

FSC: 02 / 01 / 2019 TRIAL: 02 / 19 / 2019 OSC: 08 / 18 / 2020

FILED
Superior Court of California
County of Los Angeles

AUG 18 2017

By Marion Gomez Deputy
Sherri B. Carter, Executive Officer/Clerk

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ATTORNEYS FOR PLAINTIFFS

COMPLAINT

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

LOS ANGELES SUPERIOR COURT

BC673010

CASE NO.: _____

I. WRONGFUL DEATH

ESTATE OF CARMEL MUSGROVE;
RONALD MUSGROVE;
ANN MUSGROVE,

PLAINTIFFS,

v.

MARTIN HERROLD;
JOEL SILVER;
SILVER PICTURES;
SILVER-KATZ HOLDINGS;
and Does 1-10,

DEFENDANTS.

BY FAX

WATKINS LAW OFFICES

RECEIPT #: CCH621759075
DATE PAID: 08/18/17 02:27 PM
PAYMENT: \$435.00
RECEIVED: 310
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

CIT/CASE: BC673010
LEA/DEF#:

08/18/2017

PARTIES

1
2 1. Plaintiff Estate of Carmel Musgrove is the successor-in-interest to the interests
3 of Carmel Musgrove individually, who died on August 19, 2015. She was a resident of Los
4 Angeles County.

5 2. The Estate of Carmel Musgrove is represented by her successor-in-interest,
6 Ronald Musgrove, pursuant to California Code of Civil Procedure, section 377.30, et seq.

7 3. The Estate of Carmel Musgrove is also represented by her successor-in-
8 interest, Ann Musgrove, pursuant to California Code of Civil Procedure, section 377.30, et
9 seq.

10 4. Ronald Musgrove is also a Plaintiff, bringing a claim for the loss, affection
11 and other adverse consequences of Carmel's death as to him. He resides in San Diego
12 County.

13 5. Ann Musgrove is also a Plaintiff, bringing a claim for the loss, affection and
14 other adverse consequences of Carmel's death as to her. She resides in San Diego County.

15 6. Defendant Martin Herold is an individual believed to reside in Los Angeles
16 County, and is a resident thereof.

17 7. Defendant Joel Silver is an individual believed to be residing in Los Angeles
18 County and is a resident of California.

19 8. Defendants Silver Pictures is an entity of unknown corporate form and is
20 believed to have its principal office and place of business located at 2434 Main St, Santa
21 Monica, CA 90405.

22 9. Defendant Silver-Katz Holdings is a Delaware Corporation formed on May
23 27, 2015 and is believed to have its principal office and place of business located at 2434
24 Main St, Santa Monica, CA 90405.

25 10. Although Carmel's death occurred in Bora Bora, given the overall resident
26 locations of the parties, an appropriate, reasonable and fair forum for this dispute is a
27 California state court, in particular, Los Angeles Superior Court.

08/08/2017

1 11. Unless otherwise specified by name, Joel Silver, Silver Pictures and Silver-
2 Katz Holdings will be collectively referred to as the "Silver Defendants."

3 12. The true names and capacities, whether individual, corporate, associate or
4 otherwise, of defendants named as Does 1 through 10, inclusive, are unknown to plaintiff who
5 therefore sues such defendants by fictitious names. Plaintiff will seek leave of this Court to
6 amend this Complaint with the true names and capacities of the Doe defendants when the true
7 names and capacities become known to plaintiff. Plaintiffs are informed and believe, and
8 thereon allege, that each of the fictitiously-named defendants is responsible in some manner for
9 the claims, obligations, and damages sued upon herein.

10 **STATEMENT OF FACTS**

11 13. On July 25, 2015, Defendant Silver Pictures chartered a gulfstream private jet to
12 fly his family and personal guests to Bora Bora, for \$82,698.00 if paid by credit card in
13 August, 2015.

14 14. On August 3, 2015, Martin Herold arrived in Bora Bora.

15 15. Herold is an employee of one of the Silver Defendants and works as the Silver
16 family's personal chef.

17 16. According to Herold, he had become close to Carmel in his four years of
18 working together with Carmel: close in his working environment, close as a friend, sometimes
19 sexual relationship, and close as a drinking and party buddy.

20 17. Carmel Musgrove was a 28-year-old woman, employed as a personal assistant
21 and sometimes associate movie producer by one or more of the Silver Defendants.

22 18. Her duties included handling the daily affairs and activities of Mr. Silver.

23 19. On August 4, 2015, Carmel arrived in Bora Bora on work assignment and
24 spent the following weeks attending working events and work functions.

