

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

LAW OFFICES OF MARK R. PACHOWICZ, APLC

By: Mark R. Pachowicz, State Bar Number 138108
By: Jennie Hendrickson, State Bar Number 144562
4055 Mission Oaks Blvd., Ste. A
Camarillo, California 93012
(805) 987-4975 Telephone • (805) 987-4980 Fax
mark@pachowicz.com • jennie@pachowicz.com

Attorneys for Plaintiff
SUSAN YBARRA-TELIAS

LOWTHORP, RICHARDS, McMILLAN, MILLER & TEMPLEMAN

By: John H. Howard, State Bar Number 91027
By: Brett C. Templeman, State Bar Number 224104
300 East Esplanade Drive, Suite 850
Oxnard, California 93036
(805) 981-8555 Telephone • (805) 983-1967 Fax
jhoward@lrmt.com
btempleman@lrmt.com

Attorneys for Plaintiff
CARLA GATLIN

FILED
Superior Court of California
County of Los Angeles

MAY 21 2018

Sherri R. Carter, Executive Officer/Clerk
By *[Signature]* Deputy
Nancy Alvarez

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

BC 706951

CARLA GATLIN and SUSAN
YBARRA-TELIAS, Individually
and as Successors-In-Interest
of decedent Baylee Ybarra
Gatlin,

Plaintiffs,

v.

DO LAB INC.; MULTIDISCIPLINARY
ASSOCIATION FOR PSYCHEDELIC
STUDIES, INC., a.k.a. MAPS,
INC.; ZENDO PROJECT, a
business entity form unknown;
RGX MEDICAL, business entity
form unknown; RICHARD
GOTTLIEB, an individual; and
Does 1 through 20, inclusive,

Defendants.

CASE NO.

COMPLAINT FOR DAMAGES:
1. WRONGFUL DEATH;
2. SURVIVAL ACTION

AND DEMAND FOR JURY TRIAL

Assigned Dept.:

Plaintiffs allege as follows:

///

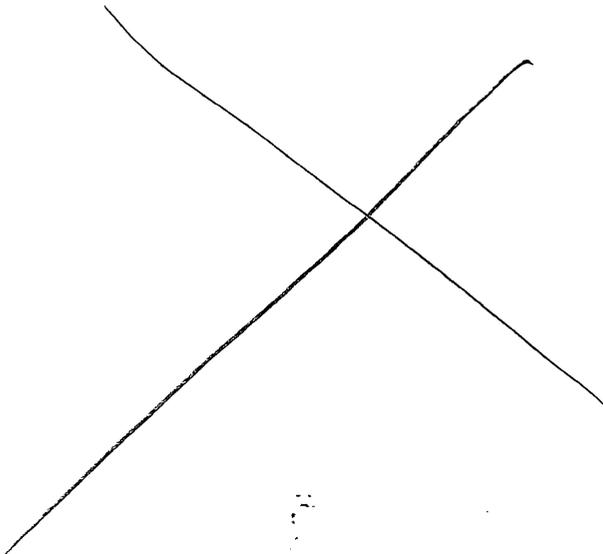
05/21/2018

05/21/2018

CIT/CASE: BC706951
LEA/DEF#:

RECEIPT #: CCH451233080
DATE PAID: 05/21/18 01:53 PM
PAYMENT: \$435.00 310

RECEIVED:
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00



FSC: 11 / 4 / 2019 TRIAL: 11 / 21 / 2019 OSC: 05 / 21 / 2021

ASCS
W

INTRODUCTION

1
2 1. Plaintiffs seek damages for the death of their
3 cherished 20 year-old daughter, Baylee Ybarra Gatlin, who died on
4 May 28, 2017 as result of defendants' wrongful conduct at a
5 multi-day music and arts festival operated, controlled and
6 managed by defendants, and each of them. By operating, managing
7 and controlling this festival, known as Lightning in a Bottle,
8 "LiB", defendants, and each of them, and their directors and
9 officers, assumed a duty of care to the festival attendees and
10 represented to the public and festival attendees that this would
11 be a safe event wherein qualified personnel would be on-site to
12 respond to life-threatening emergencies, including but not
13 limited to dehydration, injuries, overexposure, medical
14 complications and drug and alcohol consumption related life
15 threatening emergencies. Instead of arranging for qualified
16 competent personnel to oversee, control manage, and assess and
17 triage all festival attendees in need, defendants, and each of
18 them, arranged for so called "harm reduction" entities to provide
19 non-medical care for festival attendees suffering from adverse
20 consequences of dehydration, overexposure, and/or drug use.
21 These defendant entities essentially provided a "sanctuary tent"
22 devoid of qualified, experienced festival personnel, staffed by
23 volunteers, for festival attendees suffering from a "bad trip."
24 The defendants' conduct created a hidden deathtrap for festival
25 attendees who required safety, proper medical assessment and
26 triage. Defendants, and each of them, and their directors and
27 officers' false representations, made in reckless disregard for
28 and in violation of all LiB plans submitted to the County of

05/21/2018

05/21/2018

1 Monterey for the 2017 festival, provided nothing but a place for
2 the reliant attendees to die without safety precautions, proper
3 medical treatment and triage.

4 2. When faced with festival attendee Baylee Ybarra
5 Gatlin who presented with life threatening symptoms (incoherence,
6 dribbling upon herself, looping conversations, uncontrollable
7 shaking, vomiting, incontinence of bowels and bladder, and
8 spiking temperature), defendants, and each of them, who knew or
9 should have known that Ms. Gatlin was in need of emergent care,
10 directed her to a "harm reduction" tent and held her there for
11 approximately six hours, at the conclusion of which, defendants
12 apparently finally determined that they should call for an
13 ambulance. As a result of defendants' conduct, Baylee Ybarra
14 Gatlin, who was only 20 years old at the time of her death,
15 suffered severe respiratory distress and cardiac arrest while
16 being transported by ambulance from the festival to a hospital.
17 She died from multi-organ failure, hyperthermia (overheating,)
18 dehydration and its sequelae. Had there been a prompt, timely
19 and proper assessment and triage as per the plans submitted by
20 defendants, and each of them, to the County of Monterey, which
21 assessment they knew should have included qualified medical
22 personnel, Baylee Ybarra Gatlin would not have died. Instead the
23 defendants, and each of them, deviated from their plans submitted
24 to the County of Monterey, and in direct contradiction to those
25 plans and their festival advertisements and promises to keep
26 attendees safe, they caused the harm to plaintiffs and loss of
27 life of Baylee Ybarra Gatlin.

