

6005  
9/21/0

MAR 28 2016

3  
Klayford

## COMPLAINT FOR DAMAGES

CIT/CASE#: B0617255  
LEA/REF#:   
RECEIPT: C046500052  
DATE PAID: 03/28/05 12:34 PM  
PAYMENT: \$450.00 310  
RECEIVED:  
CHECK: 0.00  
CHG#: 00.00  
CHANGE 00.00  
CASH: 00.00  
\$450.00

1 through 50, inclusive, and each of them, were, at all times relevant hereto, individuals,  
2 businesses, and/or other entities whose form is unknown, committing torts in and/or engaged as  
3 a matter of commercial actuality, in purposeful economic activity within the County of Los Angeles,  
4 State of California.

5 4. The true names and capacities of defendants DOES 1 through 50, and each of them,  
6 whether individual, corporate, associate or otherwise, are unknown to plaintiff at this time, who  
7 therefore sues said defendants by such fictitious names. Plaintiff will file DOE amendments,  
8 and/or ask leave of court to amend this complaint to assert the true names and capacities of these  
9 defendants when they have been ascertained. Plaintiff is informed and believes, and upon such  
10 information and belief alleges, that each defendant herein designated as a DOE was and is in  
11 some manner, negligently, wrongfully, or otherwise, responsible and liable to plaintiff for the  
12 injuries and damages hereinafter alleged, and that plaintiff's damages as herein alleged were  
13 proximately caused by their conduct.

14 5. Plaintiff is informed and believes, and thereon allege that at all times material herein the  
15 defendants, and each of them, were the agents, servants, and employees, or ostensible agents,  
16 servants, or employees of each other defendant, and as such, were acting within the course and  
17 scope of said agency and employment or ostensible agency and employment, except on those  
18 occasions when defendants were acting as principals, in which case, said defendants, and each  
19 of them, were negligent in the selection, hiring, and use of the other defendants.

20 6. Each defendant principal and/or employer herein had advance knowledge of the unfitness  
21 of each other defendant agent and/or employee, and employed each such agent and/or employee  
22 with a conscious disregard of the rights or safety of others or otherwise authorized or ratified the  
23 wrongful conduct of each such agent and/or employee.

24 7. Plaintiff is further informed and believes that at all times relevant hereto, defendants, and  
25 each of them, acted in concert and in furtherance of the interests of each other defendant.

26 8. This court is the proper court because injury or damage to plaintiff and/or the personal  
27 property of same occurred in its jurisdictional area.  
28

**GENERAL ALLEGATIONS**

9. At all times relevant hereto, Plaintiff was employed by Defendants as a personal security guard, and maintained this business relationship with Defendants until in or about September, 2014.

10. On March 27, 2014, Plaintiff and Defendant Elton John, were passengers in Defendants' vehicle in Los Angeles, California, and en route from Defendant's residence in the County of Los Angeles, State of California to Signature Aviation in Van Nuys, California. While riding in this vehicle, Plaintiff was seated in close proximity to Defendant. During this journey, without Plaintiff's prior knowledge, or consent, Defendant Elton John touched Plaintiff by placing his hand in Plaintiff's pants, next to Plaintiff's body, while trying to force his fingers between Plaintiff's buttock cheeks, and attempting to grab Plaintiff's genitals both over and under his clothing. While engaging in this unwelcome and offensive touching and groping Defendant made statements to Plaintiff including telling him to "Get Your Todger Out," and "Say Hello to Uncle Elton."

11. On April 12, 2014, while en route to Defendant's residence in the County of Los Angeles, State of California from Signature aviation in Van Nuys, California, Defendant continued to engage in unwelcome and offensive touching of Plaintiff while in Defendant's vehicle, which unwelcome touching included Defendant forcing his hand down Plaintiff's shirt and twisting his nipples, while at the same time Defendant would make statements to Plaintiff including but not limited to calling Plaintiff "You gorgeous thing you," and then while attempting to stick his finger in Plaintiff's ear - Defendant made statements to Plaintiff including "You have so many gay genes in you, they just haven't met up yet."

12. On April 16, 2014, while again en route to Signature Aviation from Defendant's Los Angeles residence, Defendant again placed his hand inside Plaintiff's pants, attempted to force his fingers between Plaintiff's buttocks and made the same and/or similar statements to Plaintiff as on previous occasions.

