

OCT 09 2020

PLD-PI-001

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>LAW OFFICES OF J. JEFFREY HERMAN</b>          By: J. Jeffrey Herman, SBN: 74544          500 Esplanade Drive, Suite 1520          Oxnard, California 93036          TELEPHONE NO: (805) 983-2344 FAX NO. (Optional): (805) 983-6321          E-MAIL ADDRESS (Optional): jjeffreyherman@hotmail.com          ATTORNEY FOR (Name): Plaintiff Alicia Bribiesca</p>	<p>FOR COURT USE ONLY</p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</b>          STREET ADDRESS: HALL OF JUSTICE          MAILING ADDRESS: 800 South Victoria Avenue          CITY AND ZIP CODE: Ventura, CA 93009          BRANCH NAME:</p>	
<p>PLAINTIFF: Alicia Bribiesca           DEFENDANT: Gilbert Oliver</p>	
<p><input checked="" type="checkbox"/> DOES 1 TO 10  <b>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b>  <input type="checkbox"/> AMENDED (Number):          Type (check all that apply):  <input checked="" type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify):  <input checked="" type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death  <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify):</p>	
<p>Jurisdiction (check all that apply):  <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE          Amount demanded <input type="checkbox"/> does not exceed \$10,000  <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000  <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)  <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint  <input type="checkbox"/> from limited to unlimited  <input type="checkbox"/> from unlimited to limited</p>	<p>CASE NUMBER:</p>

1. Plaintiff (name or names): **ALICIA BRIBIESCA**  
 alleges causes of action against defendant (name or names):  
**GILBERT OLIVER AND DOES 1-10, INCLUSIVE**
2. This pleading, including attachments and exhibits, consists of the following number of pages: **5**
3. Each plaintiff named above is a competent adult
  - a.  except plaintiff (name):
    - (1)  a corporation qualified to do business in California
    - (2)  an unincorporated entity (describe):
    - (3)  a public entity (describe):
    - (4)  a minor  an adult
      - (a)  for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
      - (b)  other (specify):
    - (5)  other (specify):
  - b.  except plaintiff (name):
    - (1)  a corporation qualified to do business in California
    - (2)  an unincorporated entity (describe):
    - (3)  a public entity (describe):
    - (4)  a minor  an adult
      - (a)  for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
      - (b)  other (specify):
    - (5)  other (specify):

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

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4.  Plaintiff (name):  
 is doing business under the fictitious name (specify):  
  
 and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a.  except defendant (name):

(1)  a business organization, form unknown

(2)  a corporation

(3)  an unincorporated entity (describe):

(4)  a public entity (describe):

(5)  other (specify):

c.  except defendant (name):

(1)  a business organization, form unknown

(2)  a corporation

(3)  an unincorporated entity (describe):

(4)  a public entity (describe):

(5)  other (specify):
- b.  except defendant (name):

(1)  a business organization, form unknown

(2)  a corporation

(3)  an unincorporated entity (describe):

(4)  a public entity (describe):

(5)  other (specify):

d.  except defendant (name):

(1)  a business organization, form unknown

(2)  a corporation

(3)  an unincorporated entity (describe):

(4)  a public entity (describe):

(5)  other (specify):
- Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a.  Doe defendants (specify Doe numbers). \_\_\_\_\_ were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b.  Doe defendants (specify Doe numbers): 1-10 are persons whose capacities are unknown to plaintiff.
7.  Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a.  at least one defendant now resides in its jurisdictional area.
- b.  the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c.  injury to person or damage to personal property occurred in its jurisdictional area
- d.  other (specify):
9.  Plaintiff is required to comply with a claims statute, and
- a.  has complied with applicable claims statutes, or
- b.  is excused from complying because (specify):

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

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

11. Plaintiff has suffered

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

PREJUDGMENT INTEREST AND OTHER DAMAGES AS THE COURT DEEMS JUST AND PROPER.

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

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

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

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

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

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

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

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

ALL PARAGRAPHS

Date: 10/05/2020

J. JEFFREY HERMAN

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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**FIRST** \_\_\_\_\_ **CAUSE OF ACTION—Motor Vehicle**  
 (number)

ATTACHMENT TO  Complaint  Cross - Complaint

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

Plaintiff (name): Alicia Bribiesca

MV- 1. Plaintiff alleges the acts of defendants were negligent; the acts were the legal (proximate) cause of injuries and damages to plaintiff; the acts occurred

on (date): 01/07/2019

at (place):

City of Oxnard, County of Ventura, State of California. At said time and place, the defendants and each of them so negligently entrusted, managed, maintained, drove and operated their said motor vehicle so as to cause said motor vehicle to collide with plaintiff's vehicle thereby proximately causing serious injuries and damages to plaintiff.

MV- 2. DEFENDANTS

a.  The defendants who operated a motor vehicle are (names):  
 Gilbert Oliver

Does 1 \_\_\_\_\_ to 10 \_\_\_\_\_

b.  The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names):

Does 1 \_\_\_\_\_ to 10 \_\_\_\_\_

c.  The defendants who owned the motor vehicle which was operated with their permission are (names):  
 Gilbert Oliver

Does 1 \_\_\_\_\_ to 10 \_\_\_\_\_

d.  The defendants who entrusted the motor vehicle are (names):

Does 1 \_\_\_\_\_ to 10 \_\_\_\_\_

e.  The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

Does 1 \_\_\_\_\_ to 10 \_\_\_\_\_

f.  The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are  listed in Attachment MV-2f  as follows:

Does \_\_\_\_\_ to \_\_\_\_\_

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SECOND **CAUSE OF ACTION—General Negligence** Page 5  
 (number)

ATTACHMENT TO  Complaint  Cross - Complaint

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

GN-1. Plaintiff (name): Alicia Bribiesca

alleges that defendant (name): Gilbert Oliver

Does 1 to 10

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

on (date): 01/07/2019

at (place): Oxnard Boulevard and Vineyard Avenue, Oxnard, CA

(description of reasons for liability):

AT SAID TIME AND PLACE THE DEFENDANTS, AND EACH OF THEM, SO NEGLIGENTLY ENTRUSTED, MANAGED, MAINTAINED, DROVE AND OPERATED THEIR SAID MOTOR VEHICLE SO AS TO CAUSE SAID MOTOR VEHICLE TO COLLIDE WITH PLAINTIFF'S VEHICLE THEREBY PROXIMATELY CAUSING SERIOUS INJURIES AND DAMAGES.

AS A DIRECT AND PROXIMATE RESULT OF THE NEGLIGENCE OF THE DEFENDANTS, AND EACH OF THEM, PLAINTIFF WAS SERIOUSLY INJURED AND SUFFERED GREAT PAIN AND EMOTIONAL DISTRESS.