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FILED
 Superior Court Of California
 County Of Los Angeles

JUN 01 2015

Sherrill [Signature] JUDGE
 By [Signature] Deputy
 Trial Court

A6029
90036
DEPT. 322
WILLIAM F. HUBBARD

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

CAC

10 DAVE DELUCA, an individual, for himself)
 11 and for all other similarly situated California)
 residents,)

12 Plaintiff,

13 vs.

14 FORD MOTOR COMPANY and DOES 1-50,)
 15 Inclusive,)

16 Defendants.)

CASE NO.:

BC 5 8 8 6 0 6

CLASS ACTION COMPLAINT FOR

1. FALSE ADVERTISING IN
 VIOLATION OF THE UNFAIR
 COMPETITION LAW

DEMAND FOR JURY TRIAL

19 *CC#520872090*
 20 *\$1,000.00*

21 The following allegations are based on the plaintiff's personal knowledge, on investigation by
 22 their attorneys, and on information and belief.

SUMMARY OF THE CASE

25 1. Plaintiff Dave DeLuca bought a Ford Fusion Hybrid from Defendant Ford Motor
 26 Company believing that the car would perform as advertised by Ford.

THIS IS A REPRINT OF THE ORIGINAL

CIT/CASE	BC583666
LEA/DEF#	
RECEIPT #	0520872090
DATE PAID	06/01/15 01:27 PM
PAYMENT	\$435.00
RECEIVED	310
CHECK:	\$435.00
CASH:	\$0.00
CHANGE:	\$0.00
CARD:	\$0.00

CIT/CASE:	BC583666
LEA/DEF#:	
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CASH:	\$0.00
CHANGE:	\$0.00
CARD:	\$0.00

COMPLAINT

095/091/2091155

1 2. Contrary to Defendant's advertising and to Mr. DeLuca's expectations, the car did not
2 perform as advertised. After testing the car himself, Mr. Deluca discovered that the car performed below
3 the advertised mileage even under optimal conditions.

4 3. Mr. DeLuca brings this action for himself and for all similarly situated California
5 residents pursuant to C.C.P. § 382.
6

7
8
9 **THE PARTIES**

10 **Plaintiff**

11 4. Dave DeLuca is a consumer and purchased a Fusion Hybrid from the Defendant. Mr.
12 DeLuca currently resides in Los Angeles County, California.

13
14 **Defendants**

15 5. Ford Motor Company sold a Fusion Hybrid to Mr. DeLuca and is licensed to conduct
16 business in the State of California.
17

18 **Doe Defendants 1 Through 10 (C.C.P. § 474)**

19 6. Mr. DeLuca does not know the names and capacities, whether individual, corporate,
20 associate or otherwise, of defendants Doe 1 through Doe 10, inclusive. They are therefore named as Doe
21 Defendants pursuant to C.C.P. § 474.
22

23 7. Upon information and belief, each Doe Defendant was in some manner responsible for,
24 participated in, or contributed to the misconduct about which Mr. DeLuca is complaining. These Doe
25 Defendants therefore bear some legal responsibility and are liable to the plaintiff. If the plaintiff
26 discovers the identity and nature of any of the Doe Defendants, he will seek leave to amend his
27 complaint.
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1 8. As an alternative theory, Mr. DeLuca alleges that at all times mentioned herein, each of
2 the defendants was the agent or employee of the other defendants, was at all times acting within the
3 scope of such agency or employment, and actively participated in, or subsequently ratified and adopted,
4 each and all of the acts and omissions alleged in this complaint, with full knowledge of all the facts and
5 circumstances, including full knowledge of each and all of the violations of the plaintiffs' rights and the
6 rights of the members of the putative class.
7

8 **JURISDICTION & VENUE**

9
10 9. A California superior court may properly assert personal jurisdiction over these parties
11 under C.C.P. § 410.10. Mr. DeLuca resides in California, and at all times relevant to the complaint has
12 resided here. He also submits to this Court's jurisdiction.
13

14 10. A California superior court may properly assert subject-matter jurisdiction over this
15 action. It is a putative class action between Ford Motor Company and California consumers. Mr. DeLuca
16 and the putative class are alleging claims under California Unfair Competition Law.

17 11. Venue is proper in this court under C.C.P. §§ 395 and 395.5. Ford conducts business in
18 Los Angeles County. Furthermore, Ford has a dealership in Los Angeles County where Mr. DeLuca
19 routinely took his Fusion Hybrid for updates. Ford Motor Company breached its obligations to Mr.
20 DeLuca and other consumers in Los Angeles County.
21

22 **FACTS**

23 12. Mr. DeLuca purchased a Fusion Hybrid from Defendant Ford Motor Company. Mr.
24 DeLuca purchased the car mainly for the mileage that Ford advertised for the car.

25 13. Mr. DeLuca soon realized that the Fusion's performance did not match the performance
26 advertised by Ford. Mr. DeLuca tested the car while driving under what a Ford technician called optimal
27 conditions. Specifically, Mr. DeLuca tested the car with the windows up, the air conditioner and stereo
28

1 turned off, and driving at 62 miles per hour or less. Mr. DeLuca found the results to fall below the
2 advertised performance.

3 14. Upon his discovery of the Fusion Hybrid's performance, Mr. DeLuca took the car to the
4 dealership where he purchased it to have a fuel economy test performed. The Ford technician tested the
5 car under optimal conditions and the results matched those previously recorded by Mr. DeLuca. Ford's
6 regional customer service representative told Mr. DeLuca there was nothing she could do to fix the car
7 because it was not broken.
8

9 15. Thereafter, Ford issued a software update for the Fusion Hybrid and claimed that the
10 update would increase performance and mileage. Mr. DeLuca drove his car to the Ford dealership and
11 the software update was installed.
12

13 16. After the software update had been installed, Mr. DeLuca decided to test the performance
14 of the Fusion Hybrid again. Mr. DeLuca tested the vehicle's performance on a trip to Las Vegas driving
15 under the same optimal conditions described above. On this trip, Mr. DeLuca discovered that the car's
16 monitor was displaying better mileage and less gas usage. However, when Mr. DeLuca filled his gas
17 tank at a gas station, he realized the vehicle's software relayed inaccurate mileage and use of gasoline.
18

19 17. Finally, Mr. DeLuca tested the Fusion Hybrid against a gas only version of the Fusion.
20 The gas only version of the Fusion is the same car minus the extra hybrid system. In testing the vehicles
21 side by side, Mr. DeLuca found the gas only Fusion to be perfectly accurate while the Fusion Hybrid
22 continued to display inaccurate numbers.
23

24 18. Mr. DeLuca's attempts to get information from Ford have been in vain. Ford's customer
25 service representative repeatedly told Mr. DeLuca that there is nothing that can be done since the car is
26 performing as it was designed to perform.
27
28

006 / 01 / 2015

1 **PLAINTIFFS' COMMON COMPLAINTS AGAINST FORD**

2 19. Mr. DeLuca and the members of the putative class allege the following common problems
3
4 with Ford Motor Company:

5 **The Ford Fusion Hybrid Does Not Perform According to its**
6 **Advertised Potential**

7 20. The Ford Fusion Hybrid does not perform as advertised. Furthermore, although Ford's
8 software update displays a higher mileage, the vehicle's mileage has not increased.

9 **CLASS ACTION ALLEGATIONS**

10
11 21. DeLuca seeks certification of a class under C.C.P. § 382. An ascertainable class exists,
12 and there is a well-defined community of interest among class members.

13 **An Ascertainable Class Exists**

14
15 22. Based on the information of which he and her counsel are currently aware, DeLuca
16 defines the classes as follows:

17
18 23. People who purchased a Ford Fusion Hybrid. The identity of the purchasers is readily
19 ascertainable from Ford's records.

20
21 24. The proposed classes are limited to purchasers of the Ford Fusion Hybrid who reside in
22 California or who resided in California when they purchased a Ford Fusion Hybrid.

23 **Common Questions of Fact & Law Predominate**

24 25. Common questions of fact and common questions of law predominate over individual
25 questions of fact and individual questions of law. These common questions of fact and law include the
26 following:
27
28

1. Does do the Ford Fusion Hybrid perform below its advertised performance?
2. Does Ford's software update display inaccurate information?
3. Is the Ford Fusion Hybrid performing as it was designed to perform?
4. Did Ford falsely advertise the performance of the Ford Fusion Hybrid?
5. Did Ford violate the California Unfair Competition Law?
5. Are the plaintiffs entitled to attorneys' fees under C.C.P. § 1021.5?

Mr. DeLuca's Claims are Typical

26. Mr. DeLuca's claims are typical to those of the members of the class because pursuant to Ford's statements, the Fusion Hybrid is performing as it was designed to perform. Thus, all Fusion Hybrids are performing in a similar manner to that of Mr. Deluca.

Mr. DeLuca is an Adequate Representative

27. DeLuca will adequately represent the class. He has no interest that is in conflict with those of the class. In addition, he has retained attorneys who have experience prosecuting consumer class actions.

Superiority of Class Treatment

28. The class mechanism is superior to other procedures for resolving these claims. Upon information and belief: The class is far too large to make joinder practicable. The plaintiffs estimate that the class will include hundreds and perhaps thousands of Ford Fusion Hybrid purchasers. In addition, most if not all of the members of the class have claims that are limited in terms of their financial value. Because of Ford's lack of accurate information, many members of the class are unaware of the problems

1 with the Fusion Hybrid and are intimidated to prosecute their individual claims. They have little
2 incentive, if any, to prosecute their claims independently and would be unlikely to find counsel willing to
3 represent them. The only practical mechanism for them to vindicate their rights in this instance is
4 through class treatment of their claims.
5

6 **CAUSES OF ACTION**

7 **FIRST CAUSE OF ACTION:**

8 **CLASS-WIDE VIOLATIONS OF THE UNFAIR COMPETITION LAW**

9 **(Business and Professions Code § 17200 et seq., Against Each of the Defendants)**

10 29. Plaintiffs hereby incorporate by reference the allegations contained in all preceding
11 paragraphs of this complaint.

12 30. Mr. DeLuca has standing to prosecute his claims under Business and Professions Code §
13 17200 et seq. He has suffered injury-in-fact, and has lost money or property in which he has a vested
14 interest.
15

16 31. Ford Motor Company acted unlawfully under Business and Professions Code § 17200 et
17 seq. in the following ways:
18

- 19 • by falsely advertising the performance of the Ford Fusion Hybrid in violation of
- 20 California's Unfair Competition Law;
- 21 • by falsely representing that the software update would increase Ford Fusion Hybrid's
- 22 mileage.
23

24 32. Ford acted unfairly under Business and Professions Code § 17200 et seq., as described in
25 paragraphs 1 through 29.
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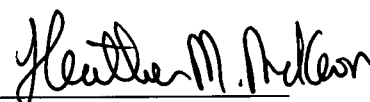
REQUESTED RELIEF

33. Mr. DeLuca and the plaintiff class respectfully request that this Court enter judgment for them and against Ford Motor Company, and that the judgment grant them the following relief:

1. certifying this case and these claims for class treatment, with the class defined as set forth in this complaint;
2. designating Mr. DeLuca as representative for the class;
3. designating Michael L. Cohen and Heather M. McKeon as counsel for the class;
4. for an award of compensatory damages in an amount according to proof at trial;
5. attorneys' fees under Code of Civil Procedure § 1021.5 and *Brandt v. Superior Court* (1985) 37 Cal.3d 813;
8. costs, as the law allows;
9. For punitive and exemplary damages;
10. pre- and post-judgment interest, as the law allows;
11. such further relief, at law or in equity, that the facts justify and that the law allows.

DATED: May 27, 2015

COHEN MCKEON LLP

By: 
Michael L. Cohen
Heather M. McKeon
Attorneys for Plaintiffs


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DEMAND FOR JURY TRIAL

Mr. DeLuca and the putative plaintiff class respectfully request that all matters triable to a jury be tried by a jury.

DATED: May 27, 2015

COHEN MCKEON LLP

By: 
Michael L. Cohen
Heather M. McKeon
Attorneys for Plaintiffs

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Heather M. McKeon (SBN: 186414)
Cohen McKeon LLP
1910 West Sunset Boulevard, Suite 440
Los Angeles, CA 90026
TELEPHONE NO.: FAX NO.: (213) 403-6405
ATTORNEY FOR (Name):

FOR COURT USE ONLY
FILED
Superior Court Of California
County Of Los Angeles
JUN 01 2015
JUDGE: _____
By: Judi Lara Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: 111 North Hill Street
MAILING ADDRESS: Same As Above
CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: Stanley Mosk Courthouse

CASE NAME: Dave Deluca v. Ford Motor Company, et al.

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

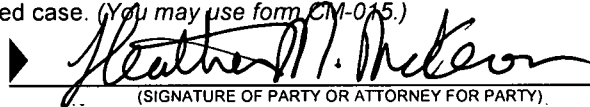
Complex Case Designation
 Counter Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: **BC 583666**
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 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 checked="" 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
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: June 1, 2015
Heather M. McKeon (SBN: 186414) (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.

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 LASC 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? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 5-7 HOURS/ DAYS

Item II. Select 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 Los Angeles Superior Court Local Rule 2.0.

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

1. Class Actions must be filed in the County 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.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 2., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 2., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 2., 4.
<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)		1., 2., 4.	
<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress		1., 2., 3.	
<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death		1., 2., 4.	
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input checked="" type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 2., 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.

SHORT TITLE: Deluca v. Ford	CASE NUMBER
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A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
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.
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	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.

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 - 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 - Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.
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.

Judicial Review (Cont'd.)

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
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.

SHORT TITLE: Deluca v. Ford	CASE NUMBER
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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 NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE			ADDRESS:
<input checked="" type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.			1262 North Sweetzer Avenue, #1
CITY: West Hollywood	STATE: CA	ZIP CODE: 90036	

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 Los Angeles Superior Court courthouse in the Central District of the Los Angeles Superior Court (Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subs. (b), (c) and (d)).

Dated: June 1, 2015



 (SIGNATURE OF ATTORNEY/FILING PARTY)
 Heather M. McKeon

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 form CM-010.
4. Complete Addendum to Civil Case Cover Sheet form LACIV 109 (Rev 01/07), LASC Approved 03-04.
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JC form FL-935, if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
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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