13. This unwelcome touching of Plaintiff by Defendant occurred on many other occasions over the span of several years since Plaintiff began his employment in 2002, escalating in

1 frequency and intensity after 2010. At no time did Plaintiff consent to Defendant Elton John  
2 touching him in this offensive manner, or in any other manner.

3 14. Plaintiff attempted both verbally and physically to resist and deter Defendant's unwelcome  
4 touching, which had no permanent effect on Defendant's actions either at the time they occurred,  
5 or thereafter, as Defendant Elton John would again engage in the same behavior.

6 15. These actions of Defendant, and each of them, all of which were extremely offensive to  
7 Plaintiff, and resulted in Plaintiff sustaining severe and ongoing physical and emotional damage.

8 16. These actions of Defendants, including Defendant Elton John and each other Defendant,  
9 were intended to insult, and induce fear in Plaintiff, and were carried out with malice, fraud and  
10 oppression.

11 **FIRST CAUSE OF ACTION FOR**  
12 **BATTERY AGAINST ALL DEFENDANTS**

13 17. Plaintiff repeats and re-alleges each and every allegation set forth above, and  
14 incorporates same by reference as though set forth fully herein.

15 18. On and before March 27, 2014, April 12, 2014, and April 16, 2014, Defendant Elton John  
16 intentionally, maliciously, without provocation or justification, battered Plaintiff by without Plaintiff's  
17 consent, or knowledge, committing unwanted touching of Plaintiff's body, including genitalia.

18 19. As a legal and proximate result of Defendants and each of their conduct in battering  
19 Plaintiff, Plaintiff sustained severe mental and physical harm.

20 20. Defendants, including Elton John and each of their actions were and are offensive to a  
21 reasonable person in Plaintiff's situation.

22 21. As a result of the intentional and unjustified acts of Defendants, including Elton John and  
23 each of them, Plaintiff was placed in fear for his physical well-being, and suffered and continues  
24 to suffer extreme pain and mental anguish to his mind and body.

25 22. Defendants Elton John, and each of their actions were carried out with malice, and were  
26 intended to cause injury to Plaintiff and were done with a conscious disregard for Plaintiff's rights  
27 and safety, as the acts were willful, wanton, malicious and oppressive, thereby justifying an award  
28

1 of punitive damages against Defendant Elton John, and each other Defendant, in an amount to  
2 be determined according to proof at trial.

3 **SECOND CAUSE OF ACTION**  
4 **FOR SEXUAL BATTERY**  
5 **AGAINST DEFENDANTS AND EACH OF THEM**  
6 **California Civil Code Section 1708.5**

7 23. Plaintiff repeats and re-alleges each and every allegation set forth above, and  
8 incorporates same by reference as though set forth fully herein.

9 24. At all times relevant hereto, Defendant Elton John intended to cause a harmful and/or  
10 offensive contact with Plaintiff's sexual organ, anus, groin, buttocks, breasts, and at all times  
11 relevant hereto, such sexually offensive contact with Plaintiff was a direct result of such intent.

12 25. At no time did Plaintiff either directly, or indirectly consent to the sexually offensive contact.

13 26. As a direct, proximate and legal result of the conduct of Defendant Elton John, Plaintiff  
14 sustained severe mental and physical harm.

15 27. Defendants Elton John, and each of their actions were carried out with malice, and were  
16 intended to cause injury to Plaintiff and were done with a conscious disregard for Plaintiff's rights  
17 and safety, as the acts were willful, wanton, malicious and oppressive, thereby justifying an award  
18 of punitive damages against Defendant Elton John, and each other Defendant, in an amount to  
19 be determined according to proof at trial.

20 **THIRD CAUSE OF ACTION**  
21 **FOR SEXUAL HARASSMENT**  
22 **California Civil Code Section 51.9**

23 28. Plaintiff repeats and re-alleges each and every allegation set forth above, and  
24 incorporates same by reference as though set forth fully herein.

25 29. At all times relevant hereto, Plaintiff had a business relationship with Defendants Elton  
26 John, and each of them.

