Electronically FILED by Superior Court of California, County of Los Angeles on 03/18/2021 11:30 AM Sherri R. Carter, Executive Officer/Clerk of Court, by M. Barel,Deputy Clerk
Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Daniel Crowley

PLD-PI-001

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*
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ATTORNEY FOR *(Name):* Michael Garcia

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: 111 North Hill Street
MAILING ADDRESS:
CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: Stanley Mosk

PLAINTIFF: Michael Garcia
DEFENDANT: Starbucks Corporation; and
[x] DOES 1 TO 50

COMPLAINT—Personal Injury, Property Damage, Wrongful Death
[ ] **AMENDED *(Number):***

CASE NUMBER:
20STCV10214

Type *(check all that apply):*
[ ] **MOTOR VEHICLE** [x] **OTHER *(specify):*** Negligence
[ ] **Property Damage** [ ] **Wrongful Death**
[ ] **Personal Injury** [ ] **Other Damages *(specify):***

Jurisdiction *(check all that apply):*
[ ] **ACTION IS A LIMITED CIVIL CASE**
Amount demanded [ ] does not exceed $10,000
[ ] exceeds $10,000, but does not exceed $25,000
[x] **ACTION IS AN UNLIMITED CIVIL CASE (exceeds $25,000)**
[ ] **ACTION IS RECLASSIFIED by this amended complaint**
[ ] **from limited to unlimited**
[ ] **from unlimited to limited**

1. **Plaintiff** *(name or names):* Michael Garcia
alleges causes of action against **defendant** *(name or names):*
Starbucks Corporation
2. This pleading, including attachments and exhibits, consists of the following number of pages:
3. Each plaintiff named above is a competent adult
   a. [ ] **except** plaintiff *(name):*
      (1) [ ] a corporation qualified to do business in California
      (2) [ ] an unincorporated entity *(describe):*
      (3) [ ] a public entity *(describe):*
      (4) [ ] a minor [ ] an adult
         (a) [ ] for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
         (b) [ ] other *(specify):*
      (5) [ ] other *(specify):*
   b. [ ] **except** plaintiff *(name):*
      (1) [ ] a corporation qualified to do business in California
      (2) [ ] an unincorporated entity *(describe):*
      (3) [ ] a public entity *(describe):*
      (4) [ ] a minor [ ] an adult
         (a) [ ] for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
         (b) [ ] other *(specify):*
      (5) [ ] other *(specify):*

[ ] Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE: Garcia v. Starbucks Corporation	CASE NUMBER:

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. [x] **except** defendant *(name):* Starbucks Corporation
- (1) [ ] a business organization, form unknown
- (2) [x] a corporation
- (3) [ ] an unincorporated entity *(describe):*
- (4) [ ] a public entity *(describe):*
- (5) [ ] other *(specify):*

b. [ ] **except** defendant *(name):*
- (1) [ ] a business organization, form unknown
- (2) [ ] a corporation
- (3) [ ] an unincorporated entity *(describe):*
- (4) [ ] a public entity *(describe):*
- (5) [ ] other *(specify):*

c. [ ] **except** defendant *(name):*
- (1) [ ] a business organization, form unknown
- (2) [ ] a corporation
- (3) [ ] an unincorporated entity *(describe):*
- (4) [ ] a public entity *(describe):*
- (5) [ ] other *(specify):*

d. [ ] **except** defendant *(name):*
- (1) [ ] a business organization, form unknown
- (2) [ ] a corporation
- (3) [ ] an unincorporated entity *(describe):*
- (4) [ ] a public entity *(describe):*
- (5) [ ] other *(specify):*

[ ] 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. [x] Doe defendants *(specify Doe numbers):* 1-25 were the agents or employees of other named defendants and acted within the scope of that agency or employment.
   b. [x] Doe defendants *(specify Doe numbers):* 26-50 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. [x] 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):*

SHORT TITLE: Garcia v. Starbucks Corporation	CASE NUMBER:

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):*

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. ☒ other damage *(specify):*
Incidental damages. Other damages are unknown at this time which Plaintiff will prove at trial. Loss of society, love, protection, companionship, consortium, and other related injuries and damages.

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: 3/10/2020

Michael R. Parker
(TYPE OR PRINT NAME)

Michael Parker
(SIGNATURE OF PLAINTIFF OR ATTORNEY)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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SHORT TITLE: Garcia v. Starbucks Corporation	CASE NUMBER:

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):* Michael Garcia

alleges that defendant *(name):* Starbucks Corporation; and

☑ 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)*: 2/8/2020

at *(place)*: 1789 W Jefferson Blvd, Los Angeles, CA 90018

(description of reasons for liability):

Defendants negligently, carelessly and recklessly served drinks that were too hot.

Defendants did not securely fasten the lids of each hot beverage that were negligently, carelessly and recklessly served to Plaintiff

Defendants negligently, carelessly and recklessly served Plaintiff hot drinks in a beverage container that was not structurally sound and/or flawed in design.

Defendants negligently, carelessly and recklessly handed over the hot beverages to the Plaintiff without the Plaintiff having a secure grip on the hot beverages.

As a result, Plaintiff sustained physical injuries as alleged herein.

Form Approved for Optional Use
Judicial Council of California
PLD-PI-001(2) [Rev. January 1, 2007]

Code of Civil Procedure 425.12
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