

Superior Court of California
County of San Diego

Civil



Unique ID-C0108-18

CASE	37-2007-00073279-CU-MM-CTL
VOLUME	1
TOTAL VOLUME	1



ORIGINAL

FILED
CIVIL BUSINESS OFFICE 19
COURT DIVISION

07 OCT 18 PM 2: 32

CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

1 Gary D. Fields, Esq., SBN: 070819
Arlette B. Bolduc, Esq., SBN: 160976
2 **FIELDS & ISRAEL LLP**
111 West Ocean Boulevard, 23rd Floor
3 P.O. Box 22701
Long Beach, CA 90801-5701
4 Tel. No. (562) 432-5111
Fax No. (562) 432-6333

5 Attorneys for Defendant, **PLANNED PARENTHOOD**
6 **OF SAN DIEGO AND RIVERSIDE COUNTIES**

7
8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN DIEGO**

FILE BY FAX

10
11 **KARINA LOPEZ**, an individual,
12 **Plaintiff,**

13 vs.

14 **PLANNED PARENTHOOD OF SAN DIEGO**
15 **AND RIVERSIDE COUNTIES, and DOES 1 to**
16 **Defendants.**

) **CASE NO.:** 37-2007-00073279-CU-MM-CTL
) *Complaint filed: August 17, 2007*

) **ANSWER TO PLAINTIFF'S**
) **COMPLAINT FOR DAMAGES**

17
18 COMES NOW DEFENDANT., **PLANNED PARENTHOOD OF SAN DIEGO AND**
19 **RIVERSIDE COUNTIES** (hereinafter referred to as "Defendant"), for itself alone and for no other
20 persons, firms, or corporations answer the unverified Complaint on file herein, admits, denies and
21 alleges as follows:

22 1. Under the provisions of Section 431.30 of the *California Code of Civil Procedure*,
23 this answering Defendant denies each and every allegation of said unverified Complaint, and each
24 and every cause of action contained therein, and the whole thereof, and deny that Plaintiff has
25 sustained damages in the sum or sums alleged, or in any other sum or sums whatsoever, or at all.

26 2. Further answering Plaintiff's Complaint on file herein and the whole thereof, this
27 answering Defendant denies that the Plaintiff has sustained any injuries, damages, or loss, if any, by
28 reason of any act or omission on the part of this answering Defendant.

1 **FOR A FIRST, SEPARATE AND AFFIRMATIVE DEFENSE,**

2 **THIS ANSWERING DEFENDANT ALLEGES:**

3 3. That the Complaint and each and every cause of action therein are barred by the
4 provisions of Section 340.5 of the *California Code of Civil Procedure*.

5 **FOR A SECOND, SEPARATE AND AFFIRMATIVE DEFENSE,**

6 **THIS ANSWERING DEFENDANT ALLEGES:**

7 4. That the Complaint and each and every cause of action therein do not state facts
8 sufficient to constitute a cause of action.

9 **FOR A THIRD, SEPARATE AND AFFIRMATIVE DEFENSE,**

10 **THIS ANSWERING DEFENDANT ALLEGES:**

11 5. Plaintiff's injuries and damages, if any, were proximately caused and contributed to
12 by the negligence of third parties other than this answering Defendant.

13 **FOR A FOURTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

14 **THIS ANSWERING DEFENDANT ALLEGES:**

15 6. If any injuries alleged were caused by negligence, this Defendant requests that the
16 negligence of all persons or parties, and the degree to which such negligence contributed to the
17 alleged incident, or the nature and extent of the injuries actually sustained be determined by the trier
18 of fact.

19 **FOR A FIFTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

20 **THIS ANSWERING DEFENDANT ALLEGES:**

21 7. This Defendant places in issue the negligence, if any, of all persons who contributed
22 in any degree to the happenings as alleged in the Complaint, and the degree that such negligence
23 contributed to the injuries sustained, if any, as a result of said occurrence.

24 **FOR A SIXTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

25 **THIS ANSWERING DEFENDANT ALLEGES:**

26 8. That Plaintiff herein is barred from any recovery herein on the basis that Plaintiff's
27 own negligence was the sole and proximate cause of the injuries sustained herein; but in the event
28 a finding is made that negligence exists on the part of this Defendant which proximately contributed

1 to Plaintiff's injuries and/or damages, that Plaintiff's amount of recovery, if any, shall be reduced
2 on the basis of Plaintiff's comparative negligence which contributed to the injuries and/or damages
3 and claims upon which Plaintiff is seeking recovery against this Defendant.

4 **FOR A SEVENTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

5 **THIS ANSWERING DEFENDANT ALLEGES:**

6 9. That all of the risks and dangers involved in the undertaking in which Plaintiff was
7 engaged at the time and place alleged were well known to, understood and appreciated by Plaintiff
8 who knowingly understood and assumed all risks involved in such undertaking.

9 **FOR AN EIGHTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

10 **THIS ANSWERING DEFENDANT ALLEGES:**

11 10. That the negligence alleged in the Complaint was not a substantial factor in bringing
12 about the alleged injuries, and therefore, was not a contributing cause, but was superseded by an
13 event that was an independent, intervening, sole and proximate cause of any alleged injury or
14 damage.

15 **FOR A NINTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

16 **THIS ANSWERING DEFENDANT ALLEGES:**

17 11. In the event that this answering Defendant is found to be negligent (which supposition
18 is denied and merely stated for the purpose of this affirmative defense), this answering Defendant
19 may elect to introduce evidence of any amounts paid or payable, if any, as a benefit to Plaintiff
20 pursuant to *California Civil Code* Section 3333.1.

21 **FOR A TENTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

22 **THIS ANSWERING DEFENDANT ALLEGES:**

23 12. In the event that this answering Defendant should be found liable to the Plaintiff
24 (which supposition is denied and merely stated for the purpose of this affirmative defense), the
25 damages for non-economic loss shall not exceed the amount specified in *California Civil Code*
26 Section 3333.2.

27 ///

28 ///

1 **FOR AN ELEVENTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

2 **THIS ANSWERING DEFENDANT ALLEGES:**

3 13. In the event that this answering Defendant should be found liable to the Plaintiff
4 (which supposition is denied and merely stated for the purpose of this affirmative defense), this
5 answering Defendant may elect to limit or diminish Plaintiff's recovery of future damages as
6 specified in *California Code of Civil Procedure* Section 667.7.

7 **FOR A TWELFTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

8 **THIS ANSWERING DEFENDANT ALLEGES:**

9 14. That Defendant is entitled to an offset and/or reduction, and Plaintiff is barred from
10 recovering any and all amounts paid for Plaintiff's alleged injuries by way of settlement or judgment
11 of any claim, incident, or lawsuit which may have contributed to the injuries answered in the
12 Complaint (in the event this answering Defendant should be found liable to Plaintiff, although this
13 supposition is denied and only stated for the purpose of this affirmative defense).

14 **FOR A THIRTEENTH, SEPARATE AND AFFIRMATIVE DEFENSE,**

15 **THIS ANSWERING DEFENDANT ALLEGES:**

16 15. Under and pursuant to the terms of *California Civil Code* Sections 1431 through
17 1431.5, Plaintiff is barred and precluded from recovery against this answering Defendant for any
18 non-economic damages except those allocated to this Defendant in direct proportion to its percentage
19 of fault, if any such fault or damages there be.

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1 WHEREFORE, this answering Defendant prays as follows:

- 2 1. That Plaintiff takes nothing by reason of the Complaint on file herein;
3 2. For costs of suit herein; and,
4 3. For such other and further relief as this Court may deem just and proper.

5
6 DATED: October 16, 2007

FIELDS & ISRAEL LLP

7
8 BY:


9 Gary D. Fields, Esq.
10 Arlette B. Bolduc, Esq.
11 Attorneys for Defendant
12 PLANNED PARENTHOOD OF SAN DIEGO
13 AND RIVERSIDE COUNTIES
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PROOF OF SERVICE

(Pursuant to CCP §§ 1013a(1) and 2015.5)

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

) ss.

FILED
CIVIL BUSINESS OFFICE 19
GENERAL DIVISION

07 OCT 18 PM 2:32

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 111 West Ocean Boulevard, 23rd Floor, P.O. Box 22701, Long Beach, California 90801-5701.

On October 18, 2007, I served the document described as **ANSWER TO PLAINTIFF'S COMPLAINT FOR DAMAGES**, by placing copies thereof enclosed in a sealed envelope and addressed as follows:

George J. Ronis, Esq./R. Scott Smis, Esq.
253 Third Avenue
Chula Vista, CA 91910
Fax No. (619) 427-9068

I declare that I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

X (By Mail) I caused to be deposited such envelope in the mail as stated on the attached service list at Long Beach, California. The envelope was mailed with postage thereon fully prepaid on October 18, 2007.

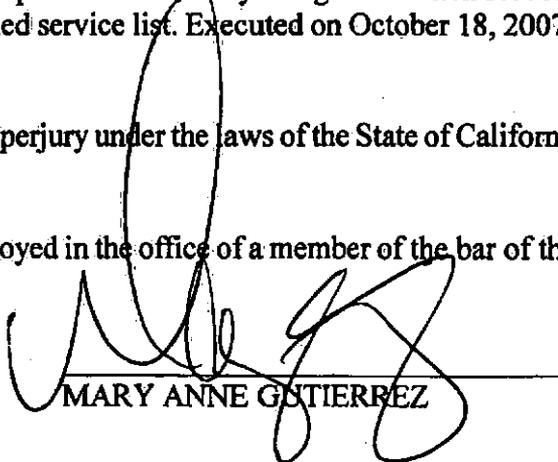
___ (By Facsimile) I sent this document via facsimile, as stated on the attached service list, on October 18, 2007.

___ (By Overnight Courier) Such envelope was delivered by an agent of Federal Express to the offices stated on the attached service list. It was requested by the person executing this Proof of Service that the envelope be delivered the next business day.

___ (By Personal Service) Such envelope was delivered by an agent of Allen Houser Process Service to the offices stated on the attached service list. Executed on October 18, 2007 at Long Beach, California.

X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

___ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.



MARY ANNE GUTIERREZ

1 Plaintiff is informed and believes and based thereon alleges that each of the fictitiously named
2 Defendants is negligently responsible in some manner for the occurrences herein alleged, and that
3 Plaintiff's injuries as herein alleged were proximately caused by that negligence.

4 4. Plaintiff is informed and believes, and thereon alleges that, Defendant DOE 1 was
5 at all times herein mentioned, an agent, representative, employee and/or subcontractor of Defendant
6 PLANNED PARENTHOOD, and in doing the things hereinafter alleged, was acting within the
7 course and scope of such capacity, agency and/or employment.

8 5. Plaintiff is informed and believes and thereon alleges that at all times herein
9 mentioned that Defendants DOES 2-10 were the owners, co-owners, agents, representatives and/or
10 employees of each of the remaining Defendants, and in doing the things hereinafter alleged, were
11 acting within the course and scope of such capacity, agency and/or employment.

12 6. On October 10, 2006, Plaintiff gave Defendants PLANNED PARENTHOOD written
13 notice of her intention to commence this action pursuant to California Code of Civil Procedure §364.
14 On November 10, 2006, Defendant PLANNED PARENTHOOD acknowledged receipt of Plaintiff's
15 written notice by and through national counsel for Defendant PLANNED PARENTHOOD.
16 Defendants by and through said national counsel have not maintained that this action is subject to
17 any special proceeding, any administrative prerequisite, or any Federal Statute. Accordingly, this
18 Court has jurisdiction over this action.

19
20 **I.**
CAUSE OF ACTION
(Damages for Professional Negligence)

21 7. Plaintiff incorporates paragraphs 1 through 6, inclusive, as though set forth in full
22 herein and further alleges.

23 8. On August 29, 2006 Plaintiff underwent a medical procedure performed by Defendant
24 DOE 1 at a PLANNED PARENTHOOD clinic in San Diego known to the parties as the Euclid
25 facility.

26 9. Immediately following the procedure Plaintiff experienced a severe pain running
27 down her left leg and an intense burning sensation in the area of her body that had been treated
28 during the procedure. Plaintiff complained to DOE 1 of her discomfort and was assured by

1 Defendant DOE 1 that the burning sensation would subside with the passage of time.

2 10. Defendant DOE 1 provided Plaintiff with instructions and a medication to apply to
3 the treated area. Plaintiff was discharged from the Euclid facility and returned home.

4 11. Plaintiff's pain continued to intensify. Thereafter, Plaintiff noticed that she had begun
5 bleeding and discharging from the area that had been treated during the procedure. Plaintiff
6 contacted PLANNED PARENTHOOD asking if she could schedule an appointment for that
7 afternoon. Plaintiff was informed that the next available appointment was not for several days later.
8 Plaintiff scheduled an appointment for the next available date and continued to apply the medication
9 provided by Defendant DOE 1 as instructed. Plaintiff's condition continued to worsen.

10 12. Plaintiff contacted PLANNED PARENTHOOD again describing her symptoms and
11 the intolerable pain she was experiencing asking to be seen immediately. Plaintiff was informed that
12 no appointments were available and that if she could not tolerate the pain she should report to the
13 ER.

14 13. Shortly thereafter, Plaintiff reported to the emergency room at Sharp Memorial
15 Hospital where she was treated for burns proximately caused by the procedure performed at
16 PLANNED PARENTHOOD by Defendant DOE 1.

17 14. After being discharged from the ER, Plaintiff returned home to convalesce. Plaintiff's
18 condition continued to worsen. Not being able to tolerate the pain, Plaintiff returned to the ER for
19 additional treatment. Thereafter Plaintiff was treated in a series of out patient follow up visits.

20 15. Defendants, and each of them, were negligent in that they failed to exercise due care
21 in the performance of their care and treatment of Plaintiff, so that Plaintiff was caused to suffer the
22 injuries and damages herein described.

23 16. As a proximate result of the negligence of Defendants, and each of them, Plaintiff was
24 injured in her health, strength, and activity, sustaining injuries to her person, all of which caused
25 Plaintiff great mental and physical pain and suffering.

26 17. Plaintiff is informed and believes and thereon alleges that such injuries will result in
27 some permanent disfigurement to her person. As a result of such injuries, Plaintiff has suffered
28 general damages in an amount according to proof.

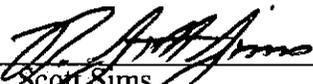
1 18. As a further proximate result of the negligence of Defendants, and each of them,
2 Plaintiff has incurred, and will incur, medical and related expenses in an amount according to proof.

3 19. As a further proximate result of the negligence of Defendants, and each of them,
4 Plaintiff has incurred lost income in an amount according to proof.

5 WHEREFORE, Plaintiff prays judgment against Defendants, and each of them, as follows:

- 6 1. For general damages;
- 7 2. For medical and related expenses according to proof;
- 8 3. For the loss of earnings;
- 9 4. For costs of suit herein incurred;
- 10 5. For such other and further relief as the court may deem proper.

11
12
13 Dated: 8-17-07



R. Scott Sims
Attorney for Plaintiff, Karina Lopez

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SUMMONS
(CITACION JUDICIAL)

SUM-100

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO):

PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES; AND DOES 1-10, INCLUSIVE.

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

FILED
CIVIL BUSINESS OFFICE 13
COURT CLERK DIVISION

2007 AUG 17 P 3:22

SUPERIOR COURT
SAN DIEGO COUNTY, CA

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

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.

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.courtinfo.ca.gov/selfhelp/espanol/), 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.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:
(El nombre y dirección de la corte es):
SUPERIOR COURT OF THE STATE OF CALIFORNIA
330 West Broadway
P.O. Box 122724, San Diego, CA 92112-2724
San Diego, California 92101
HALL OF JUSTICE

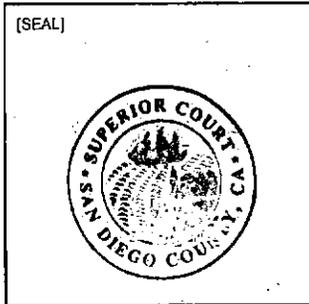
CASE NUMBER:
(Número del Caso) **07-2007-00073279-CU-MM-CTL**

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):
GEORGE JOHN RONIS, ATTORNEY AT LAW (SBN 58152) (619) 427-9038 (619) 427-9068
R. SCOTT SIMS, ATTORNEY AT LAW (SBN 170180)
253 THIRD AVENUE
Chula Vista, California 91910

DATE: **AUG 17 2007**
(Fecha)

Clerk, by A. Racelis, Deputy
(Secretario) **A. RACELIS** *(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.**
- as an individual defendant.
 - as the person sued under the fictitious name of *(specify)*:
 - on behalf of *(specify)*:

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other <i>(specify)</i> :	
 - by personal delivery on *(date)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

R. SCOTT SIMS, ESQ.
GEORGE JOHN RONIS, ATTORNEY AT LAW (SBN 58152)
R. SCOTT SIMS, ATTORNEY AT LAW (SBN 170180)
253 Third Avenue
Chula Vista, California 91910
TELEPHONE NO.: (619) 427-9038 FAX NO.:

FOR COURT USE ONLY

FILED
CIVIL BUSINESS OFFICE 13
CENTRAL DIVISION

2007 AUG 17 P 3:22

ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: P.O. Box 122724, San Diego, CA 92112-27
CITY AND ZIP CODE: San Diego, California 92101
BRANCH NAME: HALL OF JUSTICE

CASE NAME:

CIVIL CASE COVER SHEET

Unlimited (Amount demanded exceeds \$25,000) Limited (Amount demanded is \$25,000 or less)

Complex Case Designation

Counter Joinder
Filed with first appearance by defendant (Cal. Rules of Court rule 3.402)

37-2007-00073279-CU-MM-CTL

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

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

Auto Tort

Auto (22)
 Uninsured motorist (46)

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

Asbestos (04)
 Product liability (24)
 Medical malpractice (45)
 Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

Business tort/unfair business practice (07)
 Civil rights (08)
 Defamation (13)
 Fraud (16)
 Intellectual property (19)
 Professional negligence (25)
 Other non-PI/PD/WD tort (35)

Employment

Wrongful termination (36)
 Other employment (15)

Contract

Breach of contract/warranty (06)
 Rule 3.740 collections (09)
 Other collections (09)
 Insurance coverage (18)
 Other contract (37)

Real Property

Eminent domain/Inverse condemnation (14)
 Wrongful eviction (33)
 Other real property (26)

Unlawful Detainer

Commercial (31)
 Residential (32)
 Drugs (38)

Judicial Review

Asset forfeiture (05)
 Petition re: arbitration award (11)
 Writ of mandate (02)
 Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

Antitrust/Trade regulation (03)
 Construction defect (10)
 Mass tort (40)
 Securities litigation (28)
 Environmental/Toxic tort (30)
 Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

Enforcement of judgment (20)

Miscellaneous Civil Complaint

RICO (27)
 Other complaint (not specified above) (42)

Miscellaneous Civil Petition

Partnership and corporate governance (21)
 Other petition (not specified above) (43)

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

- a. Large number of separately represented parties
- b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c. Substantial amount of documentary evidence
- d. Large number of witnesses
- e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f. Substantial postjudgment judicial supervision

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

4. Number of causes of action (specify): ONE

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 8/17/07

R. SCOTT SIMS, ESQ.
(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

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

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

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

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

CASE TYPES AND EXAMPLES

Auto Tort

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

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

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

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)
- Employment
 - Wrongful Termination (36)
 - Other Employment (15)

Contract

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

Real Property

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

Unlawful Detainer

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

Judicial Review

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

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

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

Enforcement of Judgment

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

Miscellaneous Civil Complaint

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

Miscellaneous Civil Petition

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): R. SCOTT SIMS, ESQ. (170180) (619) 427-9038 GEORGE JOHN RONIS, ESQ. (58152) 253 THIRD AVE. CHULA VISTA, CA 91910	FOR COURT USE ONLY FILED CIVIL BUSINESS OFFICE 14 CENTRAL DIVISION 08 AUG -7 AM 1:04 CLERK-SUPERIOR COURT SAN DIEGO COUNTY, CA
ATTORNEY FOR (Name): KARINA LOPEZ Insert name of court and name of judicial district and branch court, if any: SUPERIOR COURT OF SAN DIEGO, CALIFORNIA HALL OF JUSTICE	
PLAINTIFF/PETITIONER: KARINA LOPEZ DEFENDANT/RESPONDENT: PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES	
REQUEST FOR DISMISSAL <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other MEDICAL MALPRACTICE <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Other (specify):	CASE NUMBER: 37-2007-00073279CU-MM-CTL

- A conformed copy will not be returned by the clerk unless a method of return is provided with the document. -

1. TO THE CLERK: Please dismiss this action as follows:
- a. (1) With prejudice (2) Without prejudice
- b. (1) Complaint (2) Petition
 (3) Cross-complaint filed by (name):
 (4) Cross-complaint filed by (name):
 (5) Entire action of all parties and all causes of action
 (6) Other (specify):*

on (date):
on (date):

Date: JULY 10, 2008

R. SCOTT SIMS, ESQ. (170180)
(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)


(SIGNATURE)
Attorney or party without attorney for: KARINA LOPEZ

* If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

Plaintiff/Petitioner Defendant/Respondent
 Cross-complainant

2. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:
GARY FIELDS, ESQ.
(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)


(SIGNATURE)
Attorney or party without attorney for: PLANNED PARENTHOOD

** If a cross-complaint or Response (Family Law) seeking affirmative relief is on file, the attorney for cross-complainant (respondent) must sign this consent consent if required by Code of Civil Procedure section 581(i) or (j).

Plaintiff/Petitioner Defendant/Respondent
 Cross-complainant

(To be completed by clerk)
3. Dismissal entered as requested on (date): 8-7-08

4. Dismissal entered on (date): as to only (name):
5. Dismissal not entered as requested for the following reasons (specify):

6. a. Attorney or party without attorney notified on (date):
b. Attorney or party without attorney not notified. Filing party failed to provide
 a copy to conform means to return conformed copy

Date: 9-12-08 Clerk, by  Deputy

GARY D. FIELDS *
ALBERT S. ISRAEL *
ARLETTE B. BOLDOC
J. RODNEY DEBIASO

OF COUNSEL
MARY JANE DELLAFIORA

* A PROFESSIONAL CORPORATION

FIELDS & ISRAEL LLP

L A W Y E R S

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

111 WEST OCEAN BOULEVARD, 23RD FL.
P.O. BOX 22701
LONG BEACH, CALIFORNIA 90801-5701

TELEPHONE
(562) 432-5111

FACSIMILE
(562) 432-6333

August 6, 2008

Clerk of Court
Superior Court of California
County of San Diego - Hall of Justice
P.O. Box 122724
San Diego, CA 92112-2724

Re: Lopez v. Planned Parenthood; et al.

To the Clerk of the Court:

Enclosed for filing please find the original plus one copy of the following document:

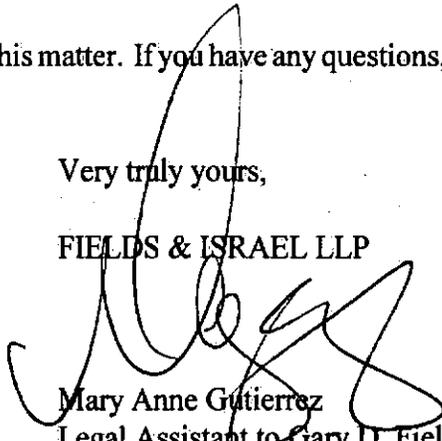
1. **Request for Dismissal.**

Please return the entered copy of the document to our office. A self-addressed stamped envelope is provided for your use.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

FIELDS & ISRAEL LLP


Mary Anne Gutierrez
Legal Assistant to Gary D. Fields

:mag
Enclosures

The Law Offices of George John Ronis

GEORGE JOHN RONIS
Attorney at Law

253 Third Avenue
Chula Vista, California 91910
Telephone: (619) 427-9038
Fax: (619) 427-9068

TR #3

Superior Court of California County of San Diego SIGN-IN SHEET	Calendar No.: 3
	Court Use Only

CASE: 37-2007-00073279-CU-MM-CTL - Karina Lopez vs. Planned Parenthood Of San Diego And Riverside Counties

EVENT TYPE: Ex Parte

EVENT DATE/TIME: 06/11/2008 10:30 am

DEPARTMENT: C-67

JUDGE: David B. Oberholtzer

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
FIELDS, GARY D.	Planned Parenthood Of San Diego And Riverside Counties [DFN]	
SIMS, R SCOTT	Lopez, Karina [PLN]	

1 **GEORGE JOHN RONIS (SBN 58152)**
THE LAW OFFICES OF GEORGE JOHN RONIS
2 253 Third Avenue
Chula Vista, CA 91910
3 Telephone: (619) 427-9038
R. SCOTT SIMS (SBN 170180)
4 253 Third Avenue
Chula Vista, CA 91910
5 Telephone: (619) 427-9038

mfco

JUN 9 2008 PM 1:50
Clerk of the Superior Court

JUN 9 2008

6 Attorneys for Plaintiff, KARINA LOPEZ

By: S. ALYEA, Deputy

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SAN DIEGO**
10 **CENTRAL DIVISION**

11 KARINA LOPEZ, an individual;) CASE NO.: 37-2007-00073279-CU-MM-CTL
12 Plaintiff)
13 vs.) **DECLARATION OF NOTICE OF**
14 PLANNED PARENTHOOD OF SAN DIEGO) **EX PARTE HEARING**
AND RIVERSIDE COUNTIES; and DOES 1)
15 through 10, Inclusive,)
16 Defendants.)
Date: June 11, 2008
Time: 8:30 AM
Dept.: 67
Judge: David B. Oberholtzer
Complaint Filed: 8-17-07

17
18 I, R. Scott Sims, am one of the attorneys of record for Karina Lopez in the above-entitled
19 action and if called upon to testify would competently do so to the following:

20 On June 6, 2008 at approximately 10:00 AM notice of the ex-parte on Wednesday, June 11,
21 2008 at 8:30 a.m. was given to counsel for Planned Parenthood of San Diego And Riverside
22 Counties by telephone call to Attorney Gary Fields, co-counsel for Planned Parenthood.

23 I declare under penalty of perjury under the laws of the State of California that the foregoing
24 is true and correct. Executed this 6TH day of June 2008 at Chula Vista, California.

25 
26 R. SCOTT SIMS

1 **GEORGE JOHN RONIS (SBN 58152)**
THE LAW OFFICES OF GEORGE JOHN RONIS
2 253 Third Avenue
Chula Vista, CA 91910
3 Telephone: (619) 427-9038
R. SCOTT SIMS (SBN 170180)
4 253 Third Avenue
Chula Vista, CA 91910
5 Telephone: (619) 427-9038

F I L E D
Clerk of the Superior Court

JUN 9 2008

By: S. ALYEA, Deputy

6 Attorneys for Plaintiff KARINA LOPEZ.

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SAN DIEGO**
10 **CENTRAL DIVISION**

11 KARINA LOPEZ, an individual;) CASE NO.: 37-2007-00073279-CU-MM-CTL
12 Plaintiff)
13 vs.) **EX PARTE APPLICATION**
14 PLANNED PARENTHOOD OF SAN DIEGO) **TO CONTINUE TRIAL DATE**
AND RIVERSIDE COUNTIES; and DOES 1)
15 through 10, Inclusive,)
16 Defendants.)
17)
18)
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Plaintiff KARINA LOPEZ, by and through her Attorneys of record, respectfully move this Court for an order to continue the August 8, 2008 Trial date for approximately 60 days.

This application is made on the grounds that the parties have made significant progress in their attempts to settle this matter and require additional time to finalize negotiations.

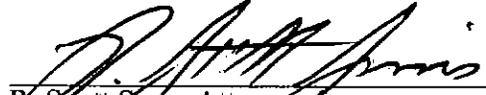
This application is also made on the grounds that Plaintiff's lead counsel has been summoned for jury duty the last week in June which does not permit calendaring several depositions at this time which includes two treating physicians, several percipient witnesses and the parties experts.

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Accordingly, the Court is respectfully requested to continue the trial in this action for approximately 60 days for good cause as demonstrated hereby.

Date: 6-6-08



R. Scott Sims, Attorney for
Plaintiff KARINA LOPEZ

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PROOF OF SERVICE
Karina Lopez v. Planned Parenthood
Case Number 37-2007-00073279-CU-MM-CTL

JUN 9 2008

By S. ALVEA, Deputy

I, the undersigned, declare: I am over the age of 18 years, not a party to this action. I am employed in the County of San Diego, California, in which county the within-mentioned service occurred and the address is 253 Third Avenue, Chula Vista, California 91910.

On June 6, 2008 I served the following document:

EX PARTE APPLICATION TO CONTINUE TRIAL DATE;
DECLARATION OF NOTICE OF EX PARTE HEARING

on the interested parties addressed as follows:

Gary Fields, Esq.
Lauren McNerney, Esq.
FIELDS & ISRAEL, LLP
111 West Ocean Blvd., 23rd Floor
Long Beach, CA 90801-5701
fax (562) 432-6333

BY MAIL: By placing a true and correct copy of each document thereof, enclosed in a sealed envelope. I am readily familiar with the business' practice for collection and processing correspondence for mailing with the United States Postal Service, and that the correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business. I then sealed each envelope and, with postage thereon fully pre-paid,

- I deposited each in the United States Postal Service at Chula Vista, California.
- I placed each for deposit in the United States Postal Service, this same day, at my business address shown above, following ordinary business practices.

BY FAX: I caused the above-referenced document(s) to be transmitted to the above-named parties and facsimile number. Attached to this declaration is a Fax Log Report confirming the transmission.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 6th day of June 2008 at Chula Vista, California.


Andrea Boggs

R. Scott Sims
Attorney at Law
253 THIRD AVENUE
CHULA VISTA, CALIFORNIA 91910

R. SCOTT SIMS

TELEPHONE (619) 427-9038
FACSIMILE (619) 427-9068

FACSIMILE TRANSMISSION

DATE: June 6, 2008

FAX NO.: (562) 432-6333

TO: Lauren McNerney, Esq./ Gary Fields, Esq.

FROM: R. Scott Sims, Esq.

ORIGINAL TO FOLLOW BY MAIL: YES NO

TOTAL NUMBER OF PAGES (Including This Form): 5

MESSAGE: Please see attached.

CONFIDENTIALITY NOTICE

This facsimile contains privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this fax is not the intended recipient, you are hereby notified that any dissemination or copying of this fax is prohibited. If you have received this fax in error, please notify us by telephone. Thank you.

HP Officejet V Series V40
Personal Printer/Fax/Copier/Scanner

Log for
Law Offices
(619)427-9068
Jun 07 2008 12:35AM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Jun 7	12:34AM	Fax Sent	15624326333	1:28	5	OK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO	
STREET ADDRESS: 330 West Broadway	
MAILING ADDRESS: 330 West Broadway	
CITY AND ZIP CODE: San Diego, CA 92101	
BRANCH NAME: Central	
TELEPHONE NUMBER: (619) 450-7067	
PLAINTIFF(S) / PETITIONER(S):	Karina Lopez
DEFENDANT(S) / RESPONDENT(S):	Planned Parenthood Of San Diego And Riverside Counties
LOPEZ VS. PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES	
NOTICE OF RESCHEDULED HEARING	CASE NUMBER: 37-2007-00073279-CU-MM-CTL

Notice is given that the hearing in the above-entitled case has been rescheduled from 07/25/2008 09:30 AM to date and time shown below. All inquiries regarding this notice should be referred to the court listed above.

<u>TYPE OF HEARING</u>	<u>DATE</u>	<u>TIME</u>	<u>DEPT</u>	<u>JUDGE</u>
Trial Readiness Conference (Civil)	10/10/2008	09:30 am	C-67	David B. Oberholtzer

Refer to San Diego Superior Court Local Rules, Division II regarding posting of jury fees.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Central
330 West Broadway
San Diego, CA 92101

SHORT TITLE: Lopez vs. Planned Parenthood Of San Diego And Riverside
Counties

CLERK'S CERTIFICATE OF SERVICE BY MAIL

CASE NUMBER:
37-2007-00073279-CU-MM-CTL

I certify that I am not a party to this cause. I certify that a true copy of the NOTICE OF RESCHEDULED HEARING was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The mailing and this certification occurred at San Diego, California, on 07/29/2008.

Clerk of the Court, by: , Deputy

GARY D. FIELDS
PO BOX 22701
LONG BEACH, CA 90801-5701

R SCOTT SIMS
253 3RD AVE
CHULA VISTA, CA 91910

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO	
STREET ADDRESS: 330 West Broadway	
MAILING ADDRESS: 330 West Broadway	
CITY AND ZIP CODE: San Diego, CA 92101	
BRANCH NAME: Central	
TELEPHONE NUMBER: (619) 450-7067	
PLAINTIFF(S) / PETITIONER(S):	Karina Lopez
DEFENDANT(S) / RESPONDENT(S):	Planned Parenthood Of San Diego And Riverside Counties
LOPEZ VS. PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES	
NOTICE OF RESCHEDULED HEARING	CASE NUMBER: 37-2007-00073279-CU-MM-CTL

Notice is given that the hearing in the above-entitled case has been rescheduled from 08/08/2008 08:30 AM to date and time shown below. All inquiries regarding this notice should be referred to the court listed above.

<u>TYPE OF HEARING</u>	<u>DATE</u>	<u>TIME</u>	<u>DEPT</u>	<u>JUDGE</u>
Civil Jury Trial	10/24/2008	08:30 am	C-67	David B. Oberholtzer

Refer to Rule 2.1.12 regarding posting of jury fees.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Central
330 West Broadway
San Diego, CA 92101

SHORT TITLE: Lopez vs. Planned Parenthood Of San Diego And Riverside
Counties

CLERK'S CERTIFICATE OF SERVICE BY MAIL

CASE NUMBER:
37-2007-00073279-CU-MM-CTL

I certify that I am not a party to this cause. I certify that a true copy of the NOTICE OF RESCHEDULED HEARING was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The mailing and this certification occurred at San Diego, California, on 07/29/2008.

Clerk of the Court, by:


S. Alyssa

, Deputy

GARY D. FIELDS
PO BOX 22701
LONG BEACH, CA 90801-5701

R. SCOTT SIMS
253 3RD AVE
CHULA VISTA, CA 91910

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL
MINUTE ORDER

Date: 06/11/2008

Time: 10:30:00 AM

Dept: C-67

Judicial Officer Presiding: Judge David B. Oberholtzer
Clerk: Sheryl Alyea

Bailiff/Court Attendant: C. Chaney
ERM: Not Reported

Case Init. Date: 08/17/2007

Case No: 37-2007-00073279-CU-MM-CTL Case Title: Lopez vs. Planned Parenthood Of San Diego
And Riverside Counties

Case Category: Civil - Unlimited

Case Type: Medical Malpractice

Event Type: Ex Parte

Causal Document & Date Filed:

Appearances:

George Ronis appears on behalf of plaintiff

A joint request is made to continue all dates. The Court continues the Trial Call date to 10/24/08 @ 8:30am. The Joint Trial Readiness date will be 10/10/08 @ 9:30am.

ORIGINAL

FOR COURT USE ONLY
2008 MAR -6 P 4:28

CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Gary D. Fields, Esq.
Fields & Israel LLP
111 West Ocean Boulevard, 23rd Floor
P.O. Box 22701
Long Beach, CA 90801-5701
TELEPHONE NO.: (562) 432-5111 FAX NO. (Optional): (562) 432-6333
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name): Defendant

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: 330 West Broadway
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Hall of Justice

PLAINTIFF/PETITIONER: Karina Lopez
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties; et al.

CASE MANAGEMENT STATEMENT
(Check one): UNLIMITED CASE (Amount demanded exceeds \$25,000) LIMITED CASE (Amount demanded is \$25,000 or less)

FILE BY FAX
CASE NUMBER: 08-93279-CV-MM-CL
37-2007-0005-LAW-CL-EN

A CASE MANAGEMENT CONFERENCE is scheduled as follows:
Date: March 21, 2008 Time: 9:00 a.m. Dept.: C67 Div.: Room:
Address of court (if different from the address above):

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

- Party or parties (answer one):
 - This statement is submitted by party (name): Defendant, Planned Parenthood of San Diego and Riverside Counties
 - This statement is submitted jointly by parties (names):
- Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)
 - The complaint was filed on (date):
 - The cross-complaint, if any, was filed on (date):
- Service (to be answered by plaintiffs and cross-complainants only)
 - All parties named in the complaint and cross-complaint have been served, or have appeared, or have been dismissed.
 - The following parties named in the complaint or cross-complaint
 - have not been served (specify names and explain why not):
 - have been served but have not appeared and have not been dismissed (specify names):
 - have had a default entered against them (specify names):
 - The following additional parties may be added (specify names, nature of involvement in case, and the date by which they may be served):
- Description of case
 - Type of case in complaint cross-complaint (describe, including causes of action):
Professional negligence.

PLAINTIFF/PETITIONER: Karina Lopez	CASE NUMBER:
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties; et al.	37-2007-00071484-CU-PN

4. b. Provide a brief statement of the case, including any damages. (If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)
Please see Plaintiff's Case Management Statement.

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. Jury or nonjury trial

The party or parties request a jury trial a nonjury trial (if more than one party, provide the name of each party requesting a jury trial):

6. Trial date

- a. The trial has been set for (date): 5
- b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (if not, explain):
- c. Dates on which parties or attorneys will not be available for trial (specify dates and explain reasons for unavailability):
Defense trial counsel currently has trial scheduled for April 7, 2008, June 23, 2008, July 7, 2008 and August 1, 2008. Defense trial counsel is scheduled to attend his daughter's graduation in Washington D.C. in mid-May, 2008 and will be out of the country June 20 - June 29, 2008.

7. Estimated length of trial

The party or parties estimate that the trial will take (check one):

- a. days (specify number): 5 - 7.
- b. hours (short causes) (specify):

8. Trial representation (to be answered for each party)

The party or parties will be represented at trial by the attorney or party listed in the caption by the following:

- a. Attorney:
- b. Firm:
- c. Address:
- d. Telephone number:
- e. Fax number:
- f. E-mail address:
- g. Party represented:

Additional representation is described in Attachment 8.

9. Preference

This case is entitled to preference (specify code section):

10. Alternative Dispute Resolution (ADR)

- a. Counsel has has not provided the ADR information package identified in rule 3.221 to the client and has reviewed ADR options with the client.
- b. All parties have agreed to a form of ADR. ADR will be completed by (date):
- c. The case has gone to an ADR process (indicate status):

PLAINTIFF/PETITIONER: Karina Lopez	CASE NUMBER:
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties, et al.	37-2007-00071484-CU-PN

10. d. The party or parties are willing to participate in (check all that apply):

- (1) Mediation
- (2) Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to close 15 days before arbitration under Cal. Rules of Court, rule 3.822)
- (3) Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to remain open until 30 days before trial; order required under Cal. Rules of Court, rule 3.822)
- (4) Binding judicial arbitration
- (5) Binding private arbitration
- (6) Neutral case evaluation
- (7) Other (specify):

- e. This matter is subject to mandatory judicial arbitration because the amount in controversy does not exceed the statutory limit.
- f. Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
- g. This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court (specify exemption):

11. Settlement conference

The party or parties are willing to participate in an early settlement conference (specify when):

12. Insurance

- a. Insurance carrier, if any, for party filing this statement (name):
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (explain):

13. Jurisdiction.

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.

Bankruptcy Other (specify):

Status:

14. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 14a.
- b. A motion to consolidate coordinate will be filed by (name party):

15. Bifurcation

The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (specify moving party, type of motion, and reasons):

16. Other motions

The party or parties expect to file the following motions before trial (specify moving party, type of motion, and issues):

PLAINTIFF/PETITIONER: Karina Lopez	CASE NUMBER:
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties; et al.	37-2007-00071484-CU-PN

17. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (describe all anticipated discovery):

<u>Party</u>	<u>Description</u>	<u>Date</u>
Defendant	Written discovery	March 2008
	Deposition of Plaintiff	March/April 2008
	Deposition of witnesses and treating physicians	April/May 2008

- c. The following discovery issues are anticipated (specify):

18. Economic Litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90 through 98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

19. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

20. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

21. Case management orders

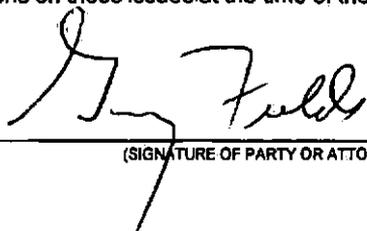
Previous case management orders in this case are (check one): none attached as Attachment 21.

22. Total number of pages attached (if any): -0-

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and ADR, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: March 6, 2008

Gary D. Fields, Esq. _____
(TYPE OR PRINT NAME)

 _____
(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached

PROOF OF SERVICE

(Pursuant to CCP §§ 1013a(1) and 2015.5)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 111 West Ocean Boulevard, 23rd Floor, P.O. Box 22701, Long Beach, California 90801-5701.

On March 6, 2008, I served the document described as **CASE MANAGEMENT STATEMENT**, by placing copies thereof enclosed in a sealed envelope and addressed as follows:

George J. Ronis, Esq./R. Scott Sims, Esq.
253 Third Avenue
Chula Vista, CA 91910
Fax No. (619) 427-9068

I declare that I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(By Mail) I caused to be deposited such envelope in the mail as stated on the attached service list at Long Beach, California. The envelope was mailed with postage thereon fully prepaid on March 6, 2008.

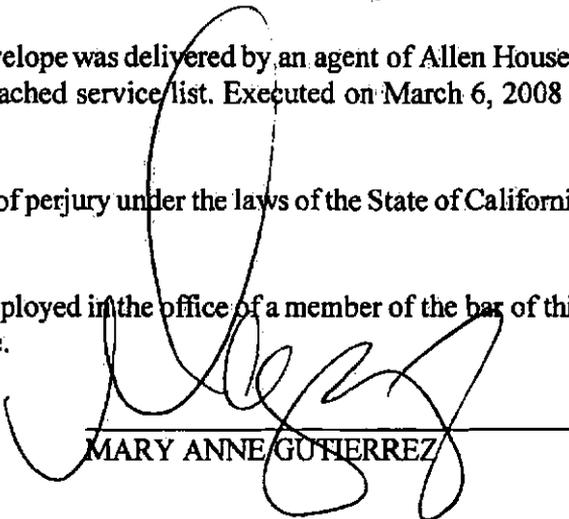
(By Facsimile) I sent this document via facsimile, as stated on the attached service list, on March 6, 2008.

(By Overnight Courier) Such envelope was delivered by an agent of Federal Express to the offices stated on the attached service list. It was requested by the person executing this Proof of Service that the envelope be delivered the next business day.

(By Personal Service) Such envelope was delivered by an agent of Allen Houser Process Service to the offices stated on the attached service list. Executed on March 6, 2008 at Long Beach, California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.



MARY ANNE GUTIERREZ

FILED
CIVIL BUSINESS DEPARTMENT
CENTRE FOR COURT USE ONLY
DIVISION

2008 MAR 10 A 10:25
CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

MAR 10 '08 PM 2:43

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
GEORGE JOHN RONIS, ATTORNEY AT LAW (SBN 58152)
R. SCOTT SIMS, ATTORNEY AT LAW (SBN 170180)
253 Third Avenue
Chula Vista, California 91910
TELEPHONE NO.: (619) 427-9038 FAX NO. (Optional): (619) 427-9068
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: P.O. Box 122724, San Diego, CA 92112-272
CITY AND ZIP CODE: San Diego, California 92101
BRANCH NAME: HALL OF JUSTICE

PLAINTIFF/PETITIONER: Karina Lopez
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties

CASE MANAGEMENT STATEMENT
(Check one): **UNLIMITED CASE** (Amount demanded exceeds \$25,000) **LIMITED CASE** (Amount demanded is \$25,000 or less)

CASE NUMBER:
37-2007-00073279-CU-MM-CTL

A CASE MANAGEMENT CONFERENCE is scheduled as follows:
Date: March 21, 2008 Time: 9:00 am Dept.: C-67 Div.: Room:
Address of court (if different from the address above):

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

- Party or parties (answer one):
 - This statement is submitted by party (name): Plaintiff, Karina Lopez
 - This statement is submitted jointly by parties (names):
- Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)
 - The complaint was filed on (date): 8-17-07
 - The cross-complaint, if any, was filed on (date):
- Service (to be answered by plaintiffs and cross-complainants only)
 - All parties named in the complaint and cross-complaint have been served, or have appeared, or have been dismissed.
 - The following parties named in the complaint or cross-complaint
 - have not been served (specify names and explain why not):
 - have been served but have not appeared and have not been dismissed (specify names):
 - have had a default entered against them (specify names):
 - The following additional parties may be added (specify names; nature of involvement in case, and the date by which they may be served):
- Description of case
 - Type of case in complaint cross-complaint (describe, including causes of action):
Medical Malpractice

PLAINTIFF/PETITIONER: Karina Lopez	CASE NUMBER:
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties	37-2007-00073279-CU-MM-CTL

4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*
 Plaintiff alleges she sustained personal injuries during a medical procedure performed on her at Planned Parenthood in San Diego, CA on August 29, 2006. Defendant denies liability.

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request a jury trial a nonjury trial *(if more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

- a. The trial has been set for *(date)*:
- b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:
- c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

- a. days *(specify number)*: 1-2
- b. hours *(short causes) (specify)*:

8. **Trial representation. (to be answered for each party)**

The party or parties will be represented at trial by the attorney or party listed in the caption by the following:

- a. Attorney:
- b. Firm:
- c. Address:
- d. Telephone number:
- e. Fax number:
- f. E-mail address:
- g. Party represented:

Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference *(specify code section)*:

10. **Alternative Dispute Resolution (ADR)**

- a. Counsel has has not provided the ADR information package identified in rule 3.221 to the client and has reviewed ADR options with the client.
- b. All parties have agreed to a form of ADR. ADR will be completed by *(date)*:
- c. The case has gone to an ADR process *(indicate status)*:

PLAINTIFF/PETITIONER: Karina Lopez	CASE NUMBER:
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties	37-2007-00073279-CU-MM-CTL

10. d. The party or parties are willing to participate in (check all that apply):

- (1) Mediation
- (2) Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to close 15 days before arbitration under Cal. Rules of Court, rule 3.822)
- (3) Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to remain open until 30 days before trial; order required under Cal. Rules of Court, rule 3.822)
- (4) Binding judicial arbitration
- (5) Binding private arbitration
- (6) Neutral case evaluation
- (7) Other (specify):

- e. This matter is subject to mandatory judicial arbitration because the amount in controversy does not exceed the statutory limit.
- f. Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
- g. This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court (specify exemption):

11. Settlement conference

The party or parties are willing to participate in an early settlement conference (specify when):

12. Insurance

- a. Insurance carrier, if any, for party filing this statement (name):
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (explain):

13. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.

