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15 Attorneys for Plaintiffs

D28 Yvete Palazuelos

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES BC 6 1 6 8 0 4

19 PICO NEIGHBORHOOD
20 ASSOCIATION, MARIA LOYA and
ADVOCATES FOR MALIBU PUBLIC
SCHOOLS

21 Plaintiff,

22 v.

23 CITY OF SANTA MONICA,
24 CALIFORNIA; and DOES 1-100,
inclusive,

25 Defendants.

Case No.:

COMPLAINT FOR VIOLATION OF:

- 1) CALIFORNIA VOTING RIGHTS ACT OF 2001; and
- 2) EQUAL PROTECTION CLAUSE OF CALIFORNIA CONSTITUTION

CIT/CASE: BC616804
 LEA/DEF#:
 RECEIPT #: CCH539179031
 DATE PAID: 04/12/16 11:04 AM
 PAYMENT: \$435.00 310
 RECEIVED:
 CHECK: \$0.00
 CASH: \$0.00
 CHANGE: \$0.00
 CARD: \$435.00

04/12/2016

1 COMES NOW Plaintiffs Pico Neighborhood Association (hereinafter "PNA"), Maria Loya
2 (hereinafter "Loya") and Advocates for Malibu Public Schools (hereinafter "AMPS")
3 (collectively "Plaintiffs"), and allege as follows:

4 **NATURE OF THE ACTION**

5 1. This action is brought by Plaintiffs for injunctive relief against the City of Santa
6 Monica, California, for its violation of the California Voting Rights Act of 2001 (hereinafter
7 the "CVRA"), Cal. Elec. Code §§ 14025, et seq., and for declaratory relief that the provision
8 of the Santa Monica City Charter requiring the at-large election of its city council as well as
9 the governing board of the Santa Monica Malibu Unified School District ("SMMUSD") is
10 unconstitutional. The previous system of district-based elections was abandoned and at-large
11 elections were adopted in 1946, purposefully to prevent non-Anglo Santa Monicans residing
12 primarily around and south of what is now Interstate 10 from achieving representation in their
13 local governments. Since that time, at-large elections have been very successful in achieving
14 that purpose -- the imposition of the City of Santa Monica's at-large method of election has
15 accomplished its nefarious purpose -- dilution of Latino voting power and denial of effective
16 political participation in elections to the Santa Monica City Council. The City of Santa
17 Monica's at-large method of election for electing members to its City Council prevents Latino
18 residents from electing candidates of their choice or influencing the outcome of Santa
19 Monica's City Council elections.

20 2. The effects of the City of Santa Monica's at-large method of election are
21 apparent and compelling. Since the adoption of at-large elections in the City of Santa Monica
22 sixty years ago, only one Latino has been elected to the City Council, and not a single Latino
23 resident of the Pico Neighborhood, where Latinos are concentrated, has been elected to the
24 Santa Monica city council. Latino residents of the Pico Neighborhood, including Ms. Loya,
25 have run in several recent elections for the Santa Monica city council, and though they have
26 been preferred by both voters in the Pico Neighborhood and by Latino voters generally, they
27 have all lost due to the costly and discriminatory at-large system by which Santa Monica
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1 elects its city council. Rather, those Latino candidates preferred by the Latino electorate were
2 all defeated by the bloc voting of the non-Latino electorate.

3 3. Santa Monica's at-large method of election violates the CVRA. Plaintiffs bring
4 this action to enjoin the City of Santa Monica's continued abridgment of Latino voting rights.
5 Plaintiffs seek a declaration from this Court that the at-large method of election currently
6 used by the City of Santa Monica violates the CVRA. Plaintiffs seek injunctive relief
7 enjoining the City of Santa Monica from further imposing or applying its current at-large
8 method of election. Further, Plaintiffs seek injunctive relief requiring the City of Santa
9 Monica to implement district based elections or other alternative relief tailored to remedy
10 Santa Monica's violation of the CVRA.

11 4. District elections were abandoned and at-large elections were adopted by Santa
12 Monica with the purpose of discriminating against Santa Monica's ethnic minority population
13 residing in the southern portion of the city. That fact alone – that the rejection of district
14 elections and adoption of at-large elections were generally motivated by a desire to
15 disenfranchise ethnic minorities – makes the at-large election system unconstitutional today.
16 *See, e.g., Hunter v. Underwood*, 471 US 222 (1985) (invalidating a suffrage provision of the
17 1901 Alabama Constitution Convention even though it was adopted 84 years earlier).
18 Specifically, the provision in the Santa Monica City Charter requiring at-large elections for
19 the city council and the SMMUSD governing board, not only runs afoul of the CVRA, it also
20 runs afoul of the Equal Protection Clause (Article I, Section 7) of the California Constitution,
21 among other controlling laws.

22 5. Plaintiffs attempted to avoid the need for litigation by engaging in a dialogue
23 with the City of Santa Monica, through their counsel. Specifically, Plaintiffs, through their
24 counsel, brought this CVRA violation to the attention of the City of Santa Monica through
25 correspondence sent nearly four months prior to the filing of this Complaint. Despite that
26 correspondence, the Santa Monica City Council has taken no action to end its violation of the
27 CVRA, content to continue violating the CVRA and their constituents' voting rights by
28 clinging to a relic of its racist past. In fact, other than an email from Santa Monica's city

1 attorney on December 28, 2015 noting that the matter would be considered by the city council
2 in closed session on January 12, 2016, and promising a substantive response thereafter,
3 Defendant City of Santa Monica has not responded at all.

4 **PARTIES**

5 6. Established in 1979, PNA is a non-profit organization dedicated to improving
6 the living conditions of residents of the Pico Neighborhood of Santa Monica, where Latino
7 residents of Santa Monica are concentrated, and advocating for the interests of Pico
8 Neighborhood residents to the Santa Monica City Council. PNA has dozens of members,
9 including Latino registered voters residing in the City of Santa Monica.

10 7. AMPS, founded in 2010, is a non-profit organization dedicated to improving
11 the public schools within the boundaries of the City of Malibu that are part of the SMMUSD.
12 As part of those efforts, AMPS has advocated for district-based elections for SMMUSD,
13 among other political subdivisions, so that every neighborhood has a voice in their local
14 governing boards. But SMMUSD is not able to adopt district-based elections by petitioning
15 the County Committee on School District Organization, like nearly 200 California school
16 districts have done in just the last eight years, because the Santa Monica City Charter
17 prescribes at-large elections for SMMUSD's governing board. AMPS has hundreds of
18 members, including Latino registered voters residing in the City of Santa Monica.

19 8. The Latino residents of Santa Monica whose voting rights are immediately
20 harmed by the City of Santa Monica's adherence to an unlawful at-large system of electing its
21 city council are hindered from protecting their own interests. Many of the Latino citizens of
22 Santa Monica do not recognize that their voting rights are being violated by the City of Santa
23 Monica's adherence to an unlawful at-large system of electing its city council, and still others
24 fear reprisal by the City of Santa Monica if they were to seek redress for the City of Santa
25 Monica imposing its unlawful election system.

26 9. Despite that fear of reprisal, Maria Loya feels compelled to seek redress for the
27 City of Santa Monica's violation of the CVRA and dilution of the Latino vote in Santa
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1 Monica. Loya is a member of a "protected class" as that term is defined in the CVRA – she
2 is Latina – and she is registered to vote and resides in the City of Santa Monica.

3 10. At all times herein mentioned, Defendant City of Santa Monica, California
4 (hereinafter "Santa Monica") is and has been a political subdivision subject to the provisions
5 of the CVRA.

6 11. Plaintiffs are unaware of the true names and capacities, whether individual,
7 corporate, associate, or otherwise, of defendants sued herein as Does 1 through 100,
8 inclusive, and therefore, sues said defendants by such fictitious names and will ask leave of
9 court to amend this complaint to show their true names and capacities when the same have
10 been ascertained. Plaintiffs are informed and believe and thereon allege that defendants Does
11 1 through 100, inclusive, are responsible on the facts and theories herein alleged.

12 12. Does 1 through 100, inclusive, are Defendants that have caused Santa Monica
13 to violate the CVRA, failed to prevent Santa Monica's violation of the CVRA, or are
14 otherwise responsible for the acts and omissions alleged herein.

15 13. Plaintiffs are informed and believe and thereon allege that Defendants and each
16 of them are in some manner legally responsible for the acts and omissions alleged herein, and
17 actually and proximately caused and contributed to the various injuries and damages referred
18 to herein.

19 14. Plaintiffs are informed and believe and thereon allege that at all times herein
20 mentioned each of the Defendants was the agent, partner, predecessor in interest, successor in
21 interest, and/or employee of one or more of the other Defendants, and were at all times herein
22 mentioned acting within the course and scope of such agency and/or employment.

