

JT
320

1 Andre Rekte, State Bar #129578
2 GIRARDI AND KEESE
3 155 W. Hospitality Lane, Suite 260
4 San Bernardino, CA 92408
5 TEL: 909/381-1551
6 FAX: 909/381-2566

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUN 26 2007

ALAN SLATER, Clerk of the Court

J. Tran
BY J. TRAN

6 Attorneys for Plaintiffs

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF ORANGE

11 TERRIE CAGE; RICKEY CAGE

CASE NO. 07CC07290

12 Plaintiffs,

13 vs.

COMPLAINT FOR

14 JAN ADAMS, M.D.; RAAN JEIROUDI
15 M.D.; EUCLID OUTPATIENT SURGERY
16 CENTER and DOES 1 through 20,
17 Inclusive,

- 1. MEDICAL MALPRACTICE
- 2. LACK OF INFORMED CONSENT
- 3. LOSS OF CONSORTIUM

16 Defendants.

JUDGE ANDREW P. BANKS
DEPT. C6

19 Plaintiffs allege as follows:

21 FIRST CAUSE OF ACTION

(By Plaintiff TERRIE CAGE as Against All Defendants)

24 1. That the true names and capacities, whether individual, corporate,
25 associate or otherwise, of defendants DOES 1 through 20, are unknown to plaintiff at this time,
26 who therefore sues said defendants by such fictitious names and will ask leave of court to amend

28 COMPLAINT FOR MEDICAL MALPRACTICE

018/0096cc04
07CC07290
LHJE
ADAMS
UF UNLIMITED CIVL FILING; 0 320.60
JT 45001 06/26/2007 13:36 PAID CHK/CR

JT
AS

1 this complaint to show their true names and capacities when ascertained. Said defendants are
2 sued as principals, and all of the acts performed by them as agents, servants and employees were
3 performed within the course and scope of their authority and employment.

4 2. That at all times herein mentioned, plaintiff was a patient of the
5 defendants, and each of them.

6 3. That at all times mentioned, the defendants, and each of them, were and
7 now are doing business in the State of California, County of Los Angeles.

8 4. That on or about June 27, 2007, plaintiff was under the care and
9 treatment of the defendants, and each of them. Said defendants, and each of them, negligently
10 and carelessly examined, diagnosed, cared for, treated and performed surgery upon plaintiff,
11 failing to follow the standard of care in common practice during such time in the community,
12 thereby causing plaintiff to suffer the injuries and damages hereinafter described.

13 5. That as a proximate result thereof, and as a direct cause of said negligence
14 and carelessness, plaintiff was rendered sick, sore, lame and disabled, and was injured in health,
15 strength, and activity, a portion of said injuries being permanent. As a result of said injuries,
16 plaintiff has had, and in the future will have, pain, suffering, worry and anxiety. By reason of
17 said injuries and consequences, plaintiff has sustained general damages in a monetary sum.

18 6. By reason of said injuries, plaintiff has incurred expenses of physicians,
19 hospital, medical, nursing and incidentals, all to further damage. By reason of said injuries,
20 plaintiff will probably incur additional expenses in the future, the exact amounts of which at this
21 time cannot be ascertained, all to further damage. When said amounts of past and further
22 expenses are ascertained, plaintiff will ask leave of court to amend this complaint and insert said
23 amounts herein.

24 7. That the defendants concealed their own negligence and told the plaintiff
25 that her physical disabilities were due to causes other than their own negligence.

1 society, sexual relations and solace of plaintiff, TERRIE CAGE, as a wife. Plaintiff is informed
2 and believes, and therefore alleges, that because of the permanent nature of the injuries sustained
3 by plaintiff, TERRIE CAGE, as hereinabove alleged, he will in the future continue to lose all or a
4 portion of the aforesaid items, all to his damage in an amount within the jurisdiction of this court.

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

WHEREFORE, plaintiffs pray for judgment against the defendants, and each of them, as follows:

1. General damages;
2. All medical, hospital and incidental expenses, according to proof;
3. Actual loss of earnings sustained, according to proof;
4. Loss of consortium;
5. For costs of suit incurred herein;
6. For such other and further relief as this court may deem just and proper.

DATED: 6/22/07

GIRARDI AND KEESE
Attorneys for Plaintiffs

BY 
ANDRE REKTE

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Andre Retke - SBN 129578 GIRARDI AND KEESE 155 W. Hospitality Lane, Suite 260 San Bernardino, CA 92408		FOR COURT USE ONLY
TELEPHONE NO: 909/381-1551 FAX NO: 909/381-2566 ATTORNEY FOR (Name): Plaintiffs		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 CIVIL CENTER Dr. West MAILING ADDRESS: same CITY AND ZIP CODE: Santa Ana, CA 92702 BRANCH NAME: Central Trust Center		CASE NUMBER: 07CC07290 JUDGE: JUDGE ANDREW P. BANKS DEPT: DEPT. 08
CASE NAME: CAGE, et al v. ADAMS, et al		
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)	

Items 1-5 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 (08) <input type="checkbox"/> 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 PIPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input checked="" type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIPD/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-PIP/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-PIP/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 (03) <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. Type of remedies sought (check all that apply):
 a. monetary b. nonmonetary, declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): **THREE**

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)
 Date: **JUNE 22, 2007**
 Andre Retke - SBN 129578
 (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 complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2