

A7100
91355

1 Jeffrey L. Milam, SBN 71953 (jmilam@milamlawfirm.com)
2 LAW OFFICE OF JEFFREY L. MILAM, APLC
225 South Lake Avenue, Suite 1400
3 Pasadena, CA 91101
Telephone: (626) 585-1888
4 Facsimile: (626) 585-1886

5 Robert Garrett, SBN 65886 (rgarrett@garrett-tully.com)
6 Ryan C. Squire, SBN 199473 (rsquire@garrett-tully.com)
7 Jennifer R. Slater, SBN 216207 (jslater@garrett-tully.com)
8 Edward Racek, SBN 235184 (eracek@garrett-tully.com)
9 GARRETT & TULLY, P.C.
225 South Lake Avenue, Suite 1400
10 Pasadena, CA 91101
11 Telephone: (626) 577-9500
12 Facsimile: (626) 577-0813

Attorneys for Plaintiff Meadow Rain Walker

DAB Howard Halm

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

13 MEADOW RAIN WALKER, individually,
14 and as sole heir on behalf of the Estate of Paul
15 William Walker, IV, by and through her
16 guardian ad litem, BRANDON BIRTELL,

Plaintiff,

vs.

17 DR. ING, HCF PORSCHE AG, a German
18 corporation; PORSCHE CARS NORTH
19 AMERICA, INC., a Delaware corporation;
20 CRANBROOK PARTNER, INC., dba
BEVERLY HILLS PORSCHE, a California
corporation; and DOES 1-50,

Defendants.

CASE NO.: **BC 5 9 6 0 1 1**

COMPLAINT FOR:
(1) STRICT LIABILITY;
(2) NEGLIGENCE;
(3) WRONGFUL DEATH;
(4) SURVIVAL CLAIM; and

DEMAND FOR JURY TRIAL

23 Plaintiff, MEADOW RAIN WALKER, by and through her guardian ad litem
24 BIRTELL, files the following complaint and alleges as follows:

THE PARTIES

26 1. Plaintiff, Meadow Rain Walker, is, and was at all relevant times, a minor individual and
27 resident of the County of Los Angeles, State of California. Plaintiff Meadow Walker is the natural
28 daughter and only child of Paul William Walker IV ("Paul Walker"), deceased. By and through her

FILED
Superior Court Of California
County Of Los Angeles

SEP 28 2015

JUDITH A. CARTER, Executive Officer/Clerk
By *Paul So*, Deputy

FILED 03/13/2017 TRIAL 03/28/2017 OSC 09/28/2015

CIT/NOSE: BC59601
LEA/DEF#:
RECEIPT #: CCH539159122
DATE PAID: 09/28/15 05:49 PM
PAYMENT: \$455.00
RECEIVED:
CHECK: \$475.00
CASH: .00
CHANGE: .00
CARD: .00

09/28/2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

guardian ad litem, Brandon Birtell, Meadow Walker brings this action on her behalf, individually, and on behalf of the Estate of Paul William Walker IV, as its sole heir and representative. At the time of his death, Paul Walker was a world renowned actor and resident of the County of Los Angeles, State of California.

2. Plaintiff is informed and believes, and based thereon alleges, that defendant Dr. Ing. h.c.F. Porsche AG (hereinafter "Porsche AG"), is and was at all relevant times, a German corporation with its principal place of business in Stuttgart, Germany, doing business in the State of California, and the County of Los Angeles.

3. Plaintiff is informed and believes, and based thereon alleges, that defendant Porsche Cars North America, Inc. (hereinafter "Porsche Cars North America") is, and was at all relevant times, a Delaware corporation with its principal place of business in Atlanta, Georgia, registered to do business in the State of California, and is doing business in the State of California, County of Los Angeles.

4. Plaintiff is informed and believes, and based thereon alleges, that defendant Cranbrook Partner, Inc., dba Beverly Hills Porsche (hereinafter "Beverly Hills Porsche") is, and was at all relevant times, a California corporation, with its principal place of business in Los Angeles, California, and was registered and licensed by the State of California and is doing business in the County of Los Angeles.

5. Plaintiff is not aware of the true names and capacities of the Defendants sued herein as DOES 1-50, inclusive, and, therefore, sues these Defendants by such fictitious names. Plaintiff will amend this Complaint to allege their true names and capacities when ascertained..

6. Plaintiff is informed and believes, and based thereon alleges, that Porsche AG, Porsche Cars North America, Beverly Hills Porsche and DOES 1-50 acted and participated in, or in some manner were each legally responsible for, the conduct and damages alleged in the Complaint. Each allegation in the Complaint therefore refers in like manner to DOES 1-50.

7. Plaintiff is informed and believes, and based thereon alleges, that at all times herein alleged, each defendant was an alter ego, agent or employee of each of the other named defendants, including Does 1-50, and acted within the scope of each's alter ego status, agency or employment.

8. Defendants Porsche AG, Porsche Cars North America, Beverly Hills Porsche and DOES 1-50 are at times herein collectively referred to as "Defendants" or "Porsche."

09/28/2015

978938-002

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VENUE AND JURISDICTION

9. The acts that caused Plaintiff's damages as alleged herein all occurred in the County of Los Angeles, within the jurisdiction of the Superior Court of the County of Los Angeles, Central District.

10. This Court has jurisdiction over the present matter because, as delineated within this Complaint, the nature of the claims and amounts in controversy meet the requirements for jurisdiction in the Superior Court of the County of Los Angeles.

OVERVIEW

11. This wrongful death action arises from the demise of Paul Walker, who was a passenger in a Porsche Carrera GT. Porsche designed and marketed the Carrera GT as "a racing car licensed for use on the road," powered by a 605 horse-power engine capable of achieving a top speed of 205 mph. Yet the vehicle lacked safety features that are found on well-designed racing cars or even Porsche's least expensive road cars - features that could have prevented the accident or, at a minimum, allowed Paul Walker to survive the crash.

