			
108. REPORTED TO CORoner			
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
109. BIOPSY PERFORMED			
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
110. AUTOPSY PERFORMED			
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
111. USED IN OBTAINING CAUSE?			
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107			
NONE			
113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? (if yes, list type of operation and date)			
NO			
114. FEMALE REGISTRATION YEAR			
-			
115. SIGNATURE AND TITLE OF CENTER			
-			
116. LICENSE NUMBER			
-			
117. DATE (month/day/yr)			
-			
118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE			
-			
119. CERTIFY THAT THE BEST OF YOUR KNOWLEDGE (BY OCCURRENCE AT THE PLACE AND PLACE SITED HEREIN) THE CAUSE SITED			
-			
120. RATED AT WORK?			
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK <input type="checkbox"/>			
121. RATED DATE (month/day/yr)			
06/18/2016			
122. HOUR (24 hour)			
UNK			
123. PLACE OF INQUIRY (e.g., home, construction site, wooded area, etc.)			
DRIVEWAY			
124. DESCRIBE HOW INQUIRY OCCURRED (street and number, or location, and city, and zip)			
PINNED BETWEEN BACK OF HIS VEHICLE AND GATE OF RESIDENCE DRIVEWAY			
125. LOCATION OF INQUIRY (street and number, or location, and city, and zip)			
3866 BERRY DRIVE, STUDIO CITY, CA 91604			
126. SIGNATURE OF CORONER / DEPUTY CORONER			
REGINA AUGUSTINE			
127. DATE (month/day/yr)			
06/21/2016			
128. TITLE NAME, TITLE OF CORONER / DEPUTY CORONER			
REGINA AUGUSTINE, DEP. CORONER			
129. SIGNATURE			
-			
130. DATE (month/day/yr)			
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131. SIGNATURE AND TITLE OF CENTER			
-			
132. LICENSE NUMBER			
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133. DATE (month/day/yr)			
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134. FEMALE REGISTRATION YEAR			
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135. SIGNATURE AND TITLE OF CENTER			
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136. LICENSE NUMBER			
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150. DATE (month/day/yr)			
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151. SIGNATURE AND TITLE OF CENTER			
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152. LICENSE NUMBER			
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153. DATE (month/day/yr)			
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154. FEMALE REGISTRATION YEAR			
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155. SIGNATURE AND TITLE OF CENTER			
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156. LICENSE NUMBER			
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212. LICENSE NUMBER			
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213. DATE (month/day/yr)			
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214. FEMALE REGISTRATION YEAR			
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216. LICENSE NUMBER			
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254. FEMALE REGISTRATION YEAR			
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273. DATE (month/day/yr)			
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274. FEMALE REGISTRATION YEAR			
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276. LICENSE NUMBER			
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277. DATE (month/day/yr)			
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278. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE			
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279. CERTIFY THAT THE BEST OF YOUR KNOWLEDGE (BY OCCURRENCE AT THE PLACE AND PLACE SITED HEREIN) THE CAUSE SITED			
-			
280. RATED AT WORK?			
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK <input type="checkbox"/>			
281. RATED DATE (month/day/yr)			
06/18/2016			
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06/21/2016			
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REGINA AUGUSTINE, DEP. CORONER			
289. SIGNATURE			
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290. DATE (month/day/yr)			
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291. SIGNATURE AND TITLE OF CENTER			
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292. LICENSE NUMBER			
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293. DATE (month/day/yr)			
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294. FEMALE REGISTRATION YEAR			
-			
295. SIGNATURE AND TITLE OF CENTER			
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296. LICENSE NUMBER			
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297. DATE (month/day/yr)			
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298. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE			
-			
299. CERTIFY THAT THE BEST OF YOUR KNOWLEDGE (BY OCCURRENCE AT THE PLACE AND PLACE SITED HEREIN) THE CAUSE SITED			
-			
300. RATED AT WORK?			
YES			

FILED
LOS ANGELES SUPERIOR COURT

FEB 25 2016

SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK
C. Casarez
BY C. CASAREZ, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

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6
7 In re Personal Injury Cases Assigned to the) Case No.: **BC 6 29 096**
8 Personal Injury Courts;)
(CENTRAL DISTRICT)) SIXTH AMENDED GENERAL
9) ORDER RE PERSONAL INJURY
10) COURT ("PI Court") PROCEDURES,
11) CENTRAL DISTRICT
12) (Effective as of February 22, 2016)

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DEPARTMENT:	91	92	93	97	98
FINAL STATUS CONFERENCE ("FSC"):					
• Date: _____ at 10:00 a.m.					
TRIAL:					
• Date: _____ at 8:30 a.m.					
OSC re DISMISSAL (Code Civ. Proc., § 583.210):					
• Date: _____ at 8:30 a.m.					