25 20. She, Herold, the Silver-related guests, along with a larger entourage of movie
26 stars and their family members, stayed at the Four Seasons Hotel by occupying over 40
27 bungalows as part of Jennifer Aniston and Justin Theroux's honeymoon celebration.

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1 21. Sometime between August 4, 2015 and her death on August 19, 2015,
2 Defendant Herold provided Carmel (and possibly others) with cocaine.

3 22. On August 6, 2015, Joel Silver and his family entourage consisting of 12
4 persons arrived in Bora Bora.

5 23. They were there for vacation purposes, as was their custom, however for the
6 staff, including Carmel and Mr. Herold, it was an occupational duty in a different location.

7 24. On August 6, 2015, one of the Silver Defendants provided alcohol to Carmel
8 by virtue of her purchase of it on her room tab, including 4 bottles of Chateau Laroque wine,
9 Johnny Walker Black scotch and Jack Daniels whiskey.

10 25. On August 9, 2015, Carmel attended dinner with the Silver family.

11 26. On August 15, 2015, Carmel sent an email to what is believed the
12 representative of her landlord expressing surprise that her rent check had not been received
13 and committing to send a replacement check on August 17, 2015.

14 27. On August 18, 2015, Carmel participated in a fishing trip in conjunction with
15 her duties as Silver's personal assistant, where she was furnished alcohol during the
16 excursion. The trip lasted from approximately 9 am to 2 pm.

17 28. Carmel was seen by the participants on the trip, which included Joel Silver.

18 29. Around 2 pm, she was observed by Morosowski Igor, the Four Season's hotel
19 director.

20 30. Upon returning from the fishing trip, Carmel ate lunch with the Silver family,
21 until about 4 pm, and on information and belief, the Silver Defendants furnished Carmel with
22 additional alcohol.

23 31. At around 8 pm, Carmel had dinner with the Silver family, and on information
24 and belief, the Silver Defendants furnished Carmel with additional alcohol.

25 32. Carmel was planning to watch a movie with Silver's children after dinner, but
26 excused herself from the obligation by reporting that she felt physically uncomfortable and
27 was returning to her bungalow, possibly because of cramps from her menstrual cycle.

1 33. At approximately 9:15 pm, Martin Herold completed his duties for the Silver
2 Defendants and returned to his bungalow.

3 34. At approximately 9:25 pm, Herold sent Carmel an email informing her that
4 he was “drinking by myself” and thus implicitly inviting her to come over.

5 35. Between 9:30 pm and 10:00 pm, Carmel and Herold exchanged messages of a
6 flirtatious nature discussing why they had not firmed up plans with each other during the
7 evening.

8 36. At approximately 10:00 pm, they initially said good night to each other, but at
9 10:01 pm, Herold told Carmel that he didn’t want to go to bed.

10 37. At approximately 10:15 pm, Carmel asked Herold if he was still awake, he
11 confirmed that he was, and she came over.

12 38. At approximately 10:20 pm, Carmel visited Defendant Herold in his bungalow
13 and for the next hour or so, he furnished Carmel with additional alcohol, marijuana and
14 cocaine.

15 39. Herold also ingested alcohol, marijuana and cocaine during this visit.

16 40. Carmel took a shower while at Herold’s bungalow, reflecting their familiarity
17 and physical comfort with each other.

18 41. On 10:21 pm, Joel Silver’s wife, Karyn, sent Carmel a message stating
19 “howling wind.”

20 42. It appears that Carmel and Mr. Herold were in a sexual relationship but did
21 not have sexual intercourse on that particular evening, although they flirted and had physical
22 contact.

23 43. Herold acknowledged that he purchased about a gram’s worth of cocaine
24 while in Bora Bora (50 euros worth).

25 44. On information and belief, he bought more than a single gram if he was
26 providing some for Carmel to have in her bungalow as well as share it with her when she
27 came to visit him at his.

1 45. At 11:11 pm, Carmel returned to her bungalow as reflected by the key swipe
2 records of the hotel.

3 46. At 12:00 am, the beginning of August 19, 2015, Carmel sent an email to Mr.
4 Herold stating "Xxx," which could mean in more common parlance "xoxo" as a sort of
5 parting romantic goodbye or it could have been an invitation for him to come over to her
6 bungalow for a late night tryst.

7 47. Around the same time, Carmel contacted the hotel front desk and asked
8 someone to bring her matches.

9 48. Within a half hour, hotel representative delivered the matches and reported
10 that she opened the door with her body behind it, just exposing her head and hand in order to
11 receive the matches.

12 49. Carmel's decision to hide behind the door suggