

Assigned for all purposes to: Norwalk Courthouse, Judicial Officer: Margaret Bernal

Electronically FILED by Superior Court of California, County of Los Angeles on 04/26/2021 06:20 PM Sherri R. Carter, Executive Officer/Clerk of Court, by E. Chanes, Deputy Clerk

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*Attorneys for Plaintiff*

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

MARTA CARNESI, individually, and on behalf of  
 other aggrieved employees pursuant to the  
 California Private Attorneys General Act;

Plaintiff,

vs.

L'ABRI MANAGEMENT, INC., a California  
 corporation; and DOES 1 through 100, inclusive,  
 Defendants.

Case No.:

**COMPLAINT FOR ENFORCEMENT  
 UNDER THE PRIVATE  
 ATTORNEYS GENERAL ACT,  
 CALIFORNIA LABOR CODE § 2698,  
 ET SEQ.**

Violation of California Labor Code §  
 2698, et seq. (California Labor Code  
 Private Attorneys General Act of 2004)

**DEMAND FOR JURY TRIAL**

COMES NOW, Plaintiff MARTA CARNESI (“Plaintiff”), individually, and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act, and alleges as follows:

**JURISDICTION AND VENUE**

1. This representative action is brought pursuant to the California Labor Code section 2698, et seq. The civil penalties sought by Plaintiff exceed the minimal jurisdiction limits of the Superior Court and will be established according to proof at trial.

2. This Court has jurisdiction over this action pursuant to the California Constitution, Article VI, Section 10, which grants the superior court “original jurisdiction in all other causes” except those given by statute to other courts. The statutes under which this action is brought do not specify any other basis for jurisdiction.

3. This Court has jurisdiction over Defendant because, upon information and belief, Defendant is a citizen of California, has sufficient minimum contacts in California, or otherwise intentionally avails itself of the California market so as to render the exercise of jurisdiction over it by the California courts consistent with traditional notions of fair play and substantial justice.

4. Venue is proper in this Court because, upon information and belief, Defendant maintains offices, has agents, and/or transacts business in the State of California, including the County of Los Angeles. The majority of acts and omissions alleged herein relating to Plaintiff and the other class members took place in the State of California, including the County of Los Angeles. At all relevant times, Defendant maintained its headquarters/“nerve center” within the State of California, County of Los Angeles.

**PARTIES**

5. Plaintiff MARTA CARNESI is an individual residing in the State of California, County of Los Angeles.

6. Defendant L’ABRI MANAGEMENT, INC., at all times herein mentioned, was and is, upon information and belief, an employer whose employees are engaged throughout the State of California, including the County of Los Angeles.

7. At all relevant times, Defendant L'ABRI MANAGEMENT, INC. was the "employer" of Plaintiff within the meaning of all applicable state laws and statutes.

8. At all times herein relevant, L'ABRI MANAGEMENT, INC., and DOES 1 through 100, and each of them, were the agents, partners, joint venturers, joint employers, representatives, servants, employees, successors-in-interest, co-conspirators and assigns, each of the other, and at all times relevant hereto were acting within the course and scope of their authority as such agents, partners, joint venturers, representatives, servants, employees, successors, co-conspirators and/or assigns, and all acts or omissions alleged herein were duly committed with the ratification, knowledge, permission, encouragement, authorization and/or consent of each defendant designated as a DOE herein.

9. The true names and capacities, whether corporate, associate, individual or otherwise, of defendants DOES 1 through 100, inclusive, are unknown to Plaintiff who sues said defendants by such fictitious names. Plaintiff is informed and believes, and based on that information and belief alleges, that each of the defendants designated as a DOE is legally responsible for the events and happenings referred to in this Complaint, and unlawfully caused the injuries and damages to Plaintiff as alleged in this Complaint. Plaintiff will seek leave of court to amend this Complaint to show the true names and capacities when the same have been ascertained.