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21 TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:
22
23 Pursuant to the California Code of Civil Procedure ("C.C.P."), the California
24 Rules of Court, and the Los Angeles County Court Rules ("Local Rules"), the Los
25 Angeles Superior Court ("LASC" or "Court") HEREBY AMENDS AND SUPERSEDES
26 THE September 18, 2015 AMENDED GENERAL ORDER AND GENERALLY
27

1 **ORDERS AS FOLLOWS IN THIS AND ALL OTHER GENERAL JURISDICTION**
2 **PERSONAL INJURY ACTIONS:**

3 Effective March 18, 2013, the Court responded to systemic budget reductions by
4 centralizing the management of more than 18,000 general jurisdiction personal injury cases in
5 the Stanley Mosk Courthouse. LASC initially opened three Personal Injury Courts (“PI
6 Courts” - Departments 91, 92 and 93), on January 6, 2014, a fourth (Department 97), and on
7 September 28, 2015 a fifth (Department 98) to adjudicate all pretrial matters for these cases.
8 It also established a Master Calendar Court (Department One), to manage the assignment of
9 trials to dedicated Trial Courts located countywide. Prior Amended General Orders laid out
10 the basic procedures for the PI Courts’ management of pretrial matters. The parties will find
11 additional information about the PI Courts on the court’s website, *www.lacourt.org*.
12

13 1. To ensure proper assignment to a PI Court, Plaintiff(s) must carefully fill out the Civil
14 Case Cover Sheet Addendum (form LACIV 109). The Court defines “personal injury” as:

15 “an unlimited civil case described on the Civil Case Cover Sheet Addendum and
16 Statement of Location (LACIV 109) as Motor Vehicle-Personal Injury/Property
17 Damage/Wrongful Death; Personal Injury/Property Damage/Wrongful Death-
18 Uninsured Motorist; Product Liability (other than asbestos or
19 toxic/environmental); Medical Malpractice-Physicians & Surgeons; Other
20 Professional Health Care Malpractice; Premises Liability; Intentional Bodily
21 Injury/Property Damage/Wrongful Death; or Other Personal Injury/Property
22 Damage/Wrongful Death. An action for intentional infliction of emotional
23 distress, defamation, civil rights/discrimination, or malpractice (other than
24 medical malpractice), is not included in this definition. An action for injury to
25 real property is not included in this definition.” Local Rule 2.3(a)(1)(A).
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1 The Court will assign a case to the PI Courts if plaintiff(s) check any of the following
2 boxes in the Civil Case Cover Sheet Addendum:

- 3 A7100 Motor Vehicle – Personal Injury/Property Damage/Wrongful
4 Death
5 A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured
6 Motorist
7 A7260 Product Liability (not asbestos or toxic/environmental)
8 A7210 Medical Malpractice – Physicians & Surgeons
9 A7240 Medical Malpractice – Other Professional Health Care Malpractice
10 A7250 Premises Liability (e.g., slip and fall)
11 A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g.,
12 assault, vandalism etc.)
13 A7220 Other Personal Injury/Property Damage/Wrongful Death
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15 The Court will not assign cases to the PI Courts if plaintiff(s) check any boxes
16 elsewhere in the Civil Case Cover Sheet Addendum (any boxes on pages two and
17 three of that form).
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19 The Court sets the above dates in this action in the PI Court circled above (Department 91, 92,
20 93, 97, or 98) at the Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012.
21 Cal. Rules of Court, Rules 3.714(b)(3), 3.729.
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23 FILING OF DOCUMENTS

24 2. Parties may file documents in person at the filing window, via US Mail, or *as of March*
25 *1, 2106*, through e-Delivery, which is available online at www.lacourt.org (link on homepage).