28 ///

THE PARTIES

1
2 3. Plaintiff CARLA GATLIN (hereinafter "GATLIN") is,
3 and at all relevant times was, a resident of the County of
4 Ventura, State of California. Plaintiff was the mother and
5 parent of Baylee Ybarra Gatlin, deceased (hereinafter "Baylee
6 Gatlin" or "decedent"), and she brings this complaint both as an
7 individual and as successor-in-interest pursuant to Code of Civil
8 Procedure section 377.30 as to the causes of action of decedent's
9 estate. As an heir of decedent, plaintiff GATLIN is entitled to,
10 and hereby does, bring a wrongful death action.

11 4. Plaintiff SUSAN YBARRA-TELIAS (hereinafter
12 "YBARRA-TELIAS") is, and at all relevant times was, a resident of
13 the County of Ventura, State of California. Plaintiff was the
14 natural mother and parent of decedent, and she brings this
15 complaint both as an individual and as successor-in-interest
16 pursuant to Code of Civil Procedure section 377.30 as to the
17 causes of action of decedent's estate. As an heir of decedent,
18 plaintiff YBARRA-TELIAS is entitled to, and hereby does, bring a
19 wrongful death action.

20 5. Defendant DO LAB INC. (hereinafter "DO LAB") is,
21 and at all relevant times was, a California corporation with its
22 principal place of business located at 1024 Santee Street, Suite
23 600, Los Angeles, California, with its corporate officers and
24 directors comprised of a family of three brothers, Jesse Fleming,
25 Josh Fleming, and Jason Fleming. At all relevant times, DO LAB
26 was doing business as an event producer, promoter, and manager in
27 various California counties, including, but not limited to, the
28 County of Los Angeles, State of California, and was the event

05/21/2018

1 producer, promoter and manager of LiB in 2017 at the time of
2 decedent's attendance at the festival.

3 6. Defendant MULTIDISCIPLINARY ASSOCIATION FOR
4 PSYCHEDELIC STUDIES, INC., a.k.a. MAPS, INC. (hereinafter "MAPS")
5 is, and at all relevant times was, a foreign non-profit
6 corporation incorporated in the State of Florida, and licensed to
7 conduct and do business in the State of California, with its
8 principal place of business located at 1115 Mission Street, Santa
9 Cruz, California. At all relevant times, MAPS was doing business
10 in the field of psychedelic harm reduction services at music
11 festivals and concerts, including at LiB in 2017 at the time of
12 decedent's attendance at the festival and provided, managed and
13 operated the sanctuary tent where Baylee Gatlin spent the
14 majority of her final hours on this earth.

15 7. Defendant ZENDO PROJECT (hereinafter "ZENDO") is,
16 and at all relevant times was, a business entity, organization
17 form unknown, and an agent, subsidiary, service provider or
18 affiliated entity with MAPS, with ZENDO's principal place of
19 business also at 1115 Mission Street, Santa Cruz, California. At
20 all relevant times, ZENDO was doing business in the field of
21 psychedelic harm reduction services at music festivals and
22 concerts in conjunction with defendant MAPS, including at LiB in
23 2017 at the time of decedent's attendance at the festival and
24 provided, managed and operated the sanctuary tent where Baylee
25 Gatlin spent the majority of her final hours on this earth.

26 8. Defendant RGX MEDICAL (hereinafter "RGX") is, and
27 at all relevant times was, a business entity form unknown and is
28 not licensed in the state as a corporation or limited liability

05/21/2018

1 company, but lists its principal business address at 635 West
2 Dryden Street, Glendale, California. At all relevant times, RGX
3 was doing business in the field of music festival and concert
4 safety including medical and first aid, and operated first aid
5 stations for the safety of festival goers at LiB, including
6 Baylee Ybarra Gatlin. RGX was listed on the LiB Special Event
7 Medical Plan as providing these services at the 2017 LiB
8 Festival.

9 **9.** Defendant RICHARD GOTTLIEB (hereinafter
10 "GOTTLIEB") is, and at all relevant times was, an individual
11 residing in Los Angeles County, at 1050 East Cypress Avenue,
12 Burbank, California, and the principal in charge of defendant
13 RGX, who was also listed as the Medical Coordinator of the event.

14 **10.** The word "defendants" as used herein refers
15 collectively to defendants DO LAB, MAPS, ZENDO, RGX, GOTTLIEB;
16 their directors and officers, and Does 1 through 20, inclusive.

17 **11.** The true names and capacities of DOES 1 through
18 20, inclusive, whether individual, association, corporation, or
19 otherwise, are unknown to plaintiffs at this time and leave of
20 court will be asked to amend this complaint by inserting the true
21 names and capacities when they have been ascertained. Plaintiffs
22 are informed and believe, and thereon allege, that the defendants
23 designated as DOES 1 through 20, inclusive, were in some manner
24 or means negligently, contractually, strictly or otherwise,
25 responsible for the liability, loss, and damages sustained by the
26 plaintiffs, and each of them.

27 **12.** At all times herein mentioned, each of the
28 defendants and those sued herein as DOES 1 through 20 was the

1 agent and employee of each of the remaining defendants and was at
2 all times acting within the course and scope of such agency and
3 employment with the full knowledge, consent, authority,
4 ratification and/or permission of each of the remaining
5 defendants.