10. L'ABRI MANAGEMENT, INC. and DOES 1 through 100 will hereinafter collectively be referred to as "Defendants."

11. Plaintiff further alleges that Defendants including the unknown defendants identified as DOES, directly or indirectly controlled or affected the working conditions, wages, working hours, and conditions of employment of Plaintiff and the other aggrieved employees so as to make each of said Defendants employers and employers liable under the statutory provisions set forth herein.

#### **PAGA ALLEGATIONS**

12. At all times herein set forth, California Private Attorneys General Act ("PAGA") was applicable to Plaintiff's employment by Defendants.

1           13.     At all times herein set forth, PAGA provides that any provision of law under the  
2 California Labor Code that provides for a civil penalty to be assessed and collected by the  
3 LWDA for violations of the California Labor Code may, as an alternative, be recovered  
4 through a civil action brought by an aggrieved employee on behalf of herself and other current  
5 or former employees pursuant to procedures outlined in California Labor Code section 2699.3.

6           14.     Pursuant to PAGA, a civil action under PAGA may be brought by an “aggrieved  
7 employee,” who is any person that was employed by the alleged violator and against whom  
8 one or more of the alleged violations was committed.

9           15.     Plaintiff was employed by Defendants and the alleged violation was committed  
10 against his during his time of employment and he is, therefore, an aggrieved employee.  
11 Plaintiff and the other employees are “aggrieved employees” as defined by California Labor  
12 Code section 2699(c) in that they are all current or former employees of Defendants, and one  
13 or more of the alleged violations were committed against them.

14           16.     Pursuant to California Labor Code sections 2699.3 and 2699.5, an aggrieved  
15 employee, including Plaintiff, may pursue a civil action arising under PAGA after the  
16 following requirements have been met:

- 17           a.     The aggrieved employee shall give written notice by online submission  
18                   (hereinafter “Employee’s Notice”) to the LWDA and by U.S. Certified  
19                   Mail the employer of the specific provisions of the California Labor  
20                   Code alleged to have been violated, including the facts and theories to  
21                   support the alleged violations.
- 22           b.     The LWDA shall provide notice (hereinafter “LWDA Notice”) to the  
23                   employer and the aggrieved employee by certified mail that it does not  
24                   intend to investigate the alleged violation within sixty (60) calendar days  
25                   of the postmark date of the Employee’s Notice. Upon receipt of the  
26                   LWDA Notice, or if the LWDA Notice is not provided within sixty-five  
27                   (65) calendar days of the postmark date of the Employee’s Notice, the  
28                   aggrieved employee may commence a civil action pursuant to California

Labor Code section 2699 to recover civil penalties in addition to any other penalties to which the employee may be entitled.

17. On February 19, 2021, Plaintiff provided written notice by U.S. Certified Mail to the LWDA and to Defendant L'ABRI MANAGEMENT, INC. of the specific provisions of the California Labor Code alleged to have been violated, including the facts and theories to support the alleged violations. Plaintiff has not received an LWDA Notice within sixty-five (65) calendar days of the date of submission of Plaintiff's Notice.

18. Therefore, Plaintiff has satisfied the administrative prerequisites under California Labor Code section 2699.3(a) to recover civil penalties against Defendants for violations of California Labor Code sections 201, 202, 203, 204, 226(a), 226.7, 510, 512(a), 1174(d), 1194, 1197, 1197.1, 1198, 2800 and 2802.

### **GENERAL ALLEGATIONS**

19. At all relevant times set forth herein, Defendants employed Plaintiff and other aggrieved employees, including but not limited to ((a) all current and former hourly-paid or non-exempt individuals who were employed by any of the Defendants within the State of California, including, but not limited to all current and former hourly-paid or non-exempt employees who worked for any of the above-referenced entities within the State of California who earned shift differentials/non-discretionary bonuses/non-discretionary performance pay which was not used to calculate the correct regular rate of pay used to calculate the overtime rate. ("aggrieved employees in subgroup A"), and (b) all current and former salaried resident managers, or persons who held similar job titles and/or performed similar job duties, misclassified as "exempt" who were employed by any of the Defendants within the State of California ("aggrieved employees in subgroup B") (collectively with subgroup A as "aggrieved employees").