26 Please note that filings are no longer accepted via facsimile and must be filed either in person
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1 or via e-Delivery. Claims involving an attorney-client fee dispute, documents in which the
2 filing party is a minor, legally incompetent person, or person for whom a conservator has been
3 appointed, Requests to Waive Court Fees (FW-001) and Requests for Accommodations by
4 Persons with Disabilities (MC-410), may not be filed via e-Delivery.
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6 **SERVICE OF SUMMONS AND COMPLAINT**

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8 3. Plaintiff(s) shall serve the summons and complaint in this action upon defendant(s) as
9 soon as possible but no later than three years from the date when the complaint is filed. C. C.
10 P. § 583.210, subd. (a). On the OSC re Dismissal date noted above, the PI Court will dismiss
11 **the action and/or** all unserved parties unless the plaintiff(s) show cause why the action or the
12 unserved parties should not be dismissed. C.C.P. §§ 583.250; 581, subd. (b)(4).
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14 4. The Court sets the above trial and FSC dates on condition that plaintiff(s) effectuate
15 service on defendant(s) of the summons and complaint within six months of filing the
16 complaint.

17 5. The PI Court will dismiss the case without prejudice pursuant to C.C.P. § 581 when
18 no party appears for trial.
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20 **STIPULATIONS TO CONTINUE TRIAL**

21 6. Provided that all parties agree (and there is no violation of the “five-year rule,” C.C.P.
22 § 583.310), the parties may advance or continue any trial date in the PI Courts without
23 showing good cause or articulating any reason or justification for the change. To continue or
24 advance a trial date, the parties (or their counsel of record) should jointly execute and file (in
25 Room 102 of the Stanley Mosk Courthouse; fee required) a Stipulation to Continue Trial,
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1 FSC and Related Motion/Discovery Dates (form LACIV CTRL-242, available on the court's
2 website, Personal Injury Court link). The PI Courts schedule FSCs for 10:00 a.m., eight (8)
3 court days before the trial date. Parties seeking to continue the trial and FSC dates shall file
4 the Stipulation at least eight court days before the FSC date. Parties seeking to advance the
5 trial and FSC dates shall file the Stipulation at least eight court days before the proposed
6 advanced FSC date. Code Civ. Proc., § 595.2; Govt. Code § 70617, subd. (c)(2). In
7 selecting a new trial date, parties should avoid setting on any Monday, or the Tuesday
8 following a court holiday. Parties may submit a maximum of two stipulations to continue
9 trial, the first for a maximum of four months, the second for a maximum of two months. A
10 third request to continue trial will only be granted upon a showing of good cause, by ex parte
11 application or noticed motion. This rule is retroactive so that any previously granted
12 stipulation to continue trial will count toward the maximum number of allowed continuances.
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15 **NO CASE MANAGEMENT CONFERENCES**

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17 7. The PI Courts do not conduct Case Management Conferences. The parties need not
18 file a Case Management Statement.
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20 **LAW AND MOTION**

21 **ANY DOCUMENTS WITH DECLARATIONS AND/OR EXHIBITS MUST BE**
22 **TABBED. CRC §3.1110(f)**

23 **ALL DEPOSITION EXCERPTS REFERENCED IN BRIEFS MUST BE MARKED**
24 **ON THE TRANSCRIPTS ATTACHED AS EXHIBITS. CRC §3.1116(c)**

25 **If your filing is not tabbed or depositions are not marked, do not file without the**
26 **tabs or marked depositions unless today is the last day for filing. If so, you must**
27 **file a tabbed/marked copy with the clerk in the department where your motion will**
be heard within 2 court days.

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3 **Chambers Copies Required**

4 8. In addition to filing original motion papers in Room 102 of the Stanley Mosk
5 Courthouse, the parties must deliver, directly to the PI Court courtrooms, an extra copy
6 (marked "Chambers Copy") of reply briefs and all other motion papers filed less than seven
7 (7) court days before a hearing calendared in the PI Courts. The PI Courts also strongly
8 encourage the parties filing and opposing lengthy motions, such as motions for summary
9 judgment/adjudication, to submit one or more three-ring binders organizing the Chambers
10 Copies behind tabs.

