

RECEIVED FOR SCANNING

PLD-PI-001

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) VENTURA SUPERIOR COURT LAURENCE H. MANDELL, ESQ. SBN 82415 THE MANDELL LAW FIRM 5950 CANOGA AVENUE, SUITE 605 WOODLAND HILLS, CALIFORNIA 91367 TELEPHONE NO (818) 886-6600 FAX NO. (Optional) (818) 886-6680 E-MAIL ADDRESS (Optional) LARRY@MANDELLTRIAL.COM ATTORNEY FOR (Name) PLAINTIFF, HUMBERTO TELLEZ, ET AL.</p>	<p>FOR COURT USE ONLY</p> <p style="text-align: center;">OCT 09 2020 AFTER 4:00 P.M.</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: 800 South Victoria Ave. MAILING ADDRESS CITY AND ZIP CODE Ventura, California 93009 BRANCH NAME Ventura</p>	
<p>PLAINTIFF: HUMBERTO TELLEZ</p> <p>DEFENDANT: ARMANDO LOPEZ, AGUILAR BROS. TRANSPORT</p>	
<p><input checked="" type="checkbox"/> DOES 1 TO 100, Inclusive</p> <p>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):</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>

BY FAX

1. Plaintiff (name or names): **HUMBERTO TELLEZ**
alleges causes of action against defendant (name or names): **ARMANDO LOPEZ, AGUILAR BROS. TRANSPORT and DOES 1-100, inclusive.**
2. This pleading, including attachments and exhibits, consists of the following number of pages: **4**
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.

umd

SHORT TITLE: <p style="text-align: center; margin: 0;">Tellez v. Lopez, et. al</p>	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): AGUILAR BROS. TRANSPORT c. except defendant (name):
- | | |
|---|--|
| (1) <input checked="" type="checkbox"/> a business organization, form unknown
(2) <input type="checkbox"/> a corporation
(3) <input type="checkbox"/> an unincorporated entity (describe):

(4) <input type="checkbox"/> a public entity (describe):

(5) <input type="checkbox"/> other (specify): | (1) <input type="checkbox"/> a business organization, form unknown
(2) <input type="checkbox"/> a corporation
(3) <input type="checkbox"/> an unincorporated entity (describe):

(4) <input type="checkbox"/> a public entity (describe):

(5) <input type="checkbox"/> other (specify): |
|---|--|
- b. except defendant (name):
- | | |
|--|--|
| (1) <input type="checkbox"/> a business organization, form unknown
(2) <input type="checkbox"/> a corporation
(3) <input type="checkbox"/> an unincorporated entity (describe):

(4) <input type="checkbox"/> a public entity (describe):

(5) <input type="checkbox"/> other (specify): | d. <input type="checkbox"/> except defendant (name):
(1) <input type="checkbox"/> a business organization, form unknown
(2) <input type="checkbox"/> a corporation
(3) <input type="checkbox"/> an unincorporated entity (describe):

(4) <input type="checkbox"/> a public entity (describe):

(5) <input type="checkbox"/> 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): 1-100, inclusive 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): 1-100, inclusive 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):

SHORT TITLE: <p style="text-align: center; margin: 0;">Tellez v. Lopez, et. al</p>	CASE NUMBER
---	-------------

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): ANY OTHER DAMAGES THE COURT DEEMS APPROPRIATE

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).

MV-1, MV-2 a,b,c,d,e

Date: October 8, 2020

LAURENCE H. MANDELL

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE: Tellez v. Lopez, et. al	CASE NUMBER
---	-------------

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): HUBERTO TELLEZ

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): October 24, 2018

at (place):

Westbound on US-126 Freeway, Santa Paula, Ventura, California

MV- 2. DEFENDANTS

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

ARMANDO LOPEZ

Does 1 _____ to 100, inclusive

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

AGUILAR BROS. TRANSPORT

Does 1 _____ to 100, inclusive

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

AGUILAR BROS. TRANSPORT

Does 1 _____ to 100, inclusive

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

AGUILAR BROS. TRANSPORT

Does 1 _____ to 100, inclusive

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

ARMANDO LOPEZ

Does 1 _____ to 100, inclusive

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 _____

Page _____