

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Charles W. Oaks 174587 Law Offices of Richard L. Francis & Associates 711 South "A" Street Oxnard, CA 93030 TELEPHONE NO (805) 486-5898 FAX NO. (Option): (805) 486-2242 E-MAIL ADDRESS (Option): cwoaks@lawrlf.com ATTORNEY FOR (Name, Plaintiff, Alma D. Mendez)	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Ventura STREET ADDRESS: 800 South Victoria MAILING ADDRESS CITY AND ZIP CODE Ventura, California 93009 BRANCH NAME: Ventura	
PLAINTIFF: Alma Delia Mendez DEFENDANT: Oscar Cuevas Ayala, an individual, and Quinn Group, Inc. dba Quinn Rental Services, a California Corp. <input checked="" type="checkbox"/> DOES 1 TO 20	
COMPLAINT-Personal Injury, Property Damage, Wrongful Death <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):	CASE NUMBER
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	

1. Plaintiff (name or names). Alma Delia Mendez

alleges causes of action against defendant (name or names): Oscar Cuevas Ayala, Quinn Group, Inc dba Quinn Rental Services and Does 1 through 20, inclusive

2. This pleading, including attachments and exhibits, consists of the following number of pages: 6

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 do ng 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):
Quinn Group Inc. dba Quirn Rental Services
(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 organ zation, 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 organizat.on, 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): 1 through 20 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 through 20 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 principa' 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):

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)):

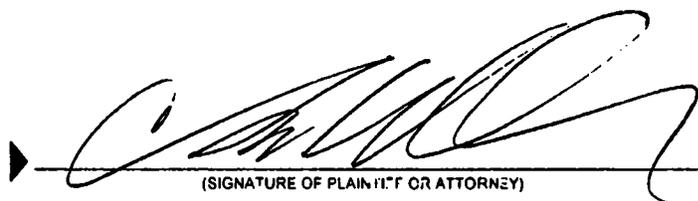
- (1) according to proof
- (2) in the amount of: \$

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

Date: 10/8/2020

Charles W. Oaks

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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ONE 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): Alma Delia Mendez

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): 10/26/2018 at (place): State Route 33, Unincorporated Area of the County Of Ventura, State Of California

MV- 2 DEFENDANTS

- a. The defendants who operated a motor vehicle are (names):
 Oscar Cuevas Ayala
 Does 1 to 20
- b. The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names):
 Quinn Group, Inc. dba Quinn Rental Services
 Does 1 to 20
- c. The defendants who owned the motor vehicle which was operated with their permission are (names):
 Quinn Group, Inc. dba Quinn Rental Services
 Does 1 to 20
- d. The defendants who entrusted the motor vehicle are (names):
 Quinn Group, Inc. dba Quinn Rental Services
 Does 1 to 20
- e. The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):
 Oscar Cuevas Ayala
 Does 1 to 20
- 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

Does 1 to 20

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TWO 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): Alma D. Mendez

alleges that defendant (name) Oscar Cuevas Ayala and Quinn Group, Inc. dba Quinn Rental Services

Does 1 to 20

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): October 26, 2018

at (place) State Route 33, Unincorporated Area of the County Of Ventura, State Of California

(description of reasons for liability):

At the above time and place said defendants, and each of them, was driving a vehicle on a public road. The Defendant was traveling behind the Plaintiff, in the same lane as the Plaintiff. The Plaintiff was at a virtual stop in front of the Defendant, when the Defendant struck the Plaintiff from behind, propelling the Plaintiff's vehicle into on coming traffic.

The defendants, and each of them, had a duty to use reasonable care in driving said vehicle which includes following at a safe speed and distance behind other vehicles. Defendants failed to use reasonable care in and so doing negligently, carelessly and or recklessly owned, maintained and or operated a motor vehicle so as to cause the the Defendant's motor vehicles to collide into the Plaintiff's vehicle thereby directly and proximately causing injuries and damages to Plaintiff's property and person.

On information and belief and thereupon alleged, at the time of the incident, Defendant Ayala was operating his vehicle in the course and scope of his employment with employer Quinn Group, Inc. or its subsidiaries. The Defendant Quinn Group Inc. dba Quinn Rental Services owned said vehicle and entrusted the Defendant to operate its vehicles in a safe and law-abiding manner. As such Quinn Group Inc. is liable for the acts of its employees and agents for their actions performed within the course and scope of their employment with the Defendant employer.