11
12 **Reservation of Hearing Date**

13 9. Parties are directed to reserve hearing dates for motions in the PI Courts using the Court
14 Reservation System (CRS) available online at www.lacourt.org (link on homepage). After
15 reserving a motion hearing date, the reservation requestor must submit the papers for filing
16 with the reservation receipt (CRS) number printed on the face page of the document under the
17 caption and attach the reservation receipt as the last page. Parties or counsel who are unable
18 to utilize the online CRS may reserve a motion hearing date by calling the PI Court courtroom,
19 Monday through Friday, between 3:00 p.m. and 4:00 p.m.
20

21 **Withdrawal of Motion**

22 10. California Rules of Court, Rule 3.1304(b) requires a moving party to notify the court
23 immediately if a matter will not be heard on the scheduled date. In keeping with that rule, the
24 PI Courts urge parties who amend pleadings in response to demurrers to file amended
25 pleadings before the date when opposition to the demurrer is due so that the PI Courts do not
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1 needlessly prepare tentative rulings on demurrers.

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3 **Discovery Motions**

4 11. The purpose of an Informal Discovery Conference (“IDC”) is to assist the parties to
5 resolve and/or narrow the scope of discovery disputes. Lead trial counsel on each side, or
6 another attorney with full authority to make binding agreements, must attend in person. The
7 PI judges have found that, in nearly every case, the parties amicably resolve disputes with the
8 assistance of the Court.

9
10 12. Parties must participate in an IDC before a Motion to Compel Further Responses to
11 Discovery will be heard, unless, the moving party submits evidence, by way of declaration,
12 that the opposing party has failed or refused to participate in an IDC. Scheduling or
13 participating in an IDC does not extend any deadlines imposed by the Code of Civil Procedure
14 for noticing and filing discovery motions. Ideally, the parties should participate in an IDC
15 before a motion is filed because the IDC may avoid the necessity of a motion or reduce its
16 scope. Because of that possibility, attorneys are encouraged to stipulate to extend the 45 (or
17 60) day deadline for filing a motion to compel further discovery responses in order to allow
18 time to participate in an IDC. If parties do not stipulate to extend the deadlines, the moving
19 party may file the motion to avoid it being deemed untimely. However, the IDC must take
20 place before the motion is heard so it is suggested that the moving party reserve a date for the
21 motion hearing that is at least 60 days after the date when the IDC reservation is made. Motions
22 to Compel Further Discovery Responses are heard at 10:00 a.m. If the IDC is not productive,
23 the moving party may advance the hearing on a Motion to Compel Further Discovery
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1 Responses on any available hearing date that complies with the notice requirements of the
2 Code of Civil Procedure.

3 13. Parties are directed to reserve IDC dates in the PI Courts using CRS available online at
4 www.lacourt.org (link on homepage). Parties are to meet and confer regarding the available
5 dates in CRS prior to accessing the system. After reserving the IDC date, the reservation
6 requestor must file in the appropriate department and serve an Informal Discovery Conference
7 Form for Personal Injury Courts, from LACIV 239 (revised 12/14 or later), at least 15 court
8 days prior to the conference and attach the CRS reservation receipt as the last page. The
9 opposing party may file and serve a responsive IDC Form, briefly setting forth that party's
10 response, at least 10 court days prior to the IDC.

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12 14. Time permitting; the PI Hub judges may be available to participate in IDCs to try to
13 resolve other types of discovery disputes.

14 **Ex Parte Applications**

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16 15. Under the California Rules of Court, courts may only grant *ex parte* relief upon a
17 showing, by admissible evidence, that the moving party will suffer "irreparable harm,"
18 "immediate danger," or where the moving party identifies "a statutory basis for granting relief
19 *ex parte*." Cal. Rules of Court, Rule 3.1202(c). The PI Courts have no capacity to hear multiple
20 *ex parte* applications or to shorten time to add hearings to their fully booked motion calendars.
21 The PI Courts do not regard the Court's unavailability for timely motion hearings as an
22 "immediate danger" or threat of "irreparable harm" justifying *ex parte* relief. Instead of
23 seeking *ex parte* relief, counsel should reserve the earliest available motion hearing date, and
24 stipulate with all parties to continue the trial to a date thereafter using the Stipulation to
25 Continue Trial, FSC and Related Motion/Discovery Dates (form LACIV CTRL-242, available
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1 on the court's website, PI Court Tab). Counsel should also check the Court Reservation
2 System from time to time because earlier hearing dates may become available as cases settle
3 or counsel otherwise take hearings off calendar.