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20. Defendants, jointly and severally, employed Plaintiff as a salaried employee misclassified as “exempt” from approximately May 2011 to approximately November 2019 in the State of California, County of Los Angeles.<sup>1</sup>

21. Defendants hired Plaintiff and the other aggrieved employees in subgroup A, and failed to compensate them for all hours worked, missed meal periods or rest breaks.

22. Defendants hired Plaintiff and the other aggrieved employees in subgroup B, misclassified them as “exempt” employees, and paid them on a salary basis, without compensation for overtime hours worked, missed meal periods or rest breaks.

23. Defendants had the authority to hire and terminate Plaintiff and the other aggrieved employees, to set work rules and conditions governing Plaintiff’s and the other aggrieved employees’ employment, and to supervise their daily employment activities.

24. Defendants exercised sufficient authority over the terms and conditions of Plaintiff’s and the other aggrieved employees’ employment for them to be joint employers of Plaintiff and the other aggrieved employees.

25. Defendants directly hired and paid wages and benefits to Plaintiff and the other aggrieved employees.

26. Defendants continue to employ salaried, on-site employees misclassified as “exempt” within the State of California.

27. Plaintiff is informed and believes, and based thereon alleges, that Plaintiff and the other aggrieved employees worked over eight (8) hours in a day, and/or forty (40) hours in a week during their employment with Defendants.

28. Plaintiff is informed and believes, and based thereon alleges, that Defendants engaged in a uniform policy and systematic scheme of wage abuse against their “exempt” or salaried store-level employees. This scheme involved, inter alia, misclassifying these positions as “exempt” managerial employees for purposes of the payment of overtime compensation when, in fact, they were “non-exempt” non-managerial employees according to California law.

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<sup>1</sup> Pursuant to the Emergency Rules Related to COVID-19, Rule 9(a), “the statutes of limitation and repose for civil causes of action that exceed 180 days are tolled from April 6, 2020, until October 1, 2020.”

29. Plaintiff is informed and believes, and based thereon alleges, that Defendants knew or should have known that Plaintiff and the other aggrieved employees were entitled to receive certain wages for overtime compensation and that they were not receiving wages for overtime compensation.

30. Plaintiff is informed and believes, and based thereon alleges, that Defendants failed to provide Plaintiff and the other aggrieved employees the required rest and meal periods during the relevant time period as required under the applicable Industrial Welfare Commission (“IWC”) Wage Orders and thus they are entitled to any and all applicable penalties.

31. Plaintiff is informed and believes, and based thereon alleges, that Defendants knew or should have known that Plaintiff and the other aggrieved employees were entitled to receive all meal periods or payment of one additional hour of pay at Plaintiff’s and the other aggrieved employee’s regular rate of pay when a meal period was missed, and they did not receive all meal periods or payment of one additional hour of pay at Plaintiff’s and the other aggrieved employee’s regular rate of pay when a meal period was missed.

32. Plaintiff is informed and believes, and based thereon alleges, that Defendants knew or should have known that Plaintiff and the other aggrieved employees were entitled to receive all rest periods or payment of one additional hour of pay at Plaintiff’s regular rate of pay when a rest period was missed, and they did not receive all rest periods or payment of one additional hour of pay at Plaintiff’s and the other aggrieved employees’ regular rate of pay when a rest period was missed.

33. Plaintiff is informed and believes, and based thereon alleges, that Defendants knew or should have known that Plaintiff and the other aggrieved employees were entitled to receive at least minimum wages for compensation and that they were not receiving at least minimum wages for all hours worked.

34. Plaintiff is informed and believes, and based thereon alleges, that Defendants knew or should have known that the aggrieved employees were entitled to receive all wages owed to them upon discharge or resignation, including overtime wages and meal and rest

1 period premiums, and they did not, in fact, receive all such wages owed to them at the time of  
2 their discharge.