12. Despite Porsche knowing that the Carrera GT had a history of instability and control issues, Porsche failed to install its electronic stability control system ["PSM" - Porsche Stability Management], which is specifically designed to protect against the swerving actions inherent in hyper-sensitive vehicles of this type. In order to trim the vehicle's weight, Porsche also chose to use side door reinforcement bars that lacked adequate welds and consisted of material weaker in strength than what is used in popular mass-market cars, such as the Honda Civic, which is designed and built to be operated at speeds much slower than the Carrera GT.

13. Furthermore, the car design was defective in that Porsche anchored the seat belts in such a way that when the car broke apart upon impact, the shoulder belt anchors traveled with the rear engine compartment while the seat belt anchors remained with the passenger compartment. This snapped Walker's torso back with thousands of pounds of force, thereby breaking his ribs and pelvis, flattening his seat and trapping him in a supine position, where he remained alive until the vehicle erupted into flames one minute and twenty seconds later. The fire was caused by yet another defect: rubber fuel lines that lacked break-free fittings to automatically shut down the fuel flow. Absent these defects in the Porsche Carrera GT, Paul Walker would be alive today.

09/28/2015

57833302

STATEMENT OF FACTS

14. On November 30, 2013, Paul Walker attended a charity fundraising event to raise money and provide toys for victims of Typhoon Haiyan in the Philippines through the charity he founded, Reach Out Worldwide. The charity event was held at Always Evolving, Roger Rodas's motor sport company, located in an industrial area at 28309 Constellation Road, Valencia, California.

15. Plaintiff is informed and believes, and based thereon alleges, that on November 30, 2013, at approximately 3:30pm, Roger Rodas, a longtime associate and friend of Paul Walker's, offered Paul Walker a ride in Rodas's 2005 Porsche Carrera GT, the car at issue in this action.

16. Plaintiff is informed and believes, and based thereon alleges, that Roger Rodas was an experienced professional driver holding a racing license and having competed in at least twenty races, including the Pirelli World Challenge Series, Pirelli Porsche Driver's Cup Series, and 25 Hours of Thunderhill.

17. Plaintiff is informed and believes, and based thereon alleges, that the total length of the ride in the Porsche Carrera GT was intended to be less than two miles, around a "loop" from Always Evolving's parking lot across Constellation Road on Alta Vista Road, turning right on Copper Hill Drive then right on Kelly Johnson Parkway until it changes to Hercules Street, and then right on Constellation Road back to Always Evolving. Plaintiff is informed and believes, and based thereon alleges, that Roger Rodas was very familiar with this "loop" and had driven it more than one hundred times in various high performance vehicles. Plaintiff is informed and believes, and based thereon alleges, that Paul Walker informed persons at the event that he would be back in five minutes as he entered the passenger seat of the vehicle.

18. Plaintiff is informed and believes, and based thereon alleges, that it was a sunny, Saturday afternoon, with dry road conditions, when Roger Rodas, with Paul Walker as a passenger, drove his Porsche Carrera GT out of the parking lot of Always Evolving across Constellation Road onto Alta Vista Avenue, a five lane wide road, toward Copper Hill Drive, an eight lane wide road. Plaintiff is informed and believes, and based thereon alleges, that the distance from Always Evolving to Copper Hill Drive is approximately 0.4 miles. Plaintiff is informed and believes, and based thereon alleges, that Roger Rodas drove the vehicle on Copper Hill Drive for approximately 0.2 miles before turning right on Kelly

09/28/2015

1 Johnson Parkway at the traffic light controlled intersection of Copper Hill Drive and Kelly Johnson
2 Parkway.

3 19. Plaintiff is informed and believes, and based thereon alleges, Kelly Johnson Parkway
4 varies between four and six lanes wide. Approximately 0.4 miles from the intersection of Copper Hill
5 Drive and Kelly Johnson Parkway, a long, wide-radius right curve begins and continues for
6 approximately 0.3 miles. Plaintiff is informed and believes, and based thereon alleges, Roger Rodas had
7 driven the curve more than one hundred times. Plaintiff is informed and believes, and based thereon
8 alleges, that the Porsche Carrera GT successfully completed the long, wide-radius curve with an average
9 speed of 76 miles per hour, and proceeded into a straightaway where Kelly Johnson Parkway becomes
10 Hercules Street.

11 20. Plaintiff is informed and believes, and based thereon alleges, that Hercules Street is a
12 five-lane roadway with bike lanes in both directions. As described in the police report:

13 "Hercules Street is a major thoroughfare that runs east and west through an industrial
14 area. There are two lanes of travel in each direction, and a center lane separating the
15 eastbound lanes from the westbound lanes. The north side was bordered by a bicycle
16 lane, then a sidewalk, and then a brush and tree covered embankment leading up to a
17 parking lot for businesses. The south side was bordered by a bicycle lane, then a brush
18 and tree covered embankment leading down to a parking lot for businesses."

19 21. Plaintiff is informed and believes, and based thereon alleges, that after traveling for
20 approximately 100 feet on the straightaway on Hercules Street, the Porsche Carrera GT was traveling
21 at approximately 63 to 71 mph when it suddenly went out of control, yawing in a clockwise direction
22 for approximately 95 feet, rotating 59 degrees, striking and mounting the curb on the south side of
23 Hercules Street at approximately 49 to 59 mph. The right front corner of the Porsche Carrera GT brushed
24 past a tree and the driver's side of the vehicle struck a light post east of the tree.