4 **REQUEST FOR TRANSFER TO INDEPENDENT CALENDAR DEPARTMENT**

5 16. Parties seeking to transfer a case from a PI Court to an Independent Calendar ("I/C")
6 Court shall file (in Room 102 of the Stanley Mosk Courthouse) and serve the Court's
7 "Motion to Transfer Complicated Personal Injury Case to Independent Calendar Court"
8 (form LACIV 238, available on the Court's website under the PI Courts link). The PI
9 Courts will transfer a matter to an I/C Court if the case is not a "Personal Injury" case as
10 defined in the General Order re General Jurisdiction PI Cases, or if it is "complicated." In
11 determining whether a personal injury case is "complicated" the PI Courts will consider,
12 among other things, the number of pretrial hearings or the complexity of issues presented.

14 17. Parties opposing a motion to transfer have five court days to file (in Room 102) an
15 Opposition (using the same LACIV 238 Motion to Transfer form).

17 18. The PI Courts will not conduct a hearing on any Motion to Transfer to I/C Court.
18 Although the parties may stipulate to transfer a case to an Independent Calendar Department,
19 the PI Courts will make an independent determination whether to transfer the case or not.

20 **GENERAL ORDER – FINAL STATUS CONFERENCE**

21 19. Parties shall comply with the requirements of the PI Courts' "Amended General Order
22 – Final Status Conference," which shall be served with the summons and complaint.

23 **JURY FEES**

24 20. Parties must pay jury fees no later than 365 calendar days after the filing of the initial
25 complaint. (Code Civ. Proc., § 631, subs. (b) and (c))
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1 **JURY TRIALS**

2 21. The PI Courts do not conduct jury trials. On the trial date, a PI Court will transfer the
3 case to the Master Calendar Court in Department One in the Stanley Mosk Courthouse.
4 Department One assigns cases out for trial to dedicated Trial Courts.
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6 **SANCTIONS**

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8 21. The Court has discretion to impose sanctions for any violation of this general order.
9 (C.C.P. §§ 128.7, 187 and Gov. Code, § 68608, subd. (b))
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12 Dated: 2/25/16


Kevin C. Brazile
Supervising Judge, Civil
Los Angeles Superior Court

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FILED
LOS ANGELES SUPERIOR COURT

JUN 10 2016

SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK

C. Casarez
BY C. CASAREZ, DEPUTY

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

In re Personal Injury Cases Assigned)
To the Personal Injury Courts)
(Departments 91, 92, 93, 97 and 98))
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The dates for Trial and Final Status Conference ("FSC") having been set in this matter, the Court **HEREBY AMENDS AND SUPERSEDES ITS January 26, 2015, AMENDED GENERAL ORDER-FINAL STATUS CONFERENCE AND GENERALLY ORDERS AS FOLLOWS IN THIS AND ALL OTHER GENERAL JURISDICTION PERSONAL INJURY ACTIONS:**

1. PURPOSE OF THE FSC

The purpose of the FSC is to verify that the parties counsel are completely ready to proceed with trial continuously and efficiently, from day to day, until verdict. The PI Courts will verify at the FSC that all parties counsel have (1) prepared the Exhibit binders and Trial Document binders and (2) met and conferred in an effort to stipulate to ultimate facts, legal issues, motions *in limine*, and the authentication and admissibility of exhibits.

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2. TRIAL DOCUMENTS TO BE FILED

At least five calendar days prior to the Final Status Conference, the parties counsel shall serve and file (in Room 102 of the Stanley Mosk Courthouse) the following Trial Readiness Documents:

A. TRIAL BRIEFS (OPTIONAL)

Each party counsel may file, but is not required to file, a trial brief succinctly identifying:

- (1) the claims and defenses subject to litigation;
- (2) the major legal issues (with supporting points and authorities);
- (3) the relief claimed and calculation of damages sought; and
- (4) any other information that may assist the court at trial.

B. MOTIONS *IN LIMINE*

Before filing motions *in limine*, the parties counsel shall comply with the statutory notice provisions of Code of Civil Procedure ("C.C.P.") Section 1005 and the requirements of Los Angeles County Court Rule ("Local Rule") 3.57(a). The caption of each motion *in limine* shall concisely identify the evidence that the moving party seeks to preclude. Parties filing more than one motion *in limine* shall number them consecutively. Parties filing opposition and reply papers shall identify the corresponding motion number in the caption of their papers.

C. JOINT STATEMENT TO BE READ TO THE JURY

For jury trials, the parties/counsel shall work together to prepare and file a joint written statement of the case for the court to read to the jury. Local Rule 3.25(i)(4).