27 30. That on and before March 27, 2014, April 12, 2014 and April 16, 2014, Defendant Elton  
28

1 John made sexual advances, towards Plaintiff, and engaged in unwanted sexual contact with  
2 Plaintiff's buttocks, sexual organ, anus, and breasts, including groping, both inside and over  
3 clothing, twisting Plaintiff's nipples, attempting to force his fingers between Plaintiff's buttocks  
4 cheeks and made sexually suggestive, and offensive statements to Plaintiff including but not  
5 limited to "Get your todger out," and "You have so many gay genes in you they just haven't met  
6 up yet," and other offensive sexually suggestive commentary.

7 31. Defendant Elton John's conduct was unwelcome, pervasive and severe.

8 32. Plaintiff was unable to easily end his business relationship with Defendants Elton John and  
9 each of them.

10 33. As a direct, proximate and legal result of the conduct of Defendant Elton John, Plaintiff  
11 sustained severe mental and physical harm.

12 34. Defendants Elton John, and each of their actions were carried out with malice, and were  
13 intended to cause injury to Plaintiff and were done with a conscious disregard for Plaintiff's rights  
14 and safety, as the acts were willful, wanton, malicious and oppressive, thereby justifying an award  
15 of punitive damages against Defendant Elton John, and each other Defendant, in an amount to  
16 be determined according to proof at trial.

17 **PRAYER**

18 **WHEREFORE**, plaintiff seek judgments against defendants, and each of them, as follows:

- 19 1. Physical, mental, and emotional injuries, pain, distress, suffering, anguish, fright,  
20 nervousness, grief, anxiety, worry, shame, mortification, injured feelings, shock, humiliation and  
21 indignity, as well as other unpleasant physical, mental, and emotional reactions, damages to  
22 reputation, and other non-economic damages, in a sum to be ascertained according to proof;  
23 2. Health care, services, supplies, medicines, health care appliances, modalities, and other  
24 related expenses in a sum to be ascertained according to proof;  
25 3. Loss of wages, income, earnings, earning capacity, support, domestic services, benefits,  
26 and other economic damages in a sum to be ascertained according to proof;  
27 4. Other actual, consequential, and/or incidental damages in a sum to be ascertained  
28

1 according to proof;

2 5. For punitive and exemplary damages according to proof at trial.

3 6. For costs of suit herein incurred;

4 7. For such other and further relief as the Court may deem just and proper.

5  
6 Dated: March 28, 2016

7  
8  
9 By: 

MARLA A. BROWN  
Attorneys for Plaintiff  
JEFFREY WENNINGER

10  
11  
12 DEMAND FOR JURY TRIAL

13 Plaintiff demands a trial by jury upon all claims and causes of action herein.

14  
15 Dated: March 28, 2016

16  
17  
18 By: 

MARLA A. BROWN  
Attorneys for Plaintiff  
JEFFREY WENNINGER

|  |  |  |  |
|--|--|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):<br><b>LAW OFFICES OF GREGORY W. SMITH</b><br>Gregory W. Smith (SBH 134385)<br>9100 Wilshire Blvd. Suite 345E Beverly Hills, CA 90212 |  | <b>FOR COURT USE ONLY</b><br><b>FILED</b><br>Superior Court of California<br>County of Los Angeles<br><br><b>MAR 28 2016</b><br><br>Sherri R. Carter, Executive Officer/Clerk<br>By <u>Shaunya Bolden</u> Deputy |  |
| TELEPHONE NO.: (310) 777-7894      FAX NO.: (310) 777-7895<br>ATTORNEY FOR (Name):   |  | CASE NUMBER: <b>CS 6 15 235</b><br><br>JUDGE:<br><br>DEPT:   |  |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b><br>STREET ADDRESS: 111 North Hill Street<br>MAILING ADDRESS:<br>CITY AND ZIP CODE: Los Angeles, CA 90012<br>BRANCH NAME: Central                    |  |  |  |
| CASE NAME:<br><b>Jeffrey Wenninger v. Elton John and DOES 1 to 50 et al</b>  |  |  |  |
| <b>CIVIL CASE COVER SHEET</b><br><input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)         |  | <b>Complex Case Designation</b><br><input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b><br>Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)                 |  |