25 22. Plaintiff is informed and believes, and based thereon alleges, that at the time the vehicle
26 struck the light post it was traveling at approximately 45 to 55 mph. Plaintiff is informed and believes,
27 and based thereon alleges, that the side doors of the Porsche Carrera GT contained steel reinforcement
28 bars that failed to deflect the light post, allowing it to intrude deeply into the passenger compartment of
the Porsche Carrera GT through the driver's side door, catching on the engine compartment before
breaking it away. Plaintiff is informed and believes, and based thereon alleges, that the intrusion of the
light post into the passenger compartment of the vehicle started the separation of the vehicle in the

09/28/2015

1 "monocoque" passenger compartment away from the rear engine compartment.

2 23. Plaintiff is informed and believes, and based thereon alleges, that the Porsche Carrera GT
3 continued its yaw with the left rear and right rear wheels striking and mounting the south curb. The front
4 of the Porsche Carrera GT then struck a second tree approximately six inches in diameter at
5 approximately 39 to 47 mph.

6 24. Plaintiff is informed and believes and based thereon alleges, that the Porsche Carrera GT
7 continued to spin approximately 180 degrees, and the passenger side door struck a third tree
8 approximately twelve inches in diameter at approximately 30 to 35 mph, causing deployment of the
9 passenger side airbag. The passenger compartment and rear engine compartment came to a rest around
10 the third tree with the front portion of the vehicle pointing approximately east by southeast, and the rear
11 portion of the vehicle pointing south. The total distance from the initial impact with the curb to the
12 resting point of the vehicle was approximately 60 feet.

13 25. Plaintiff is informed and believes, and based thereon alleges, that within the vehicle, the
14 seatbelts worn by Paul Walker were anchored by Porsche in such a way that when the car broke apart
15 upon impact, the shoulder belt anchors traveled with the rear engine compartment while the seat belt
16 anchors remained with the passenger compartment. The seatbelts applied substantial force across Paul
17 Walker's body, sufficient to break the seatbacks, leaving Paul Walker lying in a supine position,
18 horizontal to the floor. Plaintiff is informed and believes, and based thereon alleges, that the seatbelt in
19 the Porsche Carrera GT applied such force that it broke Paul Walker's clavicle, left anterior lateral ribs
20 3 through 6, right posterior lateral ribs 3-5, right lateral ribs 9-10, and his pelvis.

21 26. Plaintiff is informed and believes, and based thereon alleges, that the separation of the
22 Porsche Carrera GT's passenger compartment and rear engine compartment tore the rubber fuel lines,
23 and the breaking of the seatbacks tipped the fuel tank, which was installed between the passenger
24 compartment and engine compartment, spilling fuel from the lines into the rear engine compartment.

25 27. Plaintiff is informed and believes, and based thereon alleges, that Paul Walker survived
26 the physical forces of the collision and was alive when the Porsche Carrera GT became engulfed in fire.
27 Plaintiff is informed and believes that the seatbelt continued to apply force across Paul Walker's body
28 after the Porsche Carrera GT came to a rest, causing his breathing to become shallow and prevented any

09/28/2015

1 escape or rescue. Paul Walker remained trapped in the vehicle for approximately one minute and twenty
2 seconds before the vehicle became engulfed in fire. Paul Walker breathed soot into his trachea while the
3 Porsche Carrera GT burned.

4 **FIRST CAUSE OF ACTION**
5 **FOR STRICT PRODUCTS LIABILITY**

6 (Against all Defendants including DOES 1-50)

7 28. Plaintiff incorporates by reference paragraphs 1-27 of the Complaint, as though set forth
8 in full herein.

9 **A Racing Car for the Street**

10 29. Plaintiff is informed and believes, and based thereon alleges, that Porsche manufactured
11 1270 Porsche Carrera GT vehicles between 2004 and 2006. According to Porsche's promotional
12 materials, the Porsche Carrera GT had a 5.7 liter, 10-cylinder engine producing 605 horsepower at 8,000
13 revolutions per minute, with the car weighing approximately 3,043 pounds; and was designed to reach
14 a top speed of 205 miles per hour with an acceleration of 0-62 miles per hour in 3.9 seconds, and 0-100
15 miles per hour in 6.9 seconds, and 0-124 miles per hour in 9.9 seconds.

16 30. According to a Porsche Press Release prior to production:

17 In both design and construction, the Carrera GT roadster is based on pure racing
18 technology. ... The all-new normally aspirated V-10 engine, six-speed manual
19 transmission with racing-type clutch and the suspension and brakes owe little to current
20 Porsche road cars. The body, made mainly from carbon fiber, ensures high rigidity,
21 passenger safety and low weight. The V-10 engine displaces 5.5 liters and produces 558
22 horsepower (410kW) and 442 lb.-ft (600Nm) of peak torque, sufficient to propel the
23 2,755-lb (1,250 kg) Carrera GT from 0-62 mph (0-100km/h) in less than four seconds,
24 0-125 mph (0-200 km/h) in under 10 seconds and to a top track speed of over 205 mph
25 (330km/h). A dry-sump oil system ensures reliable and consistent oil supply and pressure
26 at high engine speeds and during extreme cornering forces. The ground effect body
27 design literally pulls the car to the road at high speeds for stability and safety, and the rear
28 wing extends at speeds over 75 mph (120 km/h) to generate stabilizing rear down force.
Aluminum and leather dominate the interior, and the few concessions to "luxury" include
air conditioning, a stereo system and power windows (which weigh no more than manual
windows). The racing-type seats do without power adjusters to save weight. Unique
adjustable knee and leg supports hold the driver and passenger firmly in position...