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D. JOINT WITNESS LIST

The parties counsel shall work together to prepare and file a joint list of all witnesses that each party intends to call (excluding impeachment and rebuttal witnesses). Local Rule 3.25(i)(5). The joint witness list shall identify each witness by name, specify which witnesses are experts, and estimate the length of the direct, cross examination re-direct examination (if any) of each witness. The parties/counsel shall identify and all potential witness scheduling issues and special requirements. Any party/counsel who seeks to elicit testimony from a witness not identified on the witness list must first make a showing of good cause.

**E. LIST OF PROPOSED JURY INSTRUCTIONS
(JOINT AND CONTESTED)**

The parties/counsel shall jointly prepare and file a list of proposed jury instructions, organized in numerical order, specifying the instructions upon which all sides agree and the contested instructions, if any. The Joint List of Jury Instructions must include a space by each instruction for the judge to indicate whether the instruction was given.

**F. JURY INSTRUCTIONS
(JOINT AND CONTESTED)**

The parties/counsel shall prepare a complete set of full-text proposed jury instructions, editing all proposed California Civil Jury Instructions for Judges and Attorneys ("CACI") instructions to insert party names and eliminate blanks and irrelevant material. The parties shall prepare special instructions in a format ready for submission to the jury with the instruction number, title and text only (i.e., there should be no boxes or other indication on the printed instruction itself as to the requesting party.)

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G. JOINT VERDICT FORM(S)

The parties counsel shall prepare and jointly file a proposed general verdict form or special verdict form (with interrogatories) acceptable to all sides. If the parties counsel cannot agree on a joint verdict form, each party must separately file a proposed verdict form Local Rule 3.25(i)(7) and (8).

H. JOINT EXHIBIT LIST

The parties counsel shall prepare and file a joint exhibit list organized with columns identifying each exhibit and specifying each party's evidentiary objections, if any, to admission of each exhibit. To comply with Local Rules 3.52(i)(5) and 3.53, the parties shall meet and confer in an effort to resolve objections to the admissibility of each exhibit.

3. EVIDENTIARY EXHIBITS

The parties counsel shall jointly prepare (and be ready to temporarily lodge for inspection at the FSC), three sets of tabbed, internally paginated and properly-marked exhibits, organized numerically in three-ring binders (a set for the Court, the Judicial Assistant and the witnesses). The parties counsel shall mark all non-documentary exhibits and insert a simple written description of the exhibit behind the corresponding numerical tab in the exhibit binder. If the parties have a joint signed exhibit list and electronic copies of their respective exhibits, then the parties will not be required to produce exhibit binders at the Final Status Conference (FSC). However, the exhibit binders may be required by the assigned trial judge when the trial commences. In the absence of either a joint signed exhibit list or electronic copies, exhibit binders will be required by all parties at the Final Status Conference.

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4. TRIAL BINDERS REQUIRED IN THE PI COURTS

The parties/counsel shall jointly prepare (and be ready to temporarily lodge for inspection at the FSC) the Trial Documents, tabbed and organized into three-ring binders as follows:

Tab A: Trial Briefs

Tab B: Motions *in limine*

Tab C: Joint Statement to Be Read to the Jury

Tab D: Joint Witness List

Tab E: Joint List of Jury Instructions (identifying the agreed upon and contested instructions)

Tab F: Joint and Contested Jury Instructions

Tab G: Joint and/or Contested Verdict Forms

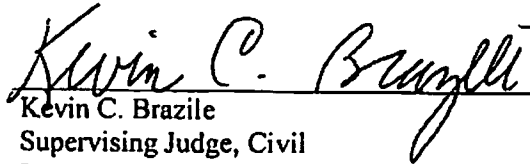
The parties shall organize motions *in limine* (tabbed in numerical order) behind tab B with the opposition papers and reply papers for each motion placed directly behind the moving papers. The parties shall organize proposed jury instructions behind tab F, with the agreed upon instructions first in order followed by the contested instructions (including special instructions) submitted by each side.

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5. FAILURE TO COMPLY WITH FSC OBLIGATIONS

The court has discretion to require any party counsel who fails or refuses to comply with this General Order to Show Cause why the court should not impose monetary, evidentiary and or issue sanctions (including the entry of a default or the striking of an answer).

Dated this 10th day of June, 2016


Kevin C. Brazile
Supervising Judge, Civil
Los Angeles Superior Court