

SHORT TITLE: ALAN SPENCER ROBITAILLE V. TRI TECH RESTORATION CO., INC., FLORENTINO CANTERO and DOES 1-50

CASE NUMBER:

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): TRI TECH RESTORATION CO., INC.

- (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): 1 to 50 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 to 50 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): Plaintiff has sustained personal injuries as a direct and proximate result of the negligence and carelessness of defendants, and each of them, all of which injuries have caused and continue to cause plaintiff great mental, physical and nervous pain and suffering. Plaintiff is informed and believes and thereon alleges that his injuries will result in some permanent disability to him, all to his general damages.

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.

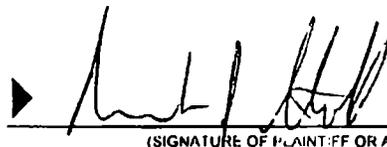
14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- 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: October 7, 2020

ROBERT J. STOLL, III
(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): ALAN SPENCER ROBITAILLE

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): May 28, 2020

at (place): SR-126 E/B (East Telegraph Road) just east of Cavin Road in the unincorporated area of Ventura, County of Ventura, State of California

MV-2. DEFENDANTS

a. The defendants who operated a motor vehicle are (names): FLORENTINO CANTERO

Does 1 _____ to 50 _____

b. The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names): TRI TECH RESTORATION CO., INC.

Does 1 _____ to 50 _____

c. The defendants who owned the motor vehicle which was operated with their permission are (names): TRI TECH RESTORATION CO., INC.

Does 1 _____ to 50 _____

d. The defendants who entrusted the motor vehicle are (names): TRI TECH RESTORATION CO., INC.

Does 1 _____ to 50 _____

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

Does 1 _____ to 50 _____

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
 (number)

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ATTACHMENT TO Complaint Cross - Complaint

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

GN-1. Plaintiff (name): ALAN SPENCER ROBITAILLE

alleges that defendant (name): TRI TECH RESTORATION CO., INC., FLORENTINO CANTERO and

Does 1 to 50

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): May 28, 2019

at (place): SR-126 E/B (East Telegraph Road) just east of Cavin Road in the unincorporated area of Ventura, County of Ventura, State of California.

(description of reasons for liability):

At said time and place, the defendants, and each of them, so negligently and carelessly entrusted, managed, maintained, drove or caused to be driven their certain 2003 white Chevrolet Silverado, license number 7G51054, so as to proximately cause their vehicle to collide with the 2012 grey Toyota Camry, California license number 6UGF103, owned and operated by plaintiff, thereby causing the hereinabove described injuries and damages to plaintiff.

In doing so, defendant violated various statutes, codes, ordinances, safety orders and other regulations.

Said rules were designed to protect persons such as plaintiff. By violating said rules, defendants negligently and proximately caused plaintiff's injuries and damages. Defendants were negligent per se.