26 31. The Porsche Technik Service Manual written by Porsche AG describes the Porsche
27 Carrera GT concept as a "striking symbol before the world" and "a racing car licensed for use on the
28 roads[.]" The manual goes on to explain:

09/28/2015

150938-3
9/28/2015

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Porsche has redefined the status of engineering in sports car manufacture with the Carrera GT. Porsche wishes not only to demonstrate its technical competence in the sports car segment with the Carrera GT. This car also reflects the strength, the dynamism and the self-confidence of the company and the Porsche marque. The starting shot in the development of the Carrera GT was fired in February 1999. After 15 months of intensive work, the first prototype was ready in May 2000, and emerged as the superstar of the Paris Motor Show on September 28th, 2000. The response was overwhelming, and after further tests, the final decision to build the car was made in February 2002.

One objective was to be in the forefront when developing the Carrera GT: to cultivate the true character of a racing car and, in doing so, achieve the ultimate driving experience in a road-licensed car.

For designers experienced in racing cars, only a vehicle with the lowest possible weight, maximum torsional stiffness, weight distribution as close to center as possible, and, an extremely low center of gravity would be considered for the ultimate sports car. These characteristics are as important as sophisticated aerodynamics with high power outputs and excellent chassis dynamics in achieving quick lap times.

The only bodywork construction that could be considered was the 'monocoque' carbon fiber (CRRP) material that is so successful in motor racing. This method of construction permits manufacturing processes developed for aerospace which exploit to the fullest carbon fiber material. Its use permits the open top Carrera GT to achieve stiffness values that in some respects are significantly higher than comparable enclosed vehicles with sheet steel bodywork. One look at the 'equipment carrier beam' used for the first time in a production vehicle, proves that this design concept is not only technically possible, but also achieves a high level of aesthetic perfection.

The hand of racing designers can also be seen in the aerodynamically active components. The tail diffuser and the large extendable rear spoiler wing, which for the first time in the Carrera GT is not dependent on speed alone, but can stay extended at lower speeds based on engine power demands influenced by the driver. The aerodynamics engineers have also been busy on parts hidden from view. The undertray has an ingenious system of flow channels to improve down force, together with special cooling air ducts that contribute to aerodynamic balance.

The same perfection and care has been lavished on the suspension. The double control arm suspension on the front and rear axles clearly the work of the same designers who developed the successful Le Mans race cars. The result is race bred firm and precise road handling, with unsurpassed shock rebound and agility.

32. Porsche said of the Carrera GT supercar: "Carrera GT is as close to a racecar as we will ever get."

33. Plaintiff is informed and believes, and based thereon alleges, that the Porsche Carrera GT was designed, manufactured, and advertised by Defendants to perform at high speeds, well in excess of usual speed limits, including the ability to reach a top speed of 205 miles per hour, and accelerate from 0-62 mph in 3.9 sections and 0-124 mph in 9.9 seconds.

09 / 28 / 2015

97836502

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

34. Porsche AG described Driving Dynamics of the Porsche Carrera GT as:
- “one of the core competences of the Porsche company and has been applied thoroughly to the Carrera GT, achieving the following characteristics:
- Outstanding driveability and best possible dynamics with high reserves of safety in all situations.
 - Smooth and safe driveability at all speeds, even when changing lanes.
 - Best controlled load-reversal reactions in curves and exceptionally high lateral acceleration possible.
 - Agile, direct and precise steering with noticeably good road feedback.
 - Lowest roll, pitch and yawing movements, with lowest pitching due to the low center of gravity.
 - Shortest possible braking distances, even during extremely heavy sustained braking, with high vehicle stability during the braking operation.
 - Responsive traction control (TC).”

35. Plaintiff is informed and believes, and based thereon alleges, that the Porsche Carrera GT was designed, manufactured, promoted and advertised by Defendants to have increased control at higher speeds (in excess of the speed limit) due to the aerodynamic design features, which applied greater downward force on the vehicle. Plaintiff is informed and believes, and based thereon alleges, the Porsche Carrera GT contained several innovative racecar features designed and manufactured with the intention of making the Porsche Carrera GT one of the fastest cars on the road. They included a: 5.7l V10 engine based on the Le Mans racing car engine, the proprietary Porsche Ceramic Composite Clutch, the chassis design based on the GT1 Le Mans racing car, newly developed magnesium wheels using a special forging process, carbon fiber reinforced composite body, and a patented chassis and equipment support beam as a functional unit with stiffness sufficient for competitive racing. Plaintiff is informed and believes, and based thereon alleges, that the Porsche Carrera GT was designed and manufactured to be as light as possible to optimize the power to weight ratio, including the use of carbon fiber, titanium, and magnesium materials to all cut down on weight.

36. Plaintiff is informed and believes, and based thereon alleges, that despite various innovative racing technologies installed in the Porsche Carrera GT to make it more powerful, faster, and race-capable, Porsche AG chose not to include common safety features found in racecars and

09/28/2015

1503283

1 non-racecars which would prevent loss of control, improve resistance to side impact, and improve crash
2 worthiness and survivability. Such features include: Porsche's proprietary stability management system
3 ("PSM"), which is an electronic stability control component to assist in prevention of loss of control;
4 door reinforcements with sufficient strength and welding to withstand side impacts such as with a light
5 post; a fuel cell; break-free, fuel-line fittings; and seatbelt anchors that are not connected to both the
6 passenger compartment and rear engine compartment.

7 **Lack of Electronic Stability Control**

8 37. Plaintiff is informed and believes, and based thereon alleges, that the Porsche Carrera GT
9 failed to provide the Porsche Stability Management system, which is the trade name for Porsche's
10 electronic stability control device. Although "PSM" was a standard safety feature in Porsche's other
11 road-licensed models in 2005, Porsche intentionally omitted it from the Carrera GT. Plaintiff is
12 informed and believes, and based thereon alleges, that had the Porsche Stability Management system
13 been installed, it would have prevented the yaw and loss of control of the Porsche Carrera GT in this
14 case, and would have prevented the resulting crash.