6 **JURISDICTION, VENUE AND STANDING**

7 **13.** The Superior Court of the County of Los Angeles,
8 State of California, has jurisdiction over this action pursuant
9 to California Constitution Article VI, section 10, which grants
10 the Superior Court "original jurisdiction in all cases except
11 those given by statute to other trial courts." This Court has
12 jurisdiction over this action pursuant to the Code of Civil
13 Procedure section 410.10, et seq. Plaintiffs are California
14 residents. Defendant DO LAB is a California corporation.
15 GOTTLIEB is a California resident. All defendants have
16 purposefully availed themselves of the benefits of doing business
17 in California. They have derived and continue to derive
18 substantial revenues from transactions occurring in California.

19 **14.** Venue is proper in the Los Angeles County
20 Superior Court pursuant to the Code of Civil Procedure section
21 395(a), because some of the defendants reside in this judicial
22 district. Furthermore, some of the wrongful acts described in
23 the below paragraphs took place in Los Angeles County.

24 **15.** Decedent had no issue (offspring). In addition,
25 decedent had no spouse. As her only legal parents and heirs,
26 GATLIN and YBARRA-TELIAS have sole standing to bring a wrongful
27 death action under Code of Civil Procedure section 377.60.

28 **16.** GATLIN and YBARRA-TELIAS also have sole standing

1 to bring a survival action as they are decedents' sole legal
2 parents and heirs and no other person has a right to bring a
3 survival action.

4 **GENERAL ALLEGATIONS**

5 17. DO LAB is a for profit entity that creates,
6 organizes, constructs, promotes, produces, manages and operates
7 various music and arts festivals. For approximately the last
8 four years, DO LAB has put on an event known as Lightning in a
9 Bottle (hereinafter "LiB"), an electronic lights, art and music
10 festival at Lake San Antonio, an isolated rural area of Monterey
11 County. The 2017 LiB was scheduled to take place over five days
12 (May 24 to 29). Attendants typically do not come and go during
13 this event, rather, they are encouraged by DO LAB to camp at the
14 event. Campgrounds are provided for tent and RV camping onsite.
15 DO LAB acknowledged that event attendees would engage in alcohol
16 and drug consumption during the event.

17 18. The LiB event site essentially becomes a mini-city
18 during the festival. In order to put on this event, each year DO
19 LAB had to obtain a permit from Monterey County. Monterey County
20 granted DO LAB this permit for 2017 after DO LAB completed an
21 extensive application process wherein DO LAB was required to
22 develop and submit various plans including the following: Site
23 Development Plan; Parking and Traffic Plan; Communications Plan;
24 Sanitation Plan; Camping Plan; Medical Plan; Security Plan;
25 Dialed Access Plan; Animal Control Plan; Recycling Plan and Sound
26 Mitigation Plan. These plans were important to ensure public and
27 attendee safety given that DO LAB would be constructing, running,
28 managing, controlling and operating a quasi mini-city during this

05/21/2018

1 2017 LiB event. Upon receipt of this permit, DO LAB legally
2 occupied and controlled the property at the event site during the
3 event, and agreed to assume liability and hold the County of
4 Monterey harmless for the injuries and death of attendees.

5 **19.** Developing, instituting and executing a proper
6 medical plan was vitally important for this 2017 LiB event and
7 the safety of the attendees due to a combination of factors as
8 follows:

- 9 • the 2017 LiB event site was in an isolated area,
10 approximately one hour's drive from the nearest
11 hospital, down windy one and two lane country roads,
12 with miles of shoreline at a lake in an area of
13 California that begins to experience hot temperatures
14 starting well before May;
- 15 • there was to be a high volume of attendees, in this
16 mini city who had to be fed, hydrated, and public order
17 maintained;
- 18 • the exposure to the elements including typical high day
19 time temperatures while persons were dancing and
20 walking from venue to venue in the heat. (In its
21 Special Event Medical Plan, DO LAB specifically
22 identifies "dehydration" as a medical issue they have
23 had to deal with in the past);
- 24 • the history of the event where numerous attendees have
25 required medical care, many of which were due to being
26 under the influence of a controlled substance.
- 27 • the open acknowledgment by DO LAB that many of its
28 attendees would be under the influence of alcohol

05/21/2018

1 and/or drugs.

2 20. In its Special Event Medical Plan, Monterey County
3 required DO LAB to comply with the following: "Plan to identify
4 the need for a medical response and process to get medical care
5 for the patient: All event staff are trained on radio
6 communications and how to identify possible health related
7 issues. All first aid related calls have UTV and first aid
8 personnel dispatched to scene. Ambulances will be staged to
9 ensure rapid access to all areas of event side. Fast response
10 and rapid transport is our highest priority." A critical
11 necessity for this event was a plan that would ensure that
12 attendees who needed a higher level of care would be identified
13 and immediately transported to a hospital for this needed higher
14 level of care.

15 21. In the Special Event Medical Plan completed and
16 submitted by DO LAB, DO LAB represented that it would provide the
17 following staffing and medical equipment/supplies: Two separate
18 first aid/medical stations each equipped with an on-Site on-call
19 physician, 2 RNs/Paramedics, 4 EMTs in addition to full BLS
20 supplies, oxygen, c-spine equipment, etc; and two separate
21 response vehicles staffed with 2 RNs/Paramedics/EMTs and equipped
22 with full BLS supplies, oxygen, c-spine equipment, etc.

23 22. In order to obtain the event permit from Monterey
24 County and as part of the required Special Event Medical Plan, DO
25 LAB was required to hire an On-Site Medical Coordinator who would
26 have defacto command of all medical issues at the 2017 LiB event.
27 DO LAB selected and chose a registered nurse, and security guard
28 GOTTLIEB, the founder and apparent owner of RGX. GOTTLIEB's self

1 described medical model was "based on the principals of harm
2 reduction with a focus on reducing unnecessary arrests and
3 hospitalizations as well as closely collaborating with other harm
4 reduction agencies such as THE ZENDO PROJECT, Dancesafe and The
5 Drug Policy Alliance."