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:   |  |  |
| <b>Auto Tort</b><br><input type="checkbox"/> Auto (22)<br><input type="checkbox"/> Uninsured motorist (46)<br><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b><br><input type="checkbox"/> Asbestos (04)<br><input type="checkbox"/> Product liability (24)<br><input type="checkbox"/> Medical malpractice (45)<br><input type="checkbox"/> Other PI/PD/WD (23)<br><b>Non-PI/PD/WD (Other) Tort</b><br><input type="checkbox"/> Business tort/unfair business practice (07)<br><input checked="" type="checkbox"/> Civil rights (08)<br><input type="checkbox"/> Defamation (13)<br><input type="checkbox"/> Fraud (16)<br><input type="checkbox"/> Intellectual property (19)<br><input type="checkbox"/> Professional negligence (25)<br><input type="checkbox"/> Other non-PI/PD/WD tort (35)<br><b>Employment</b><br><input type="checkbox"/> Wrongful termination (36)<br><input type="checkbox"/> Other employment (15) | <b>Contract</b><br><input type="checkbox"/> Breach of contract/warranty (06)<br><input type="checkbox"/> Rule 3.740 collections (09)<br><input type="checkbox"/> Other collections (09)<br><input type="checkbox"/> Insurance coverage (18)<br><input type="checkbox"/> Other contract (37)<br><b>Real Property</b><br><input type="checkbox"/> Eminent domain/Inverse condemnation (14)<br><input type="checkbox"/> Wrongful eviction (33)<br><input type="checkbox"/> Other real property (26)<br><b>Unlawful Detainer</b><br><input type="checkbox"/> Commercial (31)<br><input type="checkbox"/> Residential (32)<br><input type="checkbox"/> Drugs (38)<br><b>Judicial Review</b><br><input type="checkbox"/> Asset forfeiture (05)<br><input type="checkbox"/> Petition re: arbitration award (11)<br><input type="checkbox"/> Writ of mandate (02)<br><input type="checkbox"/> Other judicial review (39) | <b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b><br><input type="checkbox"/> Antitrust/Trade regulation (03)<br><input type="checkbox"/> Construction defect (10)<br><input type="checkbox"/> Mass tort (40)<br><input type="checkbox"/> Securities litigation (28)<br><input type="checkbox"/> Environmental/Toxic tort (30)<br><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)<br><b>Enforcement of Judgment</b><br><input type="checkbox"/> Enforcement of judgment (20)<br><b>Miscellaneous Civil Complaint</b><br><input type="checkbox"/> RICO (27)<br><input type="checkbox"/> Other complaint (not specified above) (42)<br><b>Miscellaneous Civil Petition</b><br><input type="checkbox"/> Partnership and corporate governance (21)<br><input type="checkbox"/> 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. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> 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): 3 - Battery, Sexual Battery, Sexual Harassment - CC 51.9
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: March 28, 2016

(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.

Page 1 of 2



## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**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

SHORT TITLE: Wenninger v. Elton John

CASE NUMBER

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

**Step 1:** After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

**Step 2:** In Column B, check the box for the type of action that best describes the nature of the case.

**Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.

**Applicable Reasons for Choosing Court Filing Location (Column C)**

- |  |  |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides.  |
| 2. Permissive filing in central district.  | 8. Location wherein defendant/respondent functions wholly.   |
| 3. Location where cause of action arose.   | 9. Location where one or more of the parties reside.   |
| 4. Mandatory personal injury filing in North District.                           | 10. Location of Labor Commissioner Office.   |
| 5. Location where performance required or defendant resides.                     | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle.                          |  |

9107107/60  
Auto Tort  
Other Personal Injury/Property Damage/Wrongful Death Tort

| <b>A</b><br>Civil Case Cover Sheet<br>Category No.        | <b>B</b><br>Type of Action<br>(Check only one)  | <b>C</b><br>Applicable Reasons -<br>See Step 3 Above |
|---|---|--|
| Auto (22)   | <input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death   | 1, 4, 11   |
| Uninsured Motorist (46)                                   | <input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist  | 1, 4, 11   |
| Asbestos (04)   | <input type="checkbox"/> A6070 Asbestos Property Damage<br><input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death   | 1, 11<br>1, 11                                       |
| Product Liability (24)                                    | <input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)  | 1, 4, 11   |
| Medical Malpractice (45)                                  | <input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons<br><input type="checkbox"/> A7240 Other Professional Health Care Malpractice   | 1, 4, 11<br>1, 4, 11                                 |
| Other Personal Injury/Property Damage/Wrongful Death (23) | <input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)<br><input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)<br><input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress<br><input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death | 1, 4, 11<br>1, 4, 11<br>1, 4, 11<br>1, 4, 11         |

