



SHORT TITLE: <p style="text-align: center; margin: 0;">LEAH GOODMAN v. TERRY J. DUBROW, M.D., et al.</p>	CASE NUMBER:
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4.  Plaintiff (*name*):  
 is doing business under the fictitious name (*specify*):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- |  |   |
|--|---|
| a. <input checked="" type="checkbox"/> <b>except</b> defendant ( <i>name</i> ): NEWPORT HEIGHTS MEDICAL C.<br>(1) <input checked="" type="checkbox"/> a business organization, form unknown<br>(2) <input type="checkbox"/> a corporation<br>(3) <input type="checkbox"/> an unincorporated entity ( <i>describe</i> ):<br><br>(4) <input type="checkbox"/> a public entity ( <i>describe</i> ):<br>(5) <input type="checkbox"/> other ( <i>specify</i> ): | c. <input type="checkbox"/> <b>except</b> defendant ( <i>name</i> ):<br>(1) <input type="checkbox"/> a business organization, form unknown<br>(2) <input type="checkbox"/> a corporation<br>(3) <input type="checkbox"/> an unincorporated entity ( <i>describe</i> ):<br><br>(4) <input type="checkbox"/> a public entity ( <i>describe</i> ):<br>(5) <input type="checkbox"/> other ( <i>specify</i> ): |
|--|---|

- |   |   |
|---|---|
| b. <input type="checkbox"/> <b>except</b> defendant ( <i>name</i> ):<br>(1) <input type="checkbox"/> a business organization, form unknown<br>(2) <input type="checkbox"/> a corporation<br>(3) <input type="checkbox"/> an unincorporated entity ( <i>describe</i> ):<br><br>(4) <input type="checkbox"/> a public entity ( <i>describe</i> ):<br>(5) <input type="checkbox"/> other ( <i>specify</i> ): | d. <input type="checkbox"/> <b>except</b> defendant ( <i>name</i> ):<br>(1) <input type="checkbox"/> a business organization, form unknown<br>(2) <input type="checkbox"/> a corporation<br>(3) <input type="checkbox"/> an unincorporated entity ( <i>describe</i> ):<br><br>(4) <input type="checkbox"/> a public entity ( <i>describe</i> ):<br>(5) <input type="checkbox"/> other ( <i>specify</i> ): |
|---|---|

Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a.  Doe defendants (*specify Doe numbers*): 1-50 were the agents or employees of other named defendants and acted within the scope of their agency or employment.
- b.  Doe defendants (*specify Doe numbers*): 1-50 are persons whose capacities are unknown to plaintiff.

7.  Defendants who are joined under Code of Civil Procedure section 382 are (*names*):

8. This court is the proper court because

- a.  at least one defendant now resides in its jurisdictional area.
- b.  the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c.  injury to person or damage to personal property occurred in its jurisdictional area.
- d.  other (*specify*):

9.  Plaintiff is required to comply with a claims statute, and

- a.  has complied with applicable claims statutes, or
- b.  is excused from complying because (*specify*):

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10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):
- a.  Motor Vehicle
  - b.  General Negligence
  - c.  Intentional Tort
  - d.  Products Liability
  - e.  Premises Liability
  - f.  Other (*specify*):  
 Medical Malpractice

11. Plaintiff has suffered
- a.  wage loss
  - b.  loss of use of property
  - c.  hospital and medical expenses
  - d.  general damage
  - e.  property damage
  - f.  loss of earning capacity
  - g.  other damage (*specify*):

12.  The damages claimed for wrongful death and the relationships of plaintiff to the deceased are
- a.  listed in Attachment 12.
  - b.  as follows:



13. The relief sought in this complaint is within the jurisdiction of this court.

14. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for
- a. (1)  compensatory damages
  - (2)  punitive damages
- The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):
- (1)  according to proof
  - (2)  in the amount of: \$

15.  The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date: March 29, 2011

Christopher R. Baker, Esq.

(TYPE OR PRINT NAME)

  
 (SIGNATURE OF PLAINTIFF OR ATTORNEY)

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       FIRST **CAUSE OF ACTION—General Negligence** Page   4    
 (number)

ATTACHMENT TO  Complaint  Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): LEAH GOODMAN

alleges that defendant (name): TERRY J. DUBROW, M.D. and NEWPORT HEIGHTS MEDICAL CENTER

Does   1   to   50  

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): From 2009 through January of 2010

at (place): Defendant organization's place of business, 1617 Westcliff Drive, Suite 100, Newport Beach, CA 92660.

(description of reasons for liability):

That at all times mentioned herein, defendants and each of them were the agents, servants, and/or employees of all other defendants and were acting within the course and scope or their agency, servitude, and/or employment.

Defendants, and each of them, negligently advised, diagnosed, treated, cared for, performed surgery, provided post-operative care, and failed to properly obtain Plaintiff's consent. As a legal result of such negligence, Plaintiff suffered serious shock to her nervous system, physical injury, medical expenses, future medical expenses, wage loss, future wage loss, loss of future earning capacity, and general damages, including but not limited to, pain and suffering.

On 01/04/2011 Defendants Terry Dubrow and Newport Heights Medical Center were served with CCP section 364 letters of intention to sue, and the instant action was filed within 90 of the mailing of said notices.