6 **23.** DO LAB knew many of its 2017 LiB event attendees
7 would be under the influence of drugs. In its advertised
8 promotional materials for the event, DO LAB stated, and
9 represented and promised as follows:

10 "LiB is a drug free event. That's the law of
11 the land. But we know that despite this,
12 people will choose to use drugs, just as they
13 do in larger society. Harm reduction is a
14 set of practical strategies where the goal is
15 reducing the negative consequences of drug
16 use. We want to keep people alive, happy and
17 out of the medical tent, so we work with
18 several partner organizations to make sure
19 our attendees stay safe and informed."

20 **24.** Knowing that many of its 2017 LiB event attendees
21 would be consuming drugs, DO LAB also arranged for MAPS and ZENDO
22 to attend and work the event in which they would allegedly
23 provide guidance, knowledge and care for event attendees under
24 the influence of drugs. MAPS and ZENDO advertised themselves as
25 providing "a supportive environment and specialized care designed
26 to transform difficult psychedelic experiences into valuable
27 learning opportunities, and even potentially offer healing and
28 growth (which) reduces the number of drug-related

05/21/2018

1 hospitalizations and arrests." MAPS and ZENDO are not medical
2 entities and do not provide medical care.

3 **25.** In its "2017 Arrival Guide" given to attendees of
4 the 2017 LiB event, DO LAB stated the following:

5 **Where to go for Assistance**

6 Have a question? Need medical attention?

7 Want to talk with somebody about your
8 experience?

9 LiB has many resources to support a healthy
10 and happy journey. . .

11 MEDICAL - Harm reduction and medical services
12 are available at two locations. One near the
13 Woogie, and the other near Thunder State. In
14 an emergency, find someone with a radio and
15 medical attention can come to you.

16 MAPS ZENDO PROJECT - If you're having a
17 difficult experience, drug-related or not,
18 you can find a safe space at the Zendo
19 Project. Located next to the medical tents.

20 **26.** DO LAB represented to its potential customers and
21 attendees of the 2017 LiB event that this would be a safe event
22 where there would be both medical personnel and "harm reduction"
23 personnel should attendees require these services.

24 **27.** Baylee Gatlin and her friends reviewed DO LABS'
25 promotional materials for the 2017 LiB event and purchased
26 tickets from DO LAB, as ordered on EventBrite, the ticket agent
27 selected by DO LAB. She reviewed the aforementioned 2017 Arrival
28 Guide. She relied on DO LABS' representation that this would be

1 a safe event where there would be adequate medical services if
2 the need arose. Baylee Gatlin arrived at LiB on or about May 25,
3 2017, ready to enjoy a festival in a safe environment.

4 **28.** During the evening of May 27, 2017, Baylee Gatlin
5 began exhibiting strange symptoms, swaying and looping her
6 conversations. She became incoherent and could not consume
7 water. Her legs shook uncontrollably. Due to these symptoms,
8 she was taken by friends to one of the festivals medical/first
9 aid stations at approximately 7 p.m. Her friends, believing she
10 had consumed drugs, were directed by personnel in the
11 RGX/GOTTlieb medical/first aid station to take her to the tent
12 staffed by MAPS and ZENDO for care. This occurred without any
13 proper medical assessment by personnel at the medical/first aid
14 station.

15 **29.** While in the MAPS and ZENDO Project tent, Ms.
16 Gatlin's above symptoms continued and worsened. She suffered
17 from full body convulsions. She lost control of her bowels and
18 bladder. She repeatedly vomited. Her pupils were dilated. Her
19 temperature spiked upwards to 105 degrees. Throughout all of
20 this, the unqualified personnel in the MAPS and ZENDO tent kept
21 her out of the "medical tent"; failed to contact qualified
22 medical personnel or arrange for medical transport. The
23 unqualified personnel in the MAPS and ZENDO tent responded to her
24 symptoms by placing blankets on her.

25 **30.** Baylee Gatlin was left in the MAPS/ZENDO tent for
26 approximately six hours in dire need of urgent medical attention
27 which she did not receive. Finally, an ambulance was called
28 early the next morning at 1:07 a.m. on May 28, 2017. She was not

05/21/2018

1 actually loaded into an ambulance until sometime thereafter. At
2 2:01 a.m., she went into cardiac arrest while being transported
3 to the hospital. The ambulance did not arrive at the hospital
4 until 2:11 a.m. She was pronounced dead at 3:42 a.m.

5 **31.** Baylee Gatlin died from multi-organ failure,
6 hyperthermia (overheating), dehydration and its sequelae. Had
7 there been a timely and proper assessment and triage by qualified
8 medical personnel, Baylee Gatlin would not have died. Had the
9 defendants and each of them abided by their own plans which were
10 submitted to the County to obtain their permit, and ensured the
11 safety of the attendees instead of operating in complete and
12 total reckless disregard of those plans, industry standards; and
13 common sense; Baylee Ybarra Gatlin would not have died on May 28,
14 2017.

15 **32.** Decedent was only twenty years old when she
16 attended the LiB Festival which began on May 24, 2017 and ran
17 through May 29, 2017, at Lake San Antonio, in Monterey County.
18 She died at the Twin Cities Community Hospital in San Luis Obispo
19 County, California in the early morning hours of May 28, 2017
20 after suffering multi organ failure, which as indicated by the
21 autopsy report was "hours long"-(approximately four or more) due
22 in part to hyperthermia, and dehydration, also "hours long",
23 (four or more). Hospital records indicate that Baylee Ybarra
24 Gatlin, only twenty, suffered cardiac arrest, cause unspecified;
25 disseminated intravascular coagulation; hemorrhage from sites in
26 respiratory passages, unspecified kidney failure and fever, and
27 hyperkalemia; among other fatal diagnoses.

28 **33.** Baylee Ybarra Gatlin's death was a preventable

1 harm but for the actions, inactions, failures and blatant
2 disregard for her safety and well-being on the part of defendants
3 and each of them.

4 **34.** By the time emergency medical services were
5 actually called and an ambulance arrived at the festival
6 location, Baylee Gatlin had a temperature of 105 degrees and a
7 heart rate of 170. She was in acute cardiac arrest upon hospital
8 arrival and in respiratory distress/depression when AMR first
9 responders arrived at the festival for transport.