SHORT TITLE: **Wenninger v. Elton John**

CASE NUMBER

Non-Personal Injury/Property  
Damage/Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

| <b>A</b><br>Civil Case Cover Sheet<br>Category No.      | <b>B</b><br>Type of Action<br>(Check only one)   | <b>C</b> Applicable<br>Reasons - See Step 3<br>Above |
|---|--|--|
| Business Tort (07)                                      | <input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)   | 1, 2, 3  |
| Civil Rights (08)                                       | <input checked="" type="checkbox"/> A6005 Civil Rights/Discrimination  | 1, 2, 3  |
| Defamation (13)   | <input type="checkbox"/> A6010 Defamation (slander/libel)  | 1, 2, 3  |
| Fraud (16)  | <input type="checkbox"/> A6013 Fraud (no contract)   | 1, 2, 3  |
| Professional Negligence (25)                            | <input type="checkbox"/> A6017 Legal Malpractice<br><input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)   | 1, 2, 3<br>1, 2, 3                                   |
| Other (35)  | <input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort  | 1, 2, 3  |
| Wrongful Termination (36)                               | <input type="checkbox"/> A6037 Wrongful Termination  | 1, 2, 3  |
| Other Employment (15)                                   | <input type="checkbox"/> A6024 Other Employment Complaint Case<br><input type="checkbox"/> A6109 Labor Commissioner Appeals  | 1, 2, 3<br>10  |
| Breach of Contract/ Warranty<br>(06)<br>(not insurance) | <input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful<br>eviction)<br><input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)<br><input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)<br><input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence) | 2, 5<br>2, 5<br>1, 2, 5<br>1, 2, 5                   |
| Collections (09)  | <input type="checkbox"/> A6002 Collections Case-Seller Plaintiff<br><input type="checkbox"/> A6012 Other Promissory Note/Collections Case<br><input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt<br>Purchased on or after January 1, 2014)   | 5, 6, 11<br>5, 11<br>5, 6, 11                        |
| Insurance Coverage (18)                                 | <input type="checkbox"/> A6015 Insurance Coverage (not complex)  | 1, 2, 5, 8   |
| Other Contract (37)                                     | <input type="checkbox"/> A6009 Contractual Fraud<br><input type="checkbox"/> A6031 Tortious Interference<br><input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)   | 1, 2, 3, 5<br>1, 2, 3, 5<br>1, 2, 3, 8, 9            |
| Eminent Domain/Inverse<br>Condemnation (14)             | <input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels_____   | 2, 6   |
| Wrongful Eviction (33)                                  | <input type="checkbox"/> A6023 Wrongful Eviction Case  | 2, 6   |
| Other Real Property (26)                                | <input type="checkbox"/> A6018 Mortgage Foreclosure<br><input type="checkbox"/> A6032 Quiet Title<br><input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)   | 2, 6<br>2, 6<br>2, 6                                 |
| Unlawful Detainer-Commercial<br>(31)                    | <input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)   | 6, 11  |
| Unlawful Detainer-Residential<br>(32)                   | <input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)  | 6, 11  |
| Unlawful Detainer-<br>Post-Foreclosure (34)             | <input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure   | 2, 6, 11   |
| Unlawful Detainer-Drugs (38)                            | <input type="checkbox"/> A6022 Unlawful Detainer-Drugs   | 2, 6, 11   |