15 **Inadequate Side Door Reinforcement Bars**

16 38. Plaintiff is informed and believes, and based thereon alleges, that the side door
17 reinforcement bars were half the radius and strength of side reinforcement bars found in average road
18 vehicles produced in the year 2005, including the Honda Civic. Plaintiff is informed and believes, and
19 based thereon alleges, that the reinforcement bars were designed without sufficient tensile strength or
20 connection to withstand a side impact, and were welded to the vehicle inadequately. The side door bars
21 were insufficient in both strength, design, manufacture and installation to withstand the forces required
22 to protect the passengers from a side impact such as those encountered in the subject crash. Plaintiff is
23 informed and believes, and based thereon alleges that if the door reinforcement bars had been as strong
24 as those included in other road vehicles made in 2005, the light post would not have intruded into the
25 passenger compartment of the vehicle to such an extent, would not have caused the separation of the
26 passenger compartment of the vehicle from the engine compartment, and would have reduced or
27 prevented the impact of the crash.

28 ///

09/28/2015

Dangerous and Defective Anchoring of Seat Belts

1
2 39. In its section on Occupant Protection in Porsche's "2004 Technik Introduction" of the
3 Carrera GT, Porsche states:

4 In this system, the vehicle interior is designated as a survival cell. Together with the
5 reinforcement of the doors and a restraint system for the occupants, comprising [sic.] of
6 3-point seatbelts with belt tensioners and belt force limitation, plus front and side airbags,
7 provides excellent protection for driver and passenger (all demanded by today's safety
8 minded consumers). (Emphasis added).

9 Plaintiff is informed and believes, and based thereon alleges, that the Porsche Carrera GT is
10 designed in such a manner that the rear engine compartment may separate from the passenger safety
11 compartment in the event of a side impact. Plaintiff is informed and believes, and based thereon alleges,
12 that in the Porsche Carrera GT the seat belts were anchored in such a way that when the car began to
13 break apart upon impact, the shoulder belt anchors traveled with the rear engine compartment while the
14 seat belt anchors remained with the passenger compartment. The force of separation was fully born by
15 the wearer of the safety belt and the seat, which in this instance resulted in crushing forces being applied
16 across the chest, shoulder and pelvis of Paul Walker and the breaking of the seat back. Plaintiff is
17 informed and believes, and based thereon alleges, that the seatbelts were extended to their limit and
18 thousands of pounds of force were applied across Paul Walker's chest, shoulder, and pelvis as the
19 vehicle separated, breaking his bones, as well as the seat back, trapping Paul Walker in the vehicle in
20 a supine position, and tipping the gas tank, enhancing the spilling of fuel.

21 **Rubber Fuel Lines and No Breakaway Fittings**

22 40. Plaintiff is informed and believes, and based thereon alleges, that an engulfing fire of the
23 Carrera GT was initiated by a smoldering fire caused by fuel being spilled from torn rubber fuel lines
24 without break-free fittings, by the tipped fuel neck and by a thermal rupture of the fuel tank. Inclusion
25 of break-free fittings with a stopper valve for the fuel lines, and use of steel braided fuel lines (with
26 strength sufficient to not separate before the break-free fittings) would have prevented or minimized the
27 fire and provided more time for Paul Walker to be rescued or escape. Plaintiff is further informed and
28 believes, and based thereon alleges, that a crash cage and a racing fuel cell would have prevented the
tank from being ruptured.

///

09 / 28 / 2015

458828-3
9/16/00-002

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

No Recall or Warning

41. Plaintiff is informed and believes, and based thereon alleges, Porsche AG, Porsche Cars North America, Beverly Hills Porsche, and other Defendants were aware of the dangers of the 2005 Porsche Carrera GT. The Carrera GT has been involved in multiple crashes, including at least one fatal crash. Plaintiff is informed and believes, and based thereon alleges, that despite this, Defendants have never taken any action to increase the safety of its vehicle, to notify owners of its dangers, or to recall the vehicle.

Strict Liability

42. The Porsche Carrera GT was defective and unreasonably dangerous at the time it was designed, manufactured, marketed, and placed into the stream of commerce.

43. Plaintiff is informed and believes, and based thereon alleges, defendants are strictly liable for the defective vehicle in one or more of the following ways:

(a) The vehicle is defective in that it was unreasonably dangerous and subject to loss of control based on the power-to-weight ratio of the vehicle and other design features;

(b) The vehicle is defective given the absence of electronic stability control, which creates an unreasonable risk of loss of control of the vehicle when used in a reasonably foreseeable manner;

(c) The vehicle is defective in that it was not designed to provide reasonable and necessary occupant protection in the event of a side impact collision;

(d) The vehicle is defective in that the door reinforcement and welding are insufficient to withstand impact with objects such as the light post in this crash without severe intrusion into the vehicle;

(e) The vehicle is defective in that the seat belts are anchored in such a way that when the passenger safety compartment separates from the rear engine compartment, the shoulder belt anchors travel with the rear engine compartment while the seat belt anchors remain with the passenger compartment, breaking the seat backs, applying severe and injuring forces to the passengers, and trapping them in place;

(f) The vehicle is defective in that it does not have break-free fittings with stoppers on the fuel lines to prevent fuel spillage, does not have steel braided fuel lines, and does not have a racing fuel

09/28/2015

97830502

1 cell; and

2 (g) Defendants failed to adequately warn or instruct consumers of the dangers associated with
3 incidents of loss of control; and

4 (h) Such other defects as discovery shall reveal.

5 44. The Porsche Carrera GT had the above-noted manufacturing, design, and warning defects
6 at the time it left each Defendant's control.

7 45. The defects occurred within the design life of the vehicle.