10 **35.** Baylee Gatlin's blood tests were positive for
11 Lysergic Acid Diethylamide (LSD) use, but mere LSD ingestion does
12 not cause the multi organ failure (hours long) and hyperthermia,
13 and dehydration, also "hours long", (four or more); nor does it
14 cause or contribute to cardiac arrest, cause unspecified;
15 disseminated intravascular coagulation; hemorrhage from sites in
16 respiratory passages, unspecified kidney failure and fever, or
17 hyperkalemia, all which proximately caused and resulted in Baylee
18 Gatlin's death. Baylee Gatlin was so near death and dehydrated
19 after hours and hours, by the time first responders were called
20 to LiB, to the point that no urine samples could be obtained for
21 hospital testing.

22 **36.** Weather for the Lake San Antonio area was hot, dry
23 and in the low 90's for the first few days of the Festival, in
24 May 2017, where Baylee Gatlin was camping out in a tent; dancing
25 and sweating, walking from camp to musical and art venues and
26 from exhibit to exhibit and venue to venue. Walking was the only
27 way to get around the camp at the lakeshore's edge, which
28 contained many, many acres. [The lake itself has 60 miles of

1 shore line and the recreational grounds are 5,500 acres].

2 **37.** At approximately 7 p.m., on May 27, 2017, Ms.
3 Gatlin was seen at the Thunder Stage, talking to herself, swaying
4 and looping her conversations. She could not consume water, and
5 kept dribbling it on herself, her legs were shaking, she could
6 not speak to her friends, nor form coherent sentences, and she
7 was taken to the RGX medical tent, managed, staffed, overseen and
8 approved of and sanctioned by DO LAB, its directors and officers
9 and personnel; RGX Medical and Richard Gottlieb. From that tent,
10 she was directed by RGX, and Richard Gottlieb or his agents,
11 employees or assigned personnel, and DOES 1-5, or their agents,
12 employees, volunteers, consultants to the psychedelic harm
13 reduction tent operated by defendants MAPS and the ZENDO PROJECT.
14 Plaintiffs are informed and believe and based thereon allege that
15 Baylee Ybarra Gatlin was not assessed, attended to, appropriately
16 medically evaluated nor where her vital signs taken, or monitored
17 by RGX, Gottlieb, ZENDO; MAPS or the DO LAB, despite her
18 apparent and emergent exhibition of signs of extreme physical
19 distress, nor where there any policies, regulations, procedures
20 or training in place to handle this emergent situation at LiB.

21 **38.** While in the MAPS/Zendo Project tent, Ms. Gatlin
22 was uncontrollably shaking and moving and jerking her legs as if
23 engaged in an exorcism and no medical emergency care was called.

24 **39.** While in the MAPS/Zendo Project tent Ms. Gatlin
25 lost control of her bowels and defecated and urinated on herself.
26 Still no medical emergency care was called.

27 **40.** While in the MAPS/Zendo tent, her temperature
28 climbed, she vomited into a bucket numerous times, and her pupils

1 were dilated. She could not walk on her own or summon her own
2 help, and was in the precursor stages to respiratory distress,
3 cardiac arrest, and organ failure. During the entire six hours
4 of hell she endured, **not one of the defendants** nor their
5 directors and officers, nor agents did anything at all to assist
6 her despite having the duty to do so, despite their promises and
7 having the duty to comply with the festival event plan and ensure
8 the safety of festival goers; despite promoting this festival as
9 a "safe" festival with "harm reduction" facilities, and ensuring
10 in the special event plan, "a fast and rapid transport" for
11 participant safety which was purportedly their highest priority.
12 The defendants never intended and in fact did not keep their
13 promises.

14 **41.** In reality, this festival and those involved,
15 which includes defendants and each of them, only seek profit. The
16 defendants and each of them failed miserably in addressing
17 foreseeable risks to festival goers, like Baylee Gatlin.

18 **42.** The festival website states "MAPS Zendo project
19 "If you're having a difficult experience, whether drug related or
20 not, you can visit the Zendo Project. Volunteers will help
21 provide a safe space until you are ready to rejoin the festival."

22 **43.** There is no evidence that there where mobile first
23 aid stations, or on call physicians or trained paramedics or EMTs
24 or that Ms. Gatlin was given any treatment at all until a call
25 went out for EMS services from AMR transport at 1:07 a.m. on May
26 28, 2017. By then it was too late for Baylee Ybarra Gatlin. In
27 fact, she was in the beginning and middle and end stages of
28 decline while in the MAPS/ZENDO tent for the aforementioned

05/21/2018

05/21/2018

1 approximate six hour period, unmonitored by medical personnel,
2 who went unsummoned; under the purported "eyes" of untrained and
3 incapable volunteer peers who could not handle this medical
4 emergency or any one for that matter; as they were sorely lacking
5 in training, policies, and protocols.

6 **44.** The DO LAB expected between 10,000 to 20,000
7 participants or festival goers a day, which at tickets starting
8 at several hundred dollars and up to \$2,850.00 for an "uber"
9 package camping experience, translates to a significant amount of
10 profit.

11 **45.** LiB was a five-day electronic lights, dance
12 music festival organized, constructed, engineered, directed,
13 produced, constructed, maintained, controlled, advertised,
14 promoted, managed and operated by DO LAB pursuant to a contract
15 with the County of Monterey, that was sanctioned and permitted by
16 the County. Electronic dance music festivals like LiB, are also
17 known as "raves".

18 **46.** Defendants, and each of them, including the Doe
19 defendants so named herein had actual knowledge and knew, or had
20 constructive notice and should have known that festival goers
21 required adequate supplies of bottled water and hydration
22 stations to prevent dehydration and its effects on bodily
23 functions, organs and the ability of a person to utilize their
24 motor and neurological skills. It was a camping festival for five
25 days at a remote location near a lake, which water was not fit
26 for human consumption. Defendants knew or should have known
27 participants could not "pack in" five days of water for
28 hydration.

05/21/2018

1 47. DO LAB, RGX MEDICAL, RICHARD GOTTLIEB, MAPS and
2 ZENDO and their officers and directors, all know that in past
3 years at this very festival there had been numerous incidents
4 involving harms to patrons and festival goers and incidents
5 infringing on the safety of festival goers involving dehydration,
6 heat, delirium and illicit drugs.