Bankruptcy Other (specify):

Status:

14. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 14a.
- b. A motion to consolidate coordinate will be filed by (name party):

15. Bifurcation

The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (specify moving party, type of motion, and reasons):

16. Other motions

The party or parties expect to file the following motions before trial (specify moving party, type of motion, and issues):

PLAINTIFF/PETITIONER: Karina Lopez	CASE NUMBER:
DEFENDANT/RESPONDENT: Planned Parenthood of San Diego and Riverside Counties	37-2007-00073279-CU-MM-CTL

17. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (describe all anticipated discovery):

<u>Party</u>	<u>Description</u>	<u>Date</u>
Plaintiff	Deposition of percipient treating physicians	March 2008
Plaintiff	Deposition of Defendant PMK	April 2008

- c. The following discovery issues are anticipated (specify):

18. Economic Litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90 through 98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

19. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

20. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

21. Case management orders

Previous case management orders in this case are (check one): none attached as Attachment 21.

22. Total number of pages attached (if any): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and ADR, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: 3-10-08

R. Scott Sims, Attorney for Plaintiff
(TYPE OR PRINT NAME)

▶ 
(SIGNATURE OF PARTY OR ATTORNEY)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

Date: 03/21/2008

Time: 09:00:00 AM

Dept: C-67

Judicial Officer Presiding: Judge David B. Oberholtzer

Clerk: Doreen Hernandez

Bailiff/Court Attendant: C.Chaney

ERM:

Case Init. Date: 08/17/2007

Case No: 37-2007-00073279-CU-MM-CTL Case Title: Lopez vs. Planned Parenthood Of San Diego
And Riverside Counties

Case Category: Civil - Unlimited

Case Type: Medical Malpractice

Event Type: Civil Case Management Conference

Appearances:

George Ronis appearing for Plaintiff

Gary Fields appearing by phone for Defendant

Pursuant to the Stipulation of parties, no procedure or deadline set forth herein may be modified, extended or avoided by stipulation or agreement of the parties unless approved by the court in advance of the date sought to be altered.

Case deemed at issue. Pursuant to stipulation of the parties, no new parties may be added without leave of court and all unserved non-appearing and fictitiously named parties are dismissed 3/21/08.

The Trial Readiness Conference (Civil) is scheduled for 07/25/2008 at 09:30 AM before David B. Oberholtzer.

The Civil Jury Trial is scheduled for 08/08/2008 at 08:30 AM before David B. Oberholtzer.

All Motions and Discovery are to be completed 7/18/08. Motion for Summary Judgment / Summary Adjudication will be heard pursuant to code. First expert exchange to be completed by 5/2/08. Second expert exchange to be completed by 5/23/08. Posting of jury fees is pursuant to code.

Estimated length of trial: 5 days

Jury demanded by Plaintiff and Defendant.

Parties stipulate to proposed dates and waive notice.

Date: 03/21/2008

MINUTE ORDER

Page: 1

Dept: C-67

Calendar No.: 6

Superior Court of California County of San Diego

SIGN-IN SHEET

Calendar No.: 6

F Court Use Only **E** **D**
Clerk of the Superior Court

MAR 21 2008

By: S. ALYEA, Deputy

CASE: 37-2007-00073279-CU-MM-CTL - Karina Lopez vs. Planned Parenthood Of San Diego And Riverside Counties

EVENT TYPE: Civil Case Management Conference

EVENT DATE/TIME: 03/21/2008 9:00 am

DEPARTMENT: C-67

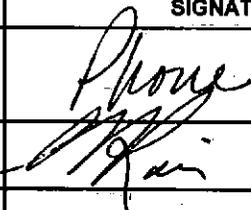
JUDGE: David B. Oberholtzer

By signing below, it is stipulated by the parties and ordered as follows:

Any actions or dates stipulated and agreed to by the parties at the Case Management Conference will become an order of the Court. No procedure or deadline ordered pursuant to the stipulation of the parties may be modified, extended or avoided by stipulation or agreement of the parties unless approved by the Court in advance of the date sought to be altered.

CASE DEEMED AT ISSUE AND PLACED ON THE CIVIL ACTIVE LIST. If the case is deemed at issue and placed on the civil active list, pursuant to stipulation of the parties, no new parties may be added without leave of court, and all unserved, non-appearing and fictitiously named parties are dismissed.

EXCHANGE OF EXPERTS. The parties stipulate to dispense with the demand requirements of CCP 2034, and agree to exchange experts in accordance with San Diego Superior Court Rules, Div. II. (All other provisions of CCP 2034 apply).

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
FIELDS, GARY D.	Planned Parenthood Of San Diego And Riverside Counties [DFN]	
SIMS, R SCOTT	Lopez, Karina [PLN]	

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS: 330 West Broadway
 MAILING ADDRESS: 330 West Broadway
 CITY AND ZIP CODE: San Diego, CA 92101
 BRANCH NAME: Central
 TELEPHONE NUMBER: (619) 685-6042

PLAINTIFF(S) / PETITIONER(S): Karina Lopez

DEFENDANT(S) / RESPONDENT(S): Planned Parenthood Of San Diego And Riverside Counties

LOPEZ VS. PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES

NOTICE OF HEARING

CASE NUMBER:

37-2007-00073279-CU-MM-CTL

Notice is given that the above-entitled case has been set for the reason listed below and at the location shown above. All inquiries regarding this notice should be referred to the court listed above.

TYPE OF HEARING

Civil Case Management Conference

DATE

03/21/2008

TIME

09:00 am

DEPT

C-67

JUDGE

David B. Oberholtzer

Counsel: Check service list. If you have brought a party into this case who is not included in the service list, San Diego Superior Court Local Rules, Division II, requires you to serve the party with a copy of this notice.

A case management statement must be completed by counsel for all parties or parties in pro per and timely filed with the court at least 15 days prior to the initial case management conference. (San Diego Local Rules, Division II, CRC Rule 212).

All counsel of record or parties in pro per shall appear at the Case Management Conference, be familiar with the case, and be fully prepared to participate effectively in the hearing, including discussions of ADR options.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Central
330 West Broadway
San Diego, CA 92101

SHORT TITLE: Lopez vs. Planned Parenthood Of San Diego And Riverside
Counties:

CLERK'S CERTIFICATE OF SERVICE BY MAIL

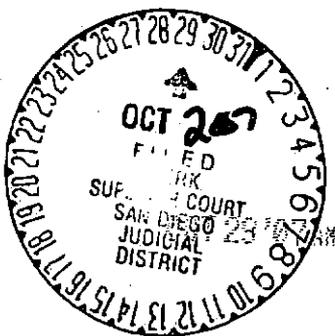
CASE NUMBER:
37-2007-00073279-CU-MM-CTL

I certify that I am not a party to this cause. I certify that a true copy of the NOTICE OF HEARING was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The mailing and this certification occurred at San Diego, California, on 02/01/2008.