3 35. Plaintiff is informed and believes, and based thereon alleges, that Defendants  
4 knew or should have known that Plaintiff and the other aggrieved employees were entitled to  
5 receive all wages owed to them during their employment. Plaintiff and the other aggrieved  
6 employees did not receive payment of all wages, including overtime wages and meal and rest  
7 period premiums, within any time permissible under California Labor Code section 204.

8 36. Plaintiff is informed and believes, and based thereon alleges, that Defendants  
9 knew or should have known that Plaintiff and the other aggrieved employees were entitled to  
10 receive complete and accurate wage statements in accordance with California law, but, in fact,  
11 they did not receive complete and accurate wage statements from Defendants. The  
12 deficiencies included, inter alia, the failure to include the total number of hours worked by  
13 Plaintiff and the other aggrieved employees.

14 37. Plaintiff is informed and believes, and based thereon alleges, that Defendants  
15 knew or should have known that Defendants had to keep complete and accurate payroll records  
16 for Plaintiff and the other aggrieved employees in accordance with California law, but, in fact,  
17 did not keep complete and accurate payroll records.

18 38. Plaintiff is informed and believes, and based thereon alleges, that Defendants  
19 knew or should have known that Plaintiff and the other aggrieved employees were entitled to  
20 reimbursement for necessary business-related expenses and costs.

21 39. Plaintiff is informed and believes, and based thereon alleges, that Defendants  
22 knew or should have known that they had a duty to compensate Plaintiff and the other  
23 aggrieved employees pursuant to California law, and that Defendants had the financial ability  
24 to pay such compensation, but willfully, knowingly, and intentionally failed to do so, and  
25 falsely represented to Plaintiff and the other aggrieved employees that they were properly  
26 denied wages, all in order to increase Defendants' profits.

27 40. At all material times set forth herein, Defendants failed to pay overtime wages  
28 to Plaintiff and the other aggrieved employees. Plaintiff and the other aggrieved employees

were required to work more than eight (8) hours per day and/or forty (40) hours per week without overtime compensation.

41. At all material times set forth herein, Defendants failed to provide uninterrupted meal and rest periods to Plaintiff and the other aggrieved employees.

42. At all material times set forth herein, Defendants failed to pay Plaintiff and the other aggrieved employees at least minimum wages for all hours worked.

43. At all material times set forth herein, Defendants failed to pay the aggrieved employees all wages owed to them upon discharge or resignation.

44. At all material times set forth herein, Defendants failed to pay Plaintiff and the other aggrieved employees' wages within any time permissible under California law, including, inter alia, California Labor Code section 204.

45. At all material times set forth herein, Defendants failed to provide complete and accurate wage statements to Plaintiff and the other aggrieved employees.

46. At all material times set forth herein, Defendants failed to keep complete and accurate payroll records for Plaintiff and the other aggrieved employees.

47. At all material times set forth herein, Defendants failed to reimburse Plaintiff and the other aggrieved employees for necessary business-related expenses and costs.

48. At all material times set forth herein, Defendants failed to properly compensate Plaintiff and the other aggrieved employees pursuant to California law in order to increase Defendants' profits.

49. California Labor Code section 218 states that nothing in Article 1 of the Labor Code shall limit the right of any wage claimant to "sue directly . . . for any wages or penalty due to him [or her] under this article."

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**FIRST CAUSE OF ACTION**

**Violation of California Labor Code § 2698, et seq.**

**(Against L'ABRI MANAGEMENT, INC., and DOES 1 through 100)**

50. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 49, and each and every part thereof with the same force and effect as though fully set forth herein.

51. PAGA expressly establishes that any provision of the California Labor Code which provides for a civil penalty to be assessed and collected by the LWDA, or any of its departments, divisions, commissions, boards, agencies or employees for a violation of the California Labor Code, may be recovered through a civil action brought by an aggrieved employee on behalf of himself or herself, and other current or former employees.