7 • For example in 2014, there were over 950 persons
8 requiring medical care at the LiB festival at the same
9 location. This is roughly eight patients per hour
10 throughout all of the days of the event. While most of
11 these were minor injuries like sunburn, insect bites,
12 there were incidents where medical and LiB staffers
13 attended to those who were dehydrated; and suffering
14 from infections, with seven people being transported to
15 the hospital and one cardiac incident requiring
16 helicopter transport. According to DO LAB's after
17 action report out of 15,000 individuals, and 950
18 incidents, 2% of the incidents related to drugs or
19 alcohol. There were seven ground transports and 1 medi-
20 vac via air transport.

21 • In 2015, in an after action report by a Commander of
22 the Monterey County Sheriff's Department, over 25,000
23 people attended the LiB festival. With three arrests
24 made, one for narcotics; and three medical calls that
25 came to the attention of the sheriff's department-with
26 the biggest challenge per Commander Moses, being
27 "medical calls for under the influence of a controlled
28 substance". The private on-site medical company RGX,

05/21/2018

1 and its Medical Director for the event, Gottlieb, were
2 the event "medical authority"; and it was a problem per
3 the Commander, as to the delegation of where an
4 individual under the influence, experiencing delirium
5 should go-transport via ambulance, or on-site medical?
6 This "problem" detailed in the after action report
7 authored by the Sheriff's Commander also provided
8 defendants and each of them with advance knowledge of
9 situations like the one involving Baylee Gatlin and put
10 them on notice that adequate plans needed to be made
11 for the prompt and proper evaluation of physical issues
12 to ensure the safety of patrons, and to prevent
13 debilitation, or liability would likely follow.

14 • In 2017, the year of Ms. Gatlin's death, there were two
15 standby ambulances at the event, each day of its
16 operation. There were no helicopters or medi-vac units
17 standing by to transport via air, as per the medical
18 event plan as executed by DO LAB, GOTTLIEB and/or RGX.
19 There were 1700 contacts requiring some type of
20 intervention, or first aid-again including dehydration.
21 9 individuals, one of which was Ms. Gatlin required
22 transport via ambulance. There were no medi-vac or
23 LifeFlight helicopter services provided at the event in
24 2017, despite the location being 38.4 miles from the
25 nearest hospital emergency room or 50 minutes by car.

26 **48.** Defendants, and each of them, including Does 1 through
27 20, had a duty to ensure that there were adequate restrictions in
28 place and enforced as well as an adequate number of properly trained

1 security and emergency medical services available at LiB for the
2 safety of all attendees; including Baylee Ybarra Gatlin. However,
3 defendants were not checking patrons and purposefully allowed illegal
4 drugs to be brought into the LiB festival. In addition, defendants,
5 and each of them, supplied grossly inadequate medical services,
6 personnel and equipment, failed to provide a triage system that
7 would assess the emergent need for medical care so patrons could be
8 transported at the earliest opportunity; provided only two medical
9 tents at a venue that spanned a remote a location with attendees in
10 excess of 20,000 over five days-it was like a city. Additionally
11 defendant DO LAB permitted, allowed, and advocated for the
12 MAPS/Zendo Project with its tent of blankets and cots, so patrons
13 could AVOID medical treatment and security interaction, looked
14 "after" by volunteers who themselves were sometimes under the
15 influence.

16 **49.** Moreover, defendants DO LAB knowingly oversold the
17 event and created an atmosphere that was over attended, overcrowded,
18 and dangerous. The reason for these deficiencies was simple: less
19 on-site security personnel and less on-site emergency medical
20 services providers reduced the production costs that would be
21 incurred by the event promoter, defendants DO LAB and increased
22 profit margins significantly when oversold. Simply put, defendants,
23 and each of them, including Does 1 through 20, put profits and/or
24 revenue ahead of the safety of the attendees, including Baylee
25 Gatlin, and knowingly, intentionally, recklessly and carelessly
26 allowed for, and helped create, a condition that was dangerous to
27 the health, safety and well-being of the attendees.

28 **50.** The above-mentioned and hereinafter alleged acts,

05/21/2018

1 omissions, breach of duty, and conduct of defendants, and each of
2 them, including Does 1 through 20, proximately and legally caused
3 the injuries and damages sustained by plaintiffs, as alleged herein.

4 **51.** As a further, sole, direct and proximate result of
5 the breach of their duty and conduct of defendants, and each of
6 them, including Does 1 through 20, plaintiffs have incurred medical,
7 burial and funeral expenses for their Decedent, Baylee Gatlin,
8 according to proof. Plaintiffs allege they are entitled to
9 prejudgment interest pursuant to the Code of Civil Procedure section
10 3288 from the date of the injury, up to and including, the date of
11 judgment, according to proof.

12 **FIRST CAUSE OF ACTION - WRONGFUL DEATH**
13 *(All Plaintiffs Against All Defendants Including Does 1-20)*

14 **52.** Plaintiffs hereby restate, re-allege, and
15 incorporate by reference each of the paragraphs in this complaint as
16 though fully set forth herein.

17 **53.** Plaintiffs allege wrongful death of Baylee Gatlin
18 and bring this claim for relief based on the negligence, including
19 but not limited to general negligence and premises liability, and/or
20 wrongful acts, and reckless disregard of defendants, their directors
21 and officers, and each of them, including Does 1-20.

22 **54.** Plaintiffs bring this action pursuant to Code of
23 Civil Procedure section 377.60(a) as the heirs of decedent Baylee
24 Gatlin who died without issue on May 28, 2017.