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| SHORT TITLE: <b>Wenninger v. Elton John</b> | CASE NUMBER |
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|  | A<br>Civil Case Cover Sheet<br>Category No. | B<br>Type of Action<br>(Check only one)  | C Applicable<br>Reasons - See Step 3<br>Above                 |
|--|---|--|---|
| <b>Judicial Review</b>                           | Asset Forfeiture (05)                       | <input type="checkbox"/> A6108 Asset Forfeiture Case   | 2, 3, 6   |
|  | Petition re Arbitration (11)                | <input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration   | 2, 5  |
|  | Writ of Mandate (02)                        | <input type="checkbox"/> A6151 Writ - Administrative Mandamus<br><input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter<br><input type="checkbox"/> A6153 Writ - Other Limited Court Case Review  | 2, 8<br>2<br>2  |
|  | Other Judicial Review (39)                  | <input type="checkbox"/> A6150 Other Writ /Judicial Review   | 2, 8  |
|  | <b>Provisionally Complex Litigation</b>     | Antitrust/Trade Regulation (03)  | <input type="checkbox"/> A6003 Antitrust/Trade Regulation     |
| Construction Defect (10)                         |   | <input type="checkbox"/> A6007 Construction Defect   | 1, 2, 3   |
| Claims Involving Mass Tort (40)                  |   | <input type="checkbox"/> A6006 Claims Involving Mass Tort  | 1, 2, 8   |
| Securities Litigation (28)                       |   | <input type="checkbox"/> A6035 Securities Litigation Case  | 1, 2, 8   |
| Toxic Tort Environmental (30)                    |   | <input type="checkbox"/> A6036 Toxic Tort/Environmental  | 1, 2, 3, 8  |
| Insurance Coverage Claims from Complex Case (41) |   | <input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)  | 1, 2, 5, 8  |
| <b>Enforcement of Judgment</b>                   | Enforcement of Judgment (20)                | <input type="checkbox"/> A6141 Sister State Judgment<br><input type="checkbox"/> A6160 Abstract of Judgment<br><input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)<br><input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)<br><input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax<br><input type="checkbox"/> A6112 Other Enforcement of Judgment Case | 2, 5, 11<br>2, 6<br>2, 9<br>2, 8<br>2, 8<br>2, 8, 9           |
|  | RICO (27)                                   | <input type="checkbox"/> A6033 Racketeering (RICO) Case  | 1, 2, 8   |
| <b>Miscellaneous Civil Complaints</b>            | Other Complaints (Not Specified Above) (42) | <input type="checkbox"/> A6030 Declaratory Relief Only<br><input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)<br><input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)<br><input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)  | 1, 2, 8<br>2, 8<br>1, 2, 8<br>1, 2, 8                         |
|  | Partnership Corporation Governance (21)     | <input type="checkbox"/> A6113 Partnership and Corporate Governance Case   | 2, 8  |
| <b>Miscellaneous Civil Petitions</b>             | Other Petitions (Not Specified Above) (43)  | <input type="checkbox"/> A6121 Civil Harassment<br><input type="checkbox"/> A6123 Workplace Harassment<br><input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case<br><input type="checkbox"/> A6190 Election Contest<br><input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender<br><input type="checkbox"/> A6170 Petition for Relief from Late Claim Law<br><input type="checkbox"/> A6100 Other Civil Petition   | 2, 3, 9<br>2, 3, 9<br>2, 3, 9<br>2<br>2, 7<br>2, 3, 8<br>2, 9 |

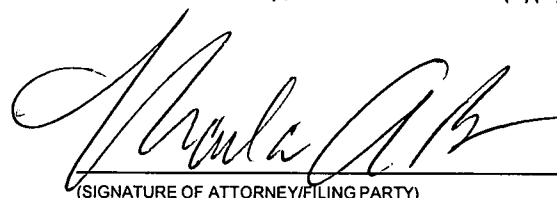
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| SHORT TITLE:<br>Wenninger v. Elton John | CASE NUMBER |
|---|-------------|

**Step 4: Statement of Reason and Address:** Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

|   |                     |                           |                                   |
|---|---------------------|---------------------------|-----------------------------------|
| <b>REASON:</b><br><input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11. |                     |                           | <b>ADDRESS:</b><br>Chalette Drive |
| <b>CITY:</b><br>Beverly Hills   | <b>STATE:</b><br>CA | <b>ZIP CODE:</b><br>90210 |                                   |

**Step 5: Certification of Assignment:** I certify that this case is properly filed in the central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: March 28, 2016

  
 (SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

03/28/2016