23
24 **JURISDICTION AND VENUE**

25 15. All parties hereto are within the unlimited jurisdiction of this Court. The
26 unlawful acts complained of occurred in Los Angeles County. Venue in this Court is proper.

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1 **FACTS**

2 16. The City of Santa Monica contains approximately 89,736 persons, of which
3 approximately 13.1% are Hispanic or Latino, based upon the 2010 United States Census.

4 17. The City of Santa Monica is governed by a city council. The Santa Monica
5 City Council serves as the governmental body responsible for the operations of the City of
6 Santa Monica. The City Council is comprised of seven members, including a Mayor elected
7 by and from the members of the City Council.

8 18. The Santa Monica City Council members are elected pursuant to an at-large
9 method of election. Under this method of election, all of the eligible voters of the entire City
10 of Santa Monica elect the members of the City Council.

11 19. Vacancies to the City Council are elected on a staggered basis; as a result, every
12 two years the city electorate elects either three or four City Council members.

13 20. Upon information and belief, since adopting at-large elections in 1946, only one
14 of Santa Monica's city council members has been Latino, and he was not a resident of the
15 Latino-concentrated Pico Neighborhood.

16 21. Elections conducted within the City of Santa Monica are characterized by
17 racially polarized voting. Racially polarized voting occurs when members of a protected
18 class as defined by the CVRA, Cal. Elec. Code § 14025(d), vote for candidates and electoral
19 choices that are different from the rest of the electorate. Racially polarized voting exists
20 within the City of Santa Monica because there is a difference between the choice of
21 candidates or other electoral choices that are preferred by Latino voters, and the choice of
22 candidates or other electoral choices that are preferred by voters in the rest of the electorate,
23 with the result being that Latino-preferred candidates usually lose.

24 22. Racially polarized voting is legally significant in Santa Monica's City Council
25 elections because it dilutes the opportunity of Latino voters to elect candidates of their choice.

26 23. Patterns of racially polarized voting have the effect of impeding opportunities
27 for Latino voters to elect candidates of their choice to the at-large city council positions in the
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1 City of Santa Monica, where the non-Latino populace dominates elections. For several years,
2 Latino voters have been harmed by racially polarized voting.

3 24. The at-large method of election and repeated racially polarized voting has
4 caused Latino vote dilution within the City of Santa Monica. Where Latinos and the rest of
5 the electorate express different preferences on candidates and other electoral choices, non-
6 Latinos by virtue of their overall numerical majority among voters, defeat the preferences of
7 Latino voters.

8 25. The obstacles posed by the City of Santa Monica's at-large method of election,
9 together with racially polarized voting, impair the ability of people of certain races, color or
10 language minority groups, such as Latino voters, to elect candidates of their choice or to
11 influence the outcome of elections conducted in the City of Santa Monica.

12 26. An alternative method of election, such as, but not limited to, district-based
13 elections, exists that will provide an opportunity for the members of the CVRA-protected
14 classes to elect candidates of their choice or to influence the outcome of the Santa Monica
15 City Council elections.

16 27. It is no accident that at-large elections have diluted the vote of ethnic minorities
17 in elections for Santa Monica's city council – that was a significant motivation and purpose
18 of adopting at-large elections, instead of the district-based elections previously employed in
19 Santa Monica. At-large elections have long been well known to dilute minority vote. The
20 electorate of Santa Monica understood well that minority vote dilution would be the result of
21 at-large elections when it adopted at-large elections in 1946, a time of significant interracial
22 tension in Santa Monica. In one advertisement, calling for the rejection of at-large elections
23 in 1946, the “Anti-Charter Committee” decried:

24 **MINORITY GROUPS AND THE PROPOSED CHARTER**

25 The lot of a member of a minority group, whether it be in a location of
26 not-so-fine homes, or one of race, creed or color, is never too happy
27 under the best of conditions.
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1 But consider what life would be like under a dictatorship type of
2 government as proposed under the charter.

3 With seven councilmen elected AT LARGE (and history shows they
4 will mostly originate from NORTH OF MONTANA), and a city
5 manager responsible to the seven councilmen plus a dictatorship that
6 has so long ruled Santa Monica (without regard to minorities) where
7 will these people be?

8 The proposed ruling groups control the chief of police – and through
9 him the police force – and the city attorney, the personnel director, the
10 health officer, etc.

11 Where will the laboring man go? Where will the Jewish, colored or
12 Mexican go for aid in his special problems?

13 Where will the resident of Ocean Park, Douglas district, the Lincoln-
14 Pico and other districts go when he needs help?