25 **55.** Plaintiffs allege that defendants and each of them,
26 including Does 1-20, were negligent and their negligence was a
27 proximate cause of Gatlin's death. As detailed in the complaint's
28 paragraphs, defendants, and each of them, including Does 1-20, had a

05/21/2018

1 duty to provide safe event venue, including, but not limited to,
2 providing a proper medical plan and system so that festival
3 attendees such as Baylee Gatlin could be properly assessed and
4 medically transported should the need arise. As detailed in the
5 paragraphs in the complaint, defendants, and each of them, and their
6 directors and officers, including Does 1-20, failed to provide and
7 execute such a proper plan and system. As a direct and proximate
8 cause of this failure, Baylee Gatlin did not receive timely medical
9 care which ultimately caused her death.

10 **56.** As a further direct and proximate result of these
11 acts, omissions or failures to act and decedent's death, plaintiffs
12 will be deprived permanently of the love, care, affection, society,
13 comfort, moral support, protection and companionship of their only
14 daughter Baylee Gatlin, and plaintiffs have sustained, and will
15 continue to sustain, damages to be ascertained according to proof at
16 trial.

17 **SECOND CAUSE OF ACTION - SURVIVAL ACTION**

18 *(All Plaintiffs Against All Defendants Including Does 1-20)*

19 **57.** Plaintiffs hereby restate, re-allege, and
20 incorporate by reference each of the paragraphs in the complaint as
21 though fully set forth herein.

22 **58.** Plaintiffs bring this action as parents and
23 successors in interest to decedent Baylee Gatlin, pursuant to Code
24 of Civil Procedure, section 377.30

25 **59.** Prior to the death of decedent on May 28, 2017, a
26 cause of action for fraud arose which was in decedent's favor as
27 against defendants, and each of them, including Does 1-20, and
28 had she survived, Baylee Gatlin would have been a plaintiff in this

1 action.

2 **60. False Promise:** As detailed in the paragraphs in the
3 complaint, defendants, and each of them, including Does 1-20, made a
4 promise to Baylee Gatlin that they would provide a safe event for
5 attendees, including but not limited to, having in place a proper
6 medical plan and system so that festival attendees such as Baylee
7 Gatlin could be properly assessed and transported for medical care
8 should the need arise. As detailed in the paragraphs, in the complaint
9 defendants, and each of them, including Does 1-20, did not intend to
10 perform this promise when they made it as evidenced in part by
11 defendants' failure to institute a proper medical plan and system so
12 that festival attendees such as Baylee Gatlin could be properly
13 assessed and medically transported should the need arise. Further the
14 defendants failed to execute the plans they did have to ensure this was
15 a "safe" festival for all attendees.

16 **61. Defendants, and each of them, including Does 1-20,**
17 intended that Baylee Gatlin rely on this promise. Baylee Gatlin,
18 reasonably relied on the aforementioned promise(s). As detailed in the
19 above paragraphs, defendants, and each of them, including Does 1-20,
20 did not perform the promised acts. As a further direct and proximate
21 result of her reliance on these aforementioned promises, Baylee Gatlin
22 suffered harm.

23 **62. Misrepresentation:** As detailed in the paragraphs, in
24 this complaint, defendants, and each of them, including Does 1-20,
25 represented that a fact was true, namely that they would provide a safe
26 event for attendees, including but not limited to, having in place a
27 proper medical plan and system so that festival attendees such as
28 Baylee Gatlin could be properly assessed and medically transported

05/21/2018

1 should the need arise. As detailed in the above paragraphs, these
2 aforementioned representations were not true. Further, although
3 defendants may have honestly believed that the aforementioned
4 representation were true, they had no reasonable grounds for believing
5 the representations were true when made. Defendants, and each of them,
6 including Does 1-20, intended Baylee Gatlin to rely on these
7 representations and Baylee Gatlin did reasonably rely on these
8 representations. As a further direct and proximate result of her
9 reliance on these aforementioned representations, Baylee Gatlin
10 suffered harm.

11 **63.** Negligent supervision/hiring: As detailed in the
12 paragraphs, in this complaint, defendants, and each of them, including
13 Does 1-20, represented that a fact was true, namely that they would
14 provide a safe event for attendees, including but not limited to,
15 having in place a proper medical plan and system so that festival
16 attendees such as Baylee Gatlin could be properly assessed and
17 medically transported should the need arise. Baylee Gatlin relied upon
18 these representations. As detailed in the above paragraphs, these
19 aforementioned representations were not true. Defendants and each of
20 them further agreed, contracted and agreed to retain, hire and
21 supervise qualified persons and entities which would be in place to
22 keep attendees safe. Defendants and each of them, knew or should have
23 known that those persons hired to perform the work were not qualified
24 and were not trained to perform the tasks assigned; and this failure
25 was a substantial factor in causing harm to decedent.

26 **64.** Plaintiffs further allege that defendants and each
27 of them acted with malice, oppression and fraud in reckless
28 disregard of the value of life of their daughter, Baylee Ybarra

05/21/2018

1 Gatlin; as stated in this complaint, including but not limited to
2 conduct as follows in direct contradiction to their promises,
3 promotions and advertisements to attendees and the public, to keep
4 in place a proper medical plan and system so that festival attendees
5 such as Baylee Gatlin could be properly assessed and transported for
6 medical care should the need arise, defendants wilfully did not do
7 so. Instead the defendants did the following:

- 8 • Defendants intentionally ignored Ms. Gatlin's
9 deteriorating condition for approximately six hours,
10 while she was unable to care for herself; vomiting into a
11 bucket, becoming incontinent of bowel and bladder and
12 running an escalating fever of 105 degrees; acted in
13 reckless disregard, with malice, oppression and fraud.
- 14 • Defendants intentionally covered Baylee Ybarra Gatlin
15 with blankets-and called no one who was qualified to
16 attend to decedent's emergent needs;
- 17 • Defendants turned a blind eye to the need to abide by
18 industry standards and their own plans and promises to
19 festival attendees, and common sense and have Ms. Gatlin
20 evaluated by qualified personnel;
- 21 • Defendants intentionally ignored the dangers of heat,
22 exhaustion; overexposure, crowds, and the their inability
23 to control their tent cities at this event.

24 This conduct of defendants and each of them goes well beyond
25 negligence, and is reckless disregard for human life; and conduct so
26 despicable and reprehensible so as to constitute malice, fraud
27 and/or oppression. Defendants and each of them acted wilfully in
28 knowing disregard for the safety of Baylee Ybarra Gatlin.