52. Whenever the LWDA, or any of its departments, divisions, commissions, boards, agencies, or employees has discretion to assess a civil penalty, a court in a civil action is authorized to exercise the same discretion, subject to the same limitations and conditions, to assess a civil penalty.

53. Plaintiff and the other salaried, on-site employees misclassified as “exempt” are “aggrieved employees” as defined by California Labor Code section 2699(c) in that they are all current or former employees of Defendants, and one or more of the alleged violations was committed against them.

**Failure to Pay Overtime**

54. Defendants’ failure to pay legally required overtime wages to Plaintiff and the other aggrieved employees is in violation of the applicable IWC Wage Orders and constitutes unlawful or unfair activity prohibited by California Labor Code sections 510 and 1198.

**Failure to Provide Meal Periods**

55. Defendants’ failure to provide legally required meal periods to Plaintiff and the other aggrieved employees is in violation of the applicable IWC Wage Orders and constitutes unlawful or unfair activity prohibited by California Labor Code sections 226.7 and 512(a).

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**Failure to Provide Rest Periods**

56. Defendants' failure to provide legally required rest periods to Plaintiff and the other aggrieved employees is in violation of the applicable IWC Wage Orders and constitutes unlawful or unfair activity prohibited by California Labor Code section 226.7.

**Failure to Pay Minimum Wages**

57. Defendants' failure to pay legally required minimum wages to Plaintiff and the other aggrieved employees is in violation of the Wage Orders and constitutes unlawful or unfair activity prohibited by California Labor Code sections 1194, 1197 and 1197.1.

**Failure to Timely Pay Wages Upon Termination**

58. Defendants' failure to timely pay wages to Plaintiff and the other aggrieved employees upon termination in accordance with Labor Code sections 201 and 202 constitutes unlawful and/or unfair activity prohibited by California Labor Code sections 201 and 202.

**Failure to Timely Pay Wages During Employment**

59. Defendants' failure to timely pay wages to Plaintiff and the other aggrieved employees during employment in accordance with Labor Code section 204 constitutes unlawful and/or unfair activity prohibited by California Labor Code section 204.

**Failure to Provide Complete and Accurate Wage Statements**

60. Defendants' failure to provide complete and accurate wage statements to Plaintiff and the other aggrieved employees in accordance with Labor Code section 226(a) constitutes unlawful and/or unfair activity prohibited by California Labor Code section 226(a).

**Failure to Keep Complete and Accurate Payroll Records**

61. Defendants' failure to keep complete and accurate payroll records relating to Plaintiff and the other aggrieved employees in accordance with California Labor Code section 1174(d) constitutes unlawful and/or unfair activity prohibited by California Labor Code section 1174(d).

**Failure to Reimburse Necessary Business-Related Expenses and Costs**

62. Defendants' failure to reimburse Plaintiff and the other aggrieved employees for necessary business-related expenses and costs in accordance with California Labor Code

sections 2800 and 2802 constitutes unlawful and/or unfair activity prohibited by California Labor Code sections 2800 and 2802.

63. Pursuant to California Labor Code section 2699, Plaintiff, individually, and on behalf of all aggrieved employees, requests and is entitled to recover from Defendants and each of them, business expenses, unpaid wages, and/or untimely wages according to proof, interest, attorneys' fees and costs pursuant to California Labor Code section 218.5, as well as all statutory penalties against Defendants, and each of them, including but not limited to:

- a. Penalties under California Labor Code section 2699 in the amount of a hundred dollars (\$100) for each aggrieved employee per pay period for the initial violation, and two hundred dollars (\$200) for each aggrieved employee per pay period for each subsequent violation;
- b. Penalties under California Code of Regulations Title 8 section 11010, et seq. in the amount of fifty dollars (\$50) for each aggrieved employee per pay period for the initial violation, and one hundred dollars (\$100) for each aggrieved employee per pay period for each subsequent violation;
- c. Penalties under California Labor Code section 210 in addition to, and entirely independent and apart from, any other penalty provided in the California Labor Code in the amount of a hundred dollars (\$100) for each aggrieved employee per pay period for the initial violation, and two hundred dollars (\$200) for each aggrieved employee per pay period for each subsequent violation; and
- d. Any and all additional penalties and sums as provided by the California Labor Code and/or other statutes.

64. Pursuant to California Labor Code section 2699(i), civil penalties recovered by aggrieved employees shall be distributed as follows: seventy-five percent (75%) to the Labor and Workforce Development Agency for the enforcement of labor laws and education of employers and employees about their rights and responsibilities and twenty-five percent (25%) to the aggrieved employees.

65. Further, Plaintiff is entitled to seek and recover reasonable attorneys' fees and costs pursuant to California Labor Code sections 210, 218.5 and 2699 and any other applicable statute.

**DEMAND FOR JURY TRIAL**

Plaintiff, individually, and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act, requests a trial by jury.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, individually, and on behalf of other aggrieved employees pursuant to the Private Attorneys General Act, prays for relief and judgment against Defendants, jointly and severally, in excess of twenty-five thousand dollars (\$25,000):

**As to the First Cause of Action**

1. For civil penalties pursuant to California Labor Code sections 2699(a), (f) and (g) plus costs/expenses and attorneys' fees for violation of California Labor Code sections 201, 202, 203, 204, 226(a), 226.7, 510, 512(a), 1174(d), 1194, 1197, 1197.1, 1198, 2800 and 2802; and

2. For such other and further relief as the Court may deem equitable and appropriate.

DATED: April 26, 2021

**LAWYERS for JUSTICE, PC**

By:   
Edwin Aiwanian  
Attorneys for Plaintiff

|                                                                                                                                                                                                                                                                                                                                                             |  |                                                                               |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):<br><b>Edwin Aiwasian (State Bar No. 232943)</b><br><b>LAWYERS FOR JUSTICE, PC</b><br><b>410 West Arden Avenue, Suite 203</b><br><b>Glendale, California 91203</b><br>TELEPHONE NO.: (818) 265-1020 FAX NO.: (818) 265-1021<br>ATTORNEY FOR (Name): <b>Plaintiff Marta Carnesi</b> |  | <b>FOR COURT USE ONLY</b>                                                     |  |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b><br>STREET ADDRESS: <b>12720 Norwalk Blvd.</b><br>MAILING ADDRESS:<br>CITY AND ZIP CODE: <b>Norwalk, 90650</b><br>BRANCH NAME: <b>Norwalk Courthouse</b>                                                                                                                                          |  |                                                                               |  |
| CASE NAME:<br><b>Carnesi vs. L'Abri Management, Inc.</b>                                                                                                                                                                                                                                                                                                    |  |                                                                               |  |
| <b>CIVIL CASE COVER SHEET</b><br><input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000)                                                                                                                                                                                                                                    |  | <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less) |  |
| <input type="checkbox"/> <b>Counter</b>                                                                                                                                                                                                                                                                                                                     |  | <input type="checkbox"/> <b>Joinder</b>                                       |  |
| Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)                                                                                                                                                                                                                                                                                  |  | CASE NUMBER:                                                                  |  |
| JUDGE:                                                                                                                                                                                                                                                                                                                                                      |  | DEPT:                                                                         |  |

Items 1–6 below must be completed (see instructions on page 2).