8 46. The vehicle was used by Rodger Rodas and Paul Walker in a reasonably foreseeable
9 manner, and in a manner for which it was designed, manufactured, and sold by Defendants.

10 47. At the time of the use, the Porsche Carrera GT was substantially the same as when the
11 vehicle left Defendants' control. Plaintiff is informed and believes, and based thereon alleges, it had been
12 driven less than 3500 miles.

13 48. Defendants manufactured, designed, promoted and/or sold the Porsche Carrera GT and
14 its component parts to the public, knowing that the Carrera GT would be purchased or used without
15 inspection for defects by the general public, including the decedent Paul Walker.

16 49. The Porsche Carrera GT was unsafe for its intended use by reason of defects in its
17 manufacture, design, testing, components and constituents, so that it would not safely serve its purpose,
18 but would instead expose the users of said product to serious injuries because of the failure of
19 Defendants to properly guard and protect the users of the Porsche Carrera GT from the defective design
20 and manufacturing of said product, and failure to warn.

21 50. Defendants designed and manufactured the Porsche Carrera GT defectively, causing it
22 to fail to perform as safely as an ordinary consumer would expect when used in an intended or
23 reasonably foreseeable manner.

24 51. Defendants knew or should have known of the substantial dangers involved in the
25 reasonably foreseeable use of the Porsche Carrera GT, whose defective design, manufacturing, and lack
26 of sufficient warnings caused them to have an unreasonably dangerous propensity suffered from the lack
27 of stability and lack of crash protection, thereby causing catastrophic injuries and death.

28 52. Defendants failed to adequately warn of the substantial dangers known or knowable at

09/28/2015

1509283
91830402

1 the time of the defective Porsche Carrera GT's design, manufacture, and distribution.

2 53. Defendants failed to provide adequate warnings, instructions, guidelines or admonitions
3 to members of the consuming public, including decedent, of the design and manufacturing defects,
4 which Defendants knew, or in the exercise of reasonable care should have known, to have existed in the
5 Porsche Carrera GT, and its component parts.

6 54. The risks inherent in the design of the Carrera GT significantly outweigh any benefits of
7 such design.

8 55. Plaintiff's decedent, Paul Walker, was not aware of the aforementioned defects at any
9 time regarding the Porsche Carrera GT prior to the his death.

10 56. The above-noted defects were a producing cause, proximate cause, and substantial factor
11 in relation to the incident and resulting injuries and damages.

12 57. A safer alternative design was both economically and technologically feasible at the time
13 the vehicle left Defendants' control.

14 58. Defendants are therefore strictly liable for designing, manufacturing, marketing, and/or
15 placing a defective and unreasonably dangerous product into the stream of commerce, and failing to
16 warn.

17 59. As a direct and proximate result of the aforementioned defects of the Carrera GT,
18 Plaintiff Meadow Walker has lost the love, companionship, comfort, care, assistance, protection,
19 affection, society, moral support, training, guidance and financial support of her father, Paul Walker. The
20 Estate of Paul Walker IV, to which Plaintiff Meadow Walker is sole heir and representative, has been
21 damaged with lost income and earnings (present and future), expenses, and all general and special
22 damages in an amount to be proved at trial.

23 **SECOND CAUSE OF ACTION**

24 **FOR NEGLIGENCE**

25 **(Against All Defendants including DOES/1-50)**

26 60. Plaintiff incorporates by reference paragraphs 1-27 and 29-59 of the Complaint, as though
27 set forth in full herein.

28 61. At all times herein mentioned, Defendants designed, manufactured, assembled, analyzed,

09/28/2015

1 recommended, merchandised, advertised, promoted, distributed, supplied, and sold to distributors,
2 retailers and the public, the vehicle known as "2005 Porsche Carrera GT," and/or its component parts,
3 including the subject vehicle at issue in this lawsuit.

4 62. Defendants owed plaintiff and decedent, Paul Walker, a duty to exercise reasonable care
5 in the design, testing, manufacture, assembly, production, sale, distribution and servicing of the Porsche
6 Carrera GT, including a duty to assure that the subject vehicle did not cause decedent, other users,
7 bystanders, or the public, unnecessary injuries or deaths. Further, Defendants owed Plaintiff's decedent
8 the duty of warning or instructing Plaintiff's decedent of potentially hazardous or life-threatening
9 conditions with respect to these products.

10 63. Defendants knew or should have known that the Porsche Carrera GT was defectively
11 designed and manufactured and was therefore prone to problems under normal driving conditions,
12 potentially causing injuries and/or deaths.

13 64. All dangers associated with the Porsche Carrera GT were reasonably foreseeable and/or
14 scientifically discoverable at the time of the incident in question.

15 65. Plaintiff is informed and believes, and based thereon alleges, defendants failed to exercise
16 ordinary care and breached their duty by, among other things:

17 (a) Failing to use due care in the manufacture, distribution, design, sale, testing, and servicing
18 of the Carrera GT and its component parts in order to avoid the aforementioned risks to individuals
19 including, among others, loss of control, suspension component failure, lack of crash protection,
20 improper fuel tank, improper fuel lines and fittings, improper reinforcement bars and welds, and
21 improper seatbelt attachments;

22 (b) Failing to provide adequate warning of loss of control, suspension component failure,
23 lack of crash protection, improper fuel tank, improper fuel lines and fittings, improper reinforcement
24 bars and welds, improper seatbelt attachments. and the propensity of each to cause and/or contribute to
25 a crash or injury;

26 (c) Failing to incorporate within the vehicle and its design reasonable safeguards and
27 protections against loss of control, suspension component failure, lack of crash protection, improper fuel
28 tank, improper fuel lines and fittings, improper reinforcement bars and welds, and improper seatbelt

09/28/2015

1 attachments;

2 (d) Failing to make timely correction to the design of the Carrera GT to correct the loss of
3 control, suspension component failure, lack of crash protection, improper fuel tank, improper fuel lines
4 and fittings, improper reinforcement bars and welds, and improper seatbelt attachments;

5 (e) Failing to adequately identify and mitigate the hazards associated with loss of control,
6 suspension component failure, lack of crash protection, improper fuel tank, improper fuel lines and
7 fittings, improper reinforcement bars and welds, and improper seatbelt attachments; and

8 (f) Such other acts of negligence as discovery shall reveal.