15 The proposed charter is not fair – it is not democratic.

16 It is a power grab – and we plead with all citizens of Santa Monica to
17 protect their interests (vote no) and convince your neighbors to vote NO
18 ON THE PROPOSED CHARTER.

19 28. At-large elections have accomplished exactly what proponents hoped for – and
20 opponents feared – in 1946: the dilution of the vote of racial and ethnic minorities, as well as
21 the residents of less privileged neighborhoods in the southern portion of Santa Monica. That
22 unlawful election system must not be allowed to stand, both because it was intended to
23 disenfranchise minority voters when it was enacted, and because it has done exactly that and
24 therefore violates the CVRA.

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1 **FIRST CAUSE OF ACTION**

2 **(Violation of California Voting Rights Act of 2001)**

3 **(Against All Defendants)**

4 29. Plaintiff incorporates by this reference paragraphs 1 through 28 as though fully
5 set forth herein.

6 30. Defendant City of Santa Monica is a political subdivision within the State of
7 California. Defendant is a charter city.

8 31. Defendant City of Santa Monica employs an at-large method of election, where
9 voters of its entire jurisdiction elect members to its City Council.

10 32. Racially polarized voting has occurred, and continues to occur, in elections for
11 members of the City Council for the City of Santa Monica and in elections incorporating
12 other electoral choices by voters of the City of Santa Monica, California. As a result, the City
13 of Santa Monica's at-large method of election is imposed in a manner that impairs the ability
14 of protected classes as defined by the CVRA to elect candidates of their choice or influence
15 the outcome of elections.

16 33. An alternative method of election, such as, but not limited to, district-based
17 elections, exists that will provide an opportunity for Latinos to elect candidates of their choice
18 or to influence the outcome of the Santa Monica City Council elections.

19 34. An actual controversy has arisen and now exists between the parties relating to
20 the legal rights and duties of Plaintiffs and Defendants, for which Plaintiffs desire a
21 declaration of rights.

22 35. Defendants' wrongful conduct has caused and, unless enjoined by this Court,
23 will continue to cause, immediate and irreparable injury to Plaintiffs, and all residents of the
24 City of Santa Monica.

25 36. Plaintiffs, and the residents of the City of Santa Monica, have no adequate
26 remedy at law for the injuries they currently suffer and will otherwise continue to suffer.

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1 **SECOND CAUSE OF ACTION**

2 **(Violation of California Equal Protection Clause)**

3 **(Against All Defendants)**

4 37. Plaintiff incorporates by this reference paragraphs 1 through 37 as though fully
5 set forth herein.

6 38. Defendant City of Santa Monica's rejection of district-based elections and
7 adoption of at-large elections were motivated by the desire to deny local government
8 representation to racial and ethnic minorities.

9 39. As a direct consequence of the decades-old racially-motivated decisions to
10 reject district-based elections and adopt at-large elections, Defendant City of Santa Monica
11 still employs an at-large method of election, where voters of its entire jurisdiction elect
12 members to its City Council.

13 40. Those intentionally discriminatory decisions are enshrined in what is now
14 sections 600 and 900 of the Santa Monica City Charter.

15 41. Because the rejection of district-based elections and the adoption of at-large
16 elections were motivated by a desire to discriminate against the non-Anglo residents of Santa
17 Monica, those enactments - sections 600 and 900 of the Santa Monica City Charter - are
18 invalid as they violate, among other laws, the Equal Protection Clause of the California
19 Constitution (Article I Section 7).

20 42. An actual controversy has arisen and now exists between the parties relating to
21 the legal rights and duties of Plaintiffs and Defendants, for which Plaintiffs desire a
22 declaration of rights.

23 43. A declaration by this Court regarding the invalidity of Defendant's at-large
24 election system, and specifically sections 600 and 900 of the Santa Monica City Charter, is
25 necessary to prevent Defendant from continuing to employ that intentionally-discriminatory
26 election system, and to permit the elections of the Santa Monica Malibu Unified School
27 District to be converted to district-based elections through a petition to the Los Angeles
28 County Committee on School District Organization and the California Board of Education.

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1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as
3 follows:

4 1. For a decree that the City of Santa Monica's current at-large method of election
5 for the City Council violates the California Voting Rights Act of 2001;

6 2. For a decree that the City of Santa Monica's current at-large method of election
7 for the City Council, and specifically sections 600 and 900 of the Santa Monica City Charter,
8 was adopted with the purpose of discriminating against, and denying effective representation
9 to, non-Anglo residents of Santa Monica, and therefore those provisions are invalid.