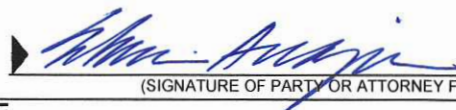
1. Check **one** box below for the case type that best describes this case:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <b>Auto Tort</b><br><input type="checkbox"/> Auto (22)<br><input type="checkbox"/> Uninsured motorist (46)<br><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b><br><input type="checkbox"/> Asbestos (04)<br><input type="checkbox"/> Product liability (24)<br><input type="checkbox"/> Medical malpractice (45)<br><input type="checkbox"/> Other PI/PD/WD (23)<br><b>Non-PI/PD/WD (Other) Tort</b><br><input type="checkbox"/> Business tort/unfair business practice (07)<br><input type="checkbox"/> Civil rights (08)<br><input type="checkbox"/> Defamation (13)<br><input type="checkbox"/> Fraud (16)<br><input type="checkbox"/> Intellectual property (19)<br><input type="checkbox"/> Professional negligence (25)<br><input type="checkbox"/> Other non-PI/PD/WD tort (35)<br><b>Employment</b><br><input type="checkbox"/> Wrongful termination (36)<br><input checked="" type="checkbox"/> Other employment (15) | <b>Contract</b><br><input type="checkbox"/> Breach of contract/warranty (06)<br><input type="checkbox"/> Rule 3.740 collections (09)<br><input type="checkbox"/> Other collections (09)<br><input type="checkbox"/> Insurance coverage (18)<br><input type="checkbox"/> Other contract (37)<br><b>Real Property</b><br><input type="checkbox"/> Eminent domain/Inverse condemnation (14)<br><input type="checkbox"/> Wrongful eviction (33)<br><input type="checkbox"/> Other real property (26)<br><b>Unlawful Detainer</b><br><input type="checkbox"/> Commercial (31)<br><input type="checkbox"/> Residential (32)<br><input type="checkbox"/> Drugs (38)<br><b>Judicial Review</b><br><input type="checkbox"/> Asset forfeiture (05)<br><input type="checkbox"/> Petition re: arbitration award (11)<br><input type="checkbox"/> Writ of mandate (02)<br><input type="checkbox"/> Other judicial review (39) | <b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</b><br><input type="checkbox"/> Antitrust/Trade regulation (03)<br><input type="checkbox"/> Construction defect (10)<br><input type="checkbox"/> Mass tort (40)<br><input type="checkbox"/> Securities litigation (28)<br><input type="checkbox"/> Environmental/Toxic tort (30)<br><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)<br><b>Enforcement of Judgment</b><br><input type="checkbox"/> Enforcement of judgment (20)<br><b>Miscellaneous Civil Complaint</b><br><input type="checkbox"/> RICO (27)<br><input type="checkbox"/> Other complaint (not specified above) (42)<br><b>Miscellaneous Civil Petition</b><br><input type="checkbox"/> Partnership and corporate governance (21)<br><input type="checkbox"/> Other petition (not specified above) (43) |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |                                                                                                                                |                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input type="checkbox"/> Large number of separately represented parties                                                     | d. <input type="checkbox"/> Large number of witnesses                                                                                                      |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence                                                         | f. <input type="checkbox"/> Substantial postjudgment judicial supervision                                                                                  |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): **One**
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 26, 2021  
 Edwin Aiwasian

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

|                                                                  | <b>A</b><br>Civil Case Cover Sheet<br>Category No.        | <b>B</b><br>Type of Action<br>(Check only one)                                                                           | <b>C</b><br>Applicable Reasons -<br>See Step 3 Above |
|------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
|                                                                  |                                                           |                                                                                                                          |                                                      |
| <b>Auto Tort</b>                                                 | 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                                             |
| <b>Other Personal Injury/Property Damage/Wrongful Death Tort</b> | 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                                             |

SHORT TITLE: Carnesi vs. L'Abri Management, Inc.

CASE NUMBER

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

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

SHORT TITLE: Carnesi vs. L'Abri Management, Inc.