9 66. The aforementioned negligent acts and omissions of Defendants were the direct and
10 proximate cause of Plaintiff's damages and the death of Paul Walker.

11 67. As a direct and proximate result of the aforementioned negligence, carelessness, and other
12 tortious, unlawful and wrongful acts and omissions of the Defendants, and their respective agents,
13 servants, employees and authorized representatives as aforesaid, Plaintiff Meadow Walker has lost the
14 love, companionship, comfort, care, assistance, protection, affection, society, moral support, training,
15 guidance and financial support of her father, Paul Walker. The Estate of Paul William Walker IV, to
16 which Plaintiff Meadow Walker is the sole heir and representative, has been damaged with lost income
17 and earnings (present and future), expenses, and all general and special damages in an amount to be
18 proved at trial.

19 **THIRD CAUSE OF ACTION**

20 **FOR WRONGFUL DEATH**

21 **(Against All Defendants including DOES 1-50)**

22 68. Plaintiff incorporates by reference paragraphs 1-27, 29-59, and 61-67 of the Complaint,
23 as though set forth in full herein.

24 69. The aforementioned acts and omissions of Defendants directly and proximately caused
25 the wrongful death of Paul Walker.

26 70. As a direct and proximate result of the wrongful death of Paul Walker, his heir at law has
27 been deprived of the benefits of having him in her life and shall recover from Defendants all damages
28 permitted by law, including damages for the loss of love, companionship, comfort, care, assistance,

09 / 28 / 2015

1 protection, affection, society, moral support, training, guidance and financial support of her father, and
2 all damage to the Estate of Paul William Walker IV, to which Plaintiff Meadow Rain Walker is sole heir
3 and representative, including without limitation, all lost income and earnings (present and future),
4 expenses, and all general and special damages to the extent allowed by law.

5 **FOURTH CAUSE OF ACTION**

6 **SURVIVAL CLAIM**

7 **(Against All Defendants including DOES 1-50)**

8 71. Plaintiff incorporates by reference paragraphs 1-27, 29-59, 61-67, and 69-70 of the
9 Complaint, as though set forth in full herein.

10 72. As a direct and proximate result of the aforementioned acts and omissions of Defendants,
11 Paul Walker died an untimely death at the age of forty (40), leaving behind his daughter and only child,
12 Meadow Rain Walker.

13 73. Meadow Rain Walker is the sole heir to, and representative of, the Estate of Paul William
14 Walker IV, and brings this action on its behalf.

15 74. In her capacity as sole heir and on behalf of the Estate of Paul William Walker IV,
16 Plaintiff is to recover all damage to the Estate proximately caused by the wrongful death of Paul William
17 Walker IV, including without limitation, all lost income and earnings (present and future), expenses, and
18 all general and special damages to the extent allowed by law.

19
20 **JOINT AND SEVERAL LIABILITY**

21 75. Plaintiff requests that this Court hold each Defendant jointly and severally liable to the
22 extent allowed by law for Plaintiff's general and special damages and any other relief to which Plaintiff
23 is entitled.

24 **JURY DEMAND**

25 76. Plaintiff demands a trial by jury.

26 ///

27 ///

28 ///

09 / 28 / 2015

478926-32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

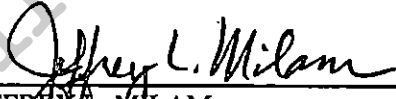
PRAYER FOR RELIEF

WHEREFORE, Plaintiff Meadow Rain Walker prays for judgment on each cause of action against Defendants as follows:

- (1) For general and special damages, according to proof;
- (2) For the loss of love, companionship, comfort, care, assistance, protection, affection, society, moral support, training, guidance and financial support of her father;
- (3) For damages to the Estate of Paul William Walker IV;
- (5) For pre- and post-judgment interest, according to proof;
- (6) For costs of suit, including reasonable attorneys' fees, to the extent allowed by law; and
- (7) For such other and further relief that the Court may deem just and proper.

DATED: September 28, 2015

LAW OFFICE OF JEFFREY L. MILAM



JEFFREY L. MILAM
 Attorneys for Plaintiff Meadow Rain Walker,
 individually, and on behalf of the Estate of Paul William
 Walker, IV, by and through her guardian ad litem,
 Brandon Birtell

Deadline.com

09/28/2015

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Bar number, and address):
Jeffrey L. Milam, SBN 71953
Law Office of Jeffrey L. Milam
225 South Lake Avenue
Suite 1400
Pasadena, CA 91101
TELEPHONE NO.: (626) 585-1888 FAX NO.: (626) 585-1886

FOR COURT USE ONLY

FILED
Superior Court Of California
County Of Los Angeles

SEP 28 2015

By Paul So Deputy
Court Officer/Clerk

ATTORNEY FOR (Name): Plaintiff Meadow Rain Walker
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: 111 North Hill Street
MAILING ADDRESS:
CITY AND ZIP CODE: Los Angeles 90012
BRANCH NAME: Central District

CASE NAME: Meadow Rain Walker v. DR. ING, et al.

