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Northwest District

MAY 25 2007

LOS ANGELES
SUPERIOR COURT

8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF LOS ANGELES

10 LC078066

11 MALLORY HAM,)
12)
13 Plaintiff,)
14)
15 vs.)
16 BRANDY NORWOOD, AND DOES)
17 1 to 100, INCLUSIVE,)
18)
19 Defendants.)

COMPLAINT FOR DAMAGES:

1. MOTOR VEHICLE
2. NEGLIGENCE

17 COMES NOW Plaintiff Mallory Ham and alleges as follows:

- 18 1. That at all times herein mentioned, Plaintiff Mallory Ham was, and is, a resident of
19 the County of Ventura, State of California.
- 20 2. That at all times herein mentioned, Defendant Brandy Norwood was and is a resident
21 of the County of Los Angeles, State of California.
- 22 3. That the above-entitled Court is the proper Court for this action because the injury to
23 the Plaintiff occurred within the jurisdiction of said Court.
- 24 4. That Plaintiff is ignorant of the true names and capacities of Defendants sued herein
25 as Does 1 through 100, inclusive, and therefore sues these Defendants by such fictitious names.
26 Plaintiff will amend his complaint to allege the true names and capacities of said fictitiously named
27 Plaintiff is informed and believes and thereon alleges that each of the fictitiously named Defendants
28

1 acted negligently, carelessly or are responsible as owners, operators and/or managers of property
2 and business, and/or acted intentionally and maliciously, or in conscious disregard of the rights and
3 safety of the Plaintiff herein, all to cause injury to the Plaintiff and which acts and/or omissions
4 occurred within the jurisdiction of the above-entitled Court as hereinafter alleged, and that Plaintiff's
5 losses as herein alleged were proximately caused by such acts and/or omissions of said fictitiously
6 named Defendants.

7 5. That Defendants, and each of them, whether named or designated as Doe, or
8 otherwise, were at all times herein mentioned, the agents, employees, or servants, and partners of
9 each of the other Defendants, and/or contracting parties with their co-defendants, and in doing the
10 things hereinafter alleged, were acting within the course and scope of such agency, employment,
11 service, contract and/or partnership and the conduct of each Defendant was authorized and ratified
12 by the other.

13 **FIRST CAUSE OF ACTION - MOTOR VEHICLE**

14 6. Plaintiff incorporates herein by this reference as if fully set forth herein the
15 allegations contained in Paragraphs 1 through 5, inclusive, as alleged herein above.

16 7. That on or about December 30, 2006, on Interstate 405 Northbound, near the
17 Sepulveda exit, in the City of Sherman Oaks, in the County of Los Angeles, State of California,
18 Defendant Brandy Norwood and Does 1 to 100, inclusive, and each of them, so carelessly and
19 negligently owned, operated, entrusted, leased, repaired, modified, maintained and/or controlled
20 a 2007 Land Rover Range Rover so as to cause a multi-vehicle accident that severely injured
21 Plaintiff Mallory Ham and killed another person.

22 8. Further, that on or about December 30, 2006, on Interstate 405 Northbound, near
23 the Sepulveda exit, in the City of Sherman Oaks, in the County of Los Angeles, State of
24 California, Defendant Brandy Norwood and Does 1 to 5, inclusive, and each of them, operated a
25 motor vehicle recklessly, watonly, unlawfully, maliciously, and with conscious disregard for the
26 rights, health, and safety of others so as to cause a multi-vehicle accident that severely injured
27 Plaintiff Mallory Ham and killed another person.

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1 9. Moreover, Defendant Brandy Norwood and Does 1 to 5, inclusive, and each of
2 them, was aware from the outset of the probable consequences of such conduct and willfully
3 and/or deliberately failed to avoid those consequences, hence solidifying their conscious disregard
4 for the rights, health, and safety of others. At all applicable times Defendant Brandy Norwood
5 and Does 1 to 5, inclusive, and each of them, were aware of the dangers of driving a Land Rover
6 Range Rover in a manner as operated by Brandy Norwood and Defendants 1 to 5. Particularly,
7 but not limited to, Defendant Brandy Norwood, at all applicable times, was aware of the probable
8 harmful consequences of speeding in a Land Rover Range Rover, following other vehicles too
9 closely in a Land Rover Range Rover, and tailgating other vehicles in a Land Rover Range
10 Rover. Unfortunately, Defendant Brandy Norwood, per her conduct, and/or lack thereof,
11 willfully and/or deliberately failed to avoid the subject probable consequences.

12 10. As a direct consequence of the acts alleged herein, Plaintiff Mallory Ham
13 incurred medical expenses, loss of earnings and other related expenses and special economic
14 damages, as well as suffering and continuing to suffer in the present and into the future, and
15 general damages for his pain and anguish. Additionally, and as a direct result and consequence of
16 the injuries and damages suffered by the Plaintiff as alleged herein, Plaintiff will in the future
17 suffer special economic damages consisting of, but not limited to, medical expenses and loss of
18 earnings, and general damages for pain and suffering. Furthermore, as a direct result of the acts
19 of Defendant Brandy Norwood, and Does 1 through 5, inclusive, and each of them, as alleged
20 herein above, Plaintiff Mallory Ham is entitled to recover punitive and/or exemplary damages
21 against said Defendants, and each of them, in an amount according to proof.

22 **SECOND CAUSE OF ACTION - NEGLIGENCE**

23 11. Plaintiff incorporates herein by this reference as if fully set forth herein the
24 allegations contained in Paragraphs 1 through 5, inclusive, as alleged herein above.

25 12. That on or about December 30, 2006, on Interstate 405 Northbound, near the
26 Sepulveda exit, in the City of Sherman Oaks, in the County of Los Angeles, State of California,
27 Defendant Brandy Norwood and Does 1 to 100, inclusive, and each of them, so carelessly and
28 negligently owned, operated, entrusted, leased, repaired, modified, maintained and/or controlled

1 a 2007 Land Rover Range Rover so as to cause a multi-vehicle accident that severely injured
2 Plaintiff Mallory Ham and killed another person.

3 13. As a direct consequence of the acts alleged herein, Plaintiff Mallory Ham
4 incurred medical expenses, loss of earnings and other related expenses and special economic
5 damages, as well as suffering and continuing to suffer in the present and into the future, and
6 general damages for his pain and anguish. Additionally, and as a direct result and consequence of
7 the injuries and damages suffered by the Plaintiff as alleged herein, Plaintiff will in the future
8 suffer special economic damages consisting of, but not limited to, medical expenses and loss of
9 earnings, and general damages for pain and suffering.

10
11 **WHEREFORE**, Plaintiff Mallory Ham prays for Judgment against Defendants, and each
12 of them, as follows:

- 13 1. For economic and special damages consisting of, but not limited to, past, present
14 and future medical expenses and loss of earnings, and other expenses, of the Plaintiff herein;
- 15 2. For non-economic and general damages consisting of, but not limited to, damages
16 to compensate the Plaintiff herein for his past, present and future pain and suffering;
- 17 3. For punitive and/or exemplary damages;
- 18 4. For costs of suit incurred herein; and,
- 19 5. For such other and further relief as the Court may deem proper.
- 20

21 **DATED:** May²⁴, 2007

BOB M. COHEN & ASSOCIATES

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24 **MICHAEL M. MARZBAN,**
25 **BASEL G. JAMRA,**
26 **Attorneys for Plaintiff**