10 3. For preliminary and permanent injunctive relief enjoining the City of Santa
11 Monica from imposing or applying its current at-large method of election;

12 4. For injunctive relief mandating the City of Santa Monica to implement district-
13 based elections, as defined by the California Voting Rights Act of 2001, or other alternative
14 relief tailored to remedy the City of Santa Monica's violation of the California Voting Rights
15 Act of 2001;

16 5. For an award of Plaintiffs' attorneys' fees, costs, litigation expenses and
17 prejudgment interest pursuant to the CVRA, Cal. Elec. Code § 14030 and other applicable
18 law; and

19 6. For such further relief as the Court deems just and proper.
20

21 Respectfully submitted:

22 DATED: April 11, 2016

**SHENKMAN & HUGHES,
R. REX PARRIS LAW FIRM, and
LAW OFFICES OF MILTON C. GRIMES
LAW OFFICE OF ROBERT RUBIN**

24
25 By: 

Kevin Shenkman
Attorneys for Plaintiff

26
27
28
04/12/2016

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Street number, and address):

Kevin Shenkman (SBN 223315)
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TELEPHONE NO.: 310-457-0970

FAX NO.:

ATTORNEY FOR (Name): Plaintiffs

FOR COURT USE ONLY

FILED
Superior Court of California
County of Los Angeles

APR 12 2016

Sherri R. Carter, Executive Officer/Clerk
By Ishayla Chambers, Deputy
Ishayla Chambers

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 110 N. Grand Ave.

MAILING ADDRESS: 110 N. Grand Ave.

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Stanley Mosk Courthouse

CASE NAME:

Pico Neighborhood Association, et al. v. City of Santa Monica, 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 6 1 6 8 0 4

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

- Auto (22)
- Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
- Product liability (24)
- Medical malpractice (45)
- Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

- Business tort/unfair business practice (07)
- Civil rights (08)
- Defamation (13)
- Fraud (16)
- Intellectual property (19)
- Professional negligence (25)
- Other non-PI/PD/WD tort (35)

Employment

- Wrongful termination (36)
- Other employment (15)

Contract

- Breach of contract/warranty (06)
- Rule 3.740 collections (09)
- Other collections (09)
- Insurance coverage (18)
- Other contract (37)

Real Property

- Eminent domain/Inverse condemnation (14)
- Wrongful eviction (33)
- Other real property (26)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38)

Judicial Review

- Asset forfeiture (05)
- Petition re: arbitration award (11)
- Writ of mandate (02)
- Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

- Antitrust/Trade regulation (03)
- Construction defect (10)
- Mass tort (40)
- Securities litigation (28)
- Environmental/Toxic tort (30)
- Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

- Enforcement of judgment (20)

Miscellaneous Civil Complaint

- RICO (27)
- Other complaint (not specified above) (42)

Miscellaneous Civil Petition

- Partnership and corporate governance (21)
- 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
- b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c. Substantial amount of documentary evidence
- d. Large number of witnesses
- e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- 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): 2

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: April 11, 2016
Kevin Shenkman

(TYPE OR PRINT NAME)

(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.

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

**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. | |

Auto
Tort

Other Personal Injury/Property
Damage/Wrongful Death Tort

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	1, 11
	<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	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	1, 4, 11
	<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 4, 11
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 4, 11
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1, 4, 11
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11

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CASE NUMBER

Non-Personal Injury/ Property
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

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	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	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	1, 2, 3
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10
Breach of Contract/ Warranty (06) (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	5, 6, 11
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	5, 11
	<input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	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	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, 9
Eminent Domain/Inverse 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	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-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- 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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Judicial Review

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	2, 8
	<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2
	<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8

Provisionally Complex Litigation

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

Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
	<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
	<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
	<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
	<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
	<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9

Miscellaneous Civil Complaints

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	1, 2, 8
	<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
	<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8

Miscellaneous Civil Petitions

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	2, 3, 9
	<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
	<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
	<input type="checkbox"/> A6190 Election Contest	2
	<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
	<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 3, 8
	<input type="checkbox"/> A6100 Other Civil Petition	2, 9

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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).

REASON: 1. <input checked="" 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. <input type="checkbox"/>			ADDRESS: 1685 Main Street		
CITY: Santa Monica	STATE: CA	ZIP CODE: 90401			

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: April 11, 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.

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