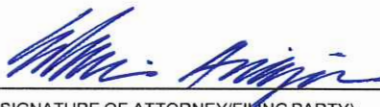
CASE NUMBER

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

|                                                                                                                                                                                                                                                                                                                                                    |                     |                           |                                           |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------|-------------------------------------------|--|--|
| <b>REASON:</b><br><input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11. |                     |                           | <b>ADDRESS:</b><br>8141 E 2ND ST Ste. 300 |  |  |
| <b>CITY:</b><br>Downey                                                                                                                                                                                                                                                                                                                             | <b>STATE:</b><br>CA | <b>ZIP CODE:</b><br>90241 |                                           |  |  |

**Step 5: Certification of Assignment:** I certify that this case is properly filed in the Southeast 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 26, 2021

  
(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.

**SUMMONS**  
**(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**

L'ABRI MANAGEMENT, INC., a California corporation; and DOES 1 through 100, inclusive,

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

MARTA CARNESI, individually, and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

Superior Court of the State of California for the County of Los Angeles  
Norwalk Courthouse, 12720 Norwalk Blvd., Norwalk, CA 90650

CASE NUMBER:  
(Número del Caso):

21NWCV00254

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Edwin Aiwazian; 410 West Arden Avenue, Suite 203, Glendale, California 91203; (818) 265-1025

DATE: 04/26/2021 Sherri R. Carter Executive Officer / Clerk of Court, by E. Chanes, Deputy  
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]



**NOTICE TO THE PERSON SERVED:** You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):  
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)  
☐ other (specify):
4. ☐ by personal delivery on (date):

|                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SUPERIOR COURT OF CALIFORNIA</b><br><b>COUNTY OF LOS ANGELES</b>                                | <small>Reserved for Clerk's File Stamp</small><br><br><div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <b>FILED</b><br/>             Superior Court of California<br/>             County of Los Angeles<br/> <b>04/26/2021</b><br/>             Sherri R. Carter, Executive Officer / Clerk of Court<br/>             By: <u>E. Chanes</u> Deputy           </div> |
| <small>COURTHOUSE ADDRESS:</small><br>Norwalk Courthouse<br>12720 Norwalk Blvd., Norwalk, CA 90650 |                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>NOTICE OF CASE ASSIGNMENT</b><br><br><b>UNLIMITED CIVIL CASE</b>                                |                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Your case is assigned for all purposes to the judicial officer indicated below.</b>             | <small>CASE NUMBER:</small><br><b>21NWCV00254</b>                                                                                                                                                                                                                                                                                                                                                           |

**THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT**

|   | ASSIGNED JUDGE         | DEPT | ROOM |  | ASSIGNED JUDGE | DEPT | ROOM |
|---|------------------------|------|------|--|----------------|------|------|
| ✓ | Margaret Miller Bernal | F    |      |  |                |      |      |

Given to the Plaintiff/Cross-Complainant/Attorney of Record Sherri R. Carter, Executive Officer / Clerk of Court  
 on 04/27/2021 (Date) By E. Chanes, Deputy Clerk

## **INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES**

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

### **APPLICATION**

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

### **PRIORITY OVER OTHER RULES**

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

### **CHALLENGE TO ASSIGNED JUDGE**

A challenge under Code of Civil Procedure Section 170.6 must be made within **15** days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

### **TIME STANDARDS**

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

### **COMPLAINTS**

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

### **CROSS-COMPLAINTS**

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

### **STATUS CONFERENCE**

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

### **FINAL STATUS CONFERENCE**

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

### **SANCTIONS**

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

**This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.**

### **Class Actions**

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

### **\*Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

Superior Court of California  
County of Los Angeles

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**Receipt No:** EFM-2021-3220607.1

**Date:** 4/27/21 8:23 AM  
**Time:** 4/27/21 8:23 AM

CASE # 21NWCV00254  
MARTA CARNESI vs L'ABRI

|                                                                                                   |                        |
|---------------------------------------------------------------------------------------------------|------------------------|
| Unlimited Civil- Compt/UD/Pet<br>filed >25k -<br>GC70611,70602.5,70602.6<br>Court Transaction Fee | 435.00<br><br><br>2.25 |
| <b>Case Total:</b>                                                                                | <hr/> 437.25           |

**Total Paid:** 

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437.25

21LA03480249