Clerk of the Court, by:  _____, Deputy

GARY D. FIELDS
PO BOX 22701
LONG BEACH, CA 90801-5701

R SCOTT SIMS
253 3RD AVE
CHULA VISTA, CA 91910

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): GEORGE JOHN RONIS, ATTORNEY AT LAW (SBN 58152) R. SCOTT SIMS, ATTORNEY AT LAW (SBN 170180) 253 Third Avenue Chula Vista, California 91910 TELEPHONE NO. (Optional): (619) 427-9038 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY 
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101-3827 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92083-6643 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020-3941 <input type="checkbox"/> RAMONA BRANCH, 1428 MONTECITO RD., RAMONA, CA 92065-5200 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910-5649	JUDGE: <u>PATRICIA A. Y. COWETT</u> DEPT: <u>C-67</u>
PLAINTIFF(S) <u>KARINA LOPEZ</u> DEFENDANT(S) <u>PLANNED PARENTHOOD</u>	CASE NUMBER <u>37-2007-00073279-CU-MM-CTL</u>
CERTIFICATE OF SERVICE (San Diego Superior Court Rules, Division II, Rule 2.5)	

I certify under penalty of perjury under the laws of the State of California that all defendants named in the complaint of the above-entitled case have either made a general appearance or have been properly and timely served in compliance with San Diego Superior Court Rules, Division II, Rule 2.5.

Date: 10/25/07


 Signature

R. SCOTT SIMS, ESQ. ATTORNEY FOR PLAINTIFF
 Typed or printed name

NOTES:

If service cannot be effected on all defendants within 60 days of filing the complaint, DO NOT USE THIS CERTIFICATE, but file the form CERTIFICATE OF PROGRESS (SDSC CIV-144) stating the reasons why service has not been effected on all parties and what is being done to effect service.

THE FILING OF A GENERAL APPEARANCE BY A DEFENDANT DOES NOT DISPENSE WITH THE PLAINTIFF'S OBLIGATION TO FILE THIS DOCUMENT.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

GEORGE JOHN RONIS, ATTORNEY AT LAW (SBN 58152)
R. SCOTT SIMS, ATTORNEY AT LAW (SBN 170180)
253 Third Avenue
Chula Vista, California 91910
TELEPHONE NO.: (619) 427-9038 FAX NO. (Optional):
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name):

FOR COURT USE ONLY
FILED
CIVIL BUSINESS OFFICE 17
CENTRAL DIVISION
07 SEP 24 AM 10:39
CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: P.O. Box 122724, San Diego, CA 92112-27
CITY AND ZIP CODE: San Diego, California 92101
BRANCH NAME: HALL OF JUSTICE

SEP 24 '07 AM 9:46

PLAINTIFF/PETITIONER: KARINA LOPEZ, an individual

DEFENDANT/RESPONDENT: PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES; and DOES 1-10, INCLUSIVE

NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL

CASE NUMBER:
37-2007-00073279-CU-MM-CTL

TO (insert name of party being served): PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES

NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: 09/5/07

R. SCOTT SIMS, ESO.
(TYPE OR PRINT NAME)


(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of (to be completed by sender before mailing):

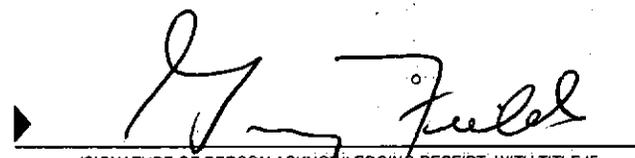
- 1. A copy of the summons and of the complaint.
- 2. Other: (specify): **NOTICE OF CASE ASSIGNMENT
STIPULATION TO ALTERNATIVE DISPUTE RESOLUTION
PROCESS**

(To be completed by recipient):

Date this form is signed: 9/18/07

Gary Fields

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)


(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

FILED
CIVIL BUSINESS OFFICE 17
CENTRAL DIVISION

07 SEP 24 AM 10:39

Karina Lopez v. Planned Parenthood
Case Number 37-2007-00073279-CU-MM-CTL

PROOF OF SERVICE

I, the undersigned, declare: I am over the age of 18 years, not a ~~San Diego County, CA~~ ^{San Diego County, CA} employed in the County of San Diego, California, in which county the within-mentioned service occurred and the address is 253 Third Avenue, Chula Vista, California 91910.

On September 5, 2007 I served the following document:

NOTICE AND ACKNOWLEDGMENT OF RECEIPT - CIVIL

on the interested parties addressed as follows:

Gary Fields, Esq.
FIELDS & ISRAEL, LLP
111 West Ocean Blvd., 23rd Floor
Long Beach, CA 90801-5701

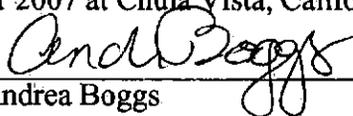
BY MAIL: By placing a true and correct copy of each document thereof, enclosed in a sealed envelope. I am readily familiar with the business' practice for collection and processing correspondence for mailing with the United States Postal Service, and that the correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business. I then sealed each envelope and, with postage thereon fully pre-paid,

I deposited each in the United States Postal Service at Chula Vista, California.

I placed each for deposit in the United States Postal Service, this same day, at my business address shown above, following ordinary business practices.

BY FAX: I caused the above-referenced document(s) to be transmitted to the above-named parties and facsimile number. Attached to this declaration is a Fax Log Report confirming the transmission.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 5th day of September 2007 at Chula Vista, California.



Andrea Boggs

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: 330 West Broadway
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Central
TELEPHONE NUMBER: (619) 685-6042

PLAINTIFF(S) / PETITIONER(S): Karina Lopez

DEFENDANT(S) / RESPONDENT(S): Planned Parenthood Of San Diego And Riverside Counties

LOPEZ VS. PLANNED PARENTHOOD OF SAN DIEGO AND RIVERSIDE COUNTIES

NOTICE OF CASE ASSIGNMENT

CASE NUMBER:

37-2007-00073279-CU-MM-CTL

Judge: Patricia A. Y. Cowett

Department: C-67

COMPLAINT/PETITION FILED: 08/17/2007

CASES ASSIGNED TO THE PROBATE DIVISION ARE NOT REQUIRED TO COMPLY WITH THE CIVIL REQUIREMENTS LISTED BELOW

IT IS THE DUTY OF EACH PLAINTIFF (AND CROSS-COMPLAINANT) TO SERVE A COPY OF THIS NOTICE WITH THE COMPLAINT (AND CROSS-COMPLAINT).

ALL COUNSEL WILL BE EXPECTED TO BE FAMILIAR WITH SUPERIOR COURT RULES WHICH HAVE BEEN PUBLISHED AS DIVISION II, AND WILL BE STRICTLY ENFORCED.

TIME STANDARDS: The following timeframes apply to general civil cases and must be adhered to unless you have requested and been granted an extension of time. General civil consists of all cases except: Small claims appeals, petitions, and unlawful detainers.

COMPLAINTS: Complaints must be served on all named defendants, and a CERTIFICATE OF SERVICE (SDSC CIV-345) filed within 60 days of filing. This is a mandatory document and may not be substituted by the filing of any other document.

DEFENDANT'S APPEARANCE: Defendant must generally appear within 30 days of service of the complaint. (Plaintiff may stipulate to no more than a 15 day extension which must be in writing and filed with the Court.)

DEFAULT: If the defendant has not generally appeared and no extension has been granted, the plaintiff must request default within 45 days of the filing of the Certificate of Service.

THE COURT ENCOURAGES YOU TO CONSIDER UTILIZING VARIOUS ALTERNATIVES TO LITIGATION, INCLUDING MEDIATION AND ARBITRATION, PRIOR TO THE CASE MANAGEMENT CONFERENCE. MEDIATION SERVICES ARE AVAILABLE UNDER THE DISPUTE RESOLUTION PROGRAMS ACT AND OTHER PROVIDERS. SEE ADR INFORMATION PACKET AND STIPULATION.

YOU MAY ALSO BE ORDERED TO PARTICIPATE IN ARBITRATION PURSUANT TO CCP 1141.10 AT THE CASE MANAGEMENT CONFERENCE. THE FEE FOR THESE SERVICES WILL BE PAID BY THE COURT IF ALL PARTIES HAVE APPEARED IN THE CASE AND THE COURT ORDERS THE CASE TO ARBITRATION PURSUANT TO CCP 1141.10. THE CASE MANAGEMENT CONFERENCE WILL BE CANCELLED IF YOU FILE FORM SDSC CIV-359 PRIOR TO THAT HEARING