CIVIL CASE COVER SHEET
 Unlimited (Amount demanded exceeds \$25,000) Limited (Amount demanded is \$25,000 or less)

Complex Case Designation
 Counter Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: **BC 596011**
JUDGE:
DEPT:

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:
- | | | |
|--|--|--|
| Auto Tort <input checked="" type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business' tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15) | Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <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. Large number of separately represented parties d. Large number of witnesses
 b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 c. Substantial amount of documentary evidence f. 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): (1) Strict Liability; (2) Negligence; (3) Wrongful Death; (4) Survival Claim
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: September 28, 2015
Jeffrey L. Milam, SBN 71953
(TYPE OR PRINT NAME)

Jeffrey L. Milam
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

CM-010

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 Judgment
Election Contest
Petition for Name Change
Petition for Relief from Late Filing Claim
Other Civil Petition

SHORT TITLE: Meadow Rain Walker v. DR. ING, et al.

CASE NUMBER BC 596011

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 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? [x] YES CLASS ACTION? [] YES LIMITED CASE? [] YES TIME ESTIMATED FOR TRIAL [] HOURS/[15] DAYS

Item II. Indicate the correct district and courthouse location (4 steps - If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- 1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

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

Table with 3 columns: A (Civil Case Cover Sheet Category No.), B (Type of Action), and C (Applicable Reasons). Rows include Auto (22), Uninsured Motorist (46), Asbestos (04), Product Liability (24), Medical Malpractice (45), and Other Personal Injury/Property Damage/Wrongful Death (23).

| | |
|--|-------------|
| SHORT TITLE: Meadow Rain Walker v. DR. ING, et al. | CASE NUMBER |
|--|-------------|

| | A Civil Case Cover Sheet Category No. | B Type of Action (Check only one) | C Applicable Reasons - See Step 3 Above |
|---|---|---|---|
| Non-Personal Injury/Property Damage/Wrongful Death Tort | Business Tort (07) | <input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract) | 1., 3. |
| | Civil Rights (08) | <input 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 | 1., 2., 3. |
| | | <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal) | 1., 2., 3. |
| Other (35) | <input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort | 2.,3. | |
| Employment | Wrongful Termination (36) | <input type="checkbox"/> A6037 Wrongful Termination | 1., 2., 3. |
| | Other Employment (15) | <input type="checkbox"/> A6024 Other Employment Complaint Case | 1., 2., 3. |
| | | <input type="checkbox"/> A6109 Labor Commissioner Appeals | 10. |
| Contract | Breach of Contract/ Warranty (05) (not insurance) | <input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) | 2., 5. |
| | | <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) | 2., 5. |
| | | <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) | 1., 2., 5. |
| | | <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence) | 1., 2., 5. |
| | Collections (09) | <input type="checkbox"/> A6002 Collections Case-Seller Plaintiff | 2., 5., 6. |
| <input type="checkbox"/> A6012 Other Promissory Note/Collections Case | | 2., 5. | |
| Insurance Coverage (18) | <input type="checkbox"/> A6015 Insurance Coverage (not complex) | 1., 2., 5., 8. | |
| Other Contract (37) | <input type="checkbox"/> A6009 Contractual Fraud | 1., 2., 3., 5. | |
| | <input type="checkbox"/> A6031 Tortious Interference | 1., 2., 3., 5. | |
| | <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence) | 1., 2., 3., 8. | |
| Real Property | Eminent Domain/Inverse Condemnation (14) | <input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____ | 2. |
| | Wrongful Eviction (33) | <input type="checkbox"/> A6023 Wrongful Eviction Case | 2., 6. |
| | Other Real Property (26) | <input type="checkbox"/> A6018 Mortgage Foreclosure | 2., 6. |
| <input type="checkbox"/> A6032 Quiet Title | | 2., 6. | |
| | <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure) | 2., 6. | |
| Unlawful Detainer | Unlawful Detainer-Commercial (31) | <input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction) | 2., 6. |
| | Unlawful Detainer-Residential (32) | <input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction) | 2., 6. |
| | Unlawful Detainer- Post-Foreclosure (34) | <input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure | 2., 6. |
| | Unlawful Detainer-Drugs (38) | <input type="checkbox"/> A6022 Unlawful Detainer-Drugs | 2., 6. |

SHORT TITLE: Meadow Rain Walker v. DR. ING, et al.

CASE NUMBER

| A Civil Case Cover Sheet Category/No. | B Type of Action (Check only one) | C Applicable Reasons - See Step 3 Above |
|--|--|--|
| Asset Forfeiture (05) | <input type="checkbox"/> A6108 Asset Forfeiture Case | 2., 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 <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review | 2., 8. 2. 2. |
| Other Judicial Review (39) | <input type="checkbox"/> A6150 Other Writ /Judicial Review | 2., 8. |
| Antitrust/Trade Regulation (03) | <input type="checkbox"/> A6003 Antitrust/Trade Regulation | 1., 2., 8. |
| 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. |
| Enforcement of Judgment (20) | <input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case | 2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9. |
| RICO (27) | <input type="checkbox"/> A6033 Racketeering (RICO) Case | 1., 2., 8. |
| Other Complaints (Not Specified Above) (42) | <input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex) | 1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8. |
| Partnership, Corporation Governance (21) | <input type="checkbox"/> A6113 Partnership and Corporate Governance Case | 2., 8. |
| Other Petitions (Not Specified Above) (43) | <input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition | 2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9. |

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

| | |
|--|-------------|
| SHORT TITLE: Meadow Rain Walker v. DR. ING, et al. | CASE NUMBER |
|--|-------------|

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

| | | |
|---|---|---------------------|
| REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input checked="" 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. | ADDRESS: Hercules Street, 450 Feet West of Constellation Road | |
| | CITY: Santa Clarita | STATE: CA |

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: September 28, 2015


 (SIGNATURE OF ATTORNEY/FILING PARTY)
 Jeffrey L. Milam

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. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
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.

09/28/2015