1 **65.** As a further direct and proximate result of these
2 intentional acts, omissions in reckless disregard to the rights of
3 plaintiffs and decedent, plaintiffs will be deprived permanently of
4 the love, care, affection, society, comfort, moral support,
5 protection and companionship of their only daughter Baylee Gatlin,
6 and plaintiffs have sustained damages and seek punitive damages in
7 an amount to punish the wrongdoers, to be determined at the time of
8 trial.

9
10 **WHEREFORE,** plaintiffs pray for damages against
11 defendants, and each of them, as follows as to each cause of action:

12 **1. First Cause of Action - Wrongful Death - All**
13 **Plaintiffs Against All Defendants:**

14 a. For general (non-economic) damages according to
15 proof at the time of trial;

16 b. For special (economic) damages according to
17 proof at the time of trial;

18 c. For past and future loss of love,
19 companionship, care, assistance, comfort, affection, society,
20 solace, moral support, loss of training and guidance, and protection
21 according to proof at the time of trial;

22 d. For past and future loss of services according
23 to proof at the time of trial;

24 e. For prejudgment interest as permitted by law;

25 f. For costs incurred herein;

26 g. For such other and further relief as the court
27 may deem just and proper.

28 ///

05/21/2018

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

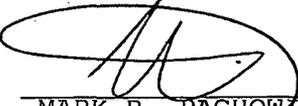
2. Second Cause of Action - Survival Action (Fraud) -

All Plaintiffs Against All Defendants:

- a. For general (non-economic) damages according to proof at the time of trial;
- b. For special (economic) damages according to proof at the time of trial;
- c. For past and future loss of love, companionship, care, assistance, comfort, affection, society, solace, moral support, loss of training and guidance, and protection according to proof at the time of trial;
- d. For past and future loss of services according to proof at the time of trial;
- e. For exemplary damages
- f. For prejudgment interest as permitted by law;
- g. For costs incurred herein;
- h. For such other and further relief as the court may deem just and proper.

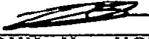
Dated: May 14, 2018.

LAW OFFICES OF MARK R. PACHOWICZ

By: 
 MARK R. PACHOWICZ
 JENNIE HENDRICKSON
 Attorneys for Plaintiff
 SUSAN YBARRA-TELIAS

Dated: May 16, 2018.

LOWTHORP, RICHARDS, McMILLAN,
MILLER & TEMPLEMAN
A PROFESSIONAL CORPORATION

By: 
 JOHN H. HOWARD
 BRETT C. TEMPLEMAN
 Attorneys for Plaintiff
 CARLA GATLIN

05/21/2018

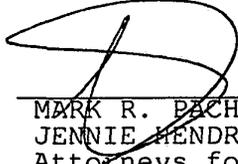
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DEMAND FOR JURY TRIAL

Plaintiffs herein demand a trial by jury for all causes of action so triable.

Dated: May 14, 2018

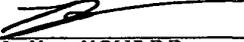
LAW OFFICES OF MARK R. PACHOWICZ

By: 

MARK R. PACHOWICZ
JENNIE HENDRICKSON
Attorneys for Plaintiff
SUSAN YBARRA-TELIAS

Dated: May 16, 2018.

LOWTHORP, RICHARDS, McMILLAN,
MILLER & TEMPLEMAN
A PROFESSIONAL CORPORATION

By: 

JOHN H. HOWARD
BRETT C. TEMPLEMAN
Attorneys for Plaintiff
CARLA GATLIN

05/21/2018

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Street number, and address):
 Mark R. Pachowicz 138108 / John H. Howard 91027 / Brett C. Templeman 224
 L/O MARK PACHOWICZ LOWTHORP, RICHARDS, et al.
 4055 Mission Oaks Blvd., Suite A 300 E. Esplanade Drive, Suite 850
 Camarillo, CA 93010 Oxnard, CA 93036 (805) 981-8555
 TELEPHONE NO.: (805)987-4975 FAX NO.: (805) 983-1967
 ATTORNEY FOR (Name): Plaintiffs

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
 STREET ADDRESS: 111 N. Hill St.
 MAILING ADDRESS: 111 N. Hill St.
 CITY AND ZIP CODE: Los Angeles, CA 90012
 BRANCH NAME: Central District

CASE NAME: GATLIN v. DO LAB, INC., ET AL.

FOR COURT USE ONLY
FILED
 Superior Court of California
 County of Los Angeles
 MAY 21 2018
 Sherri R. Carter, Executive Officer/Clerk
 By Nancy Alvarez Deputy

CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER: JUDGE: BC706951 DEPT.:
---	--	--

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

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

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

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <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): 2
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 5/16/18

Mark R. Pachowicz / John H. Howard/Brett C. Templeman

(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

SHORT TITLE:

GATLIN v. DO LAB, INC., ET AL.

E NUMBER:

BC 706951

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

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

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

05/21/2018

SHORT TITLE:

GATLIN v. DO LAB, INC., ET AL.

FILE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 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 <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach-Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 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 <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute (not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer- Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer- Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer- Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE:

GATLIN v. DO LAB, INC., ET AL.

FILE NUMBER

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

0107/17/50

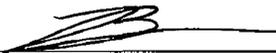
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ/Judicial Review	2, 8
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 2, 8 1, 2, 8 1, 2, 8
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

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

REASON: <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input checked="" type="checkbox"/> 11.	ADDRESS: 1024 Santee Street, Suite 600			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;">CITY: Los Angeles</td> <td style="width: 33%; padding: 5px;">STATE: CA</td> <td style="width: 33%; padding: 5px;">ZIP CODE: 90015</td> </tr> </table>	CITY: Los Angeles	STATE: CA	ZIP CODE: 90015	
CITY: Los Angeles	STATE: CA	ZIP CODE: 90015		

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: May 16, 2018



 (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.

05/21/2018

General Information

Court	CA Superior Court - Los Angeles County
Docket Number	BC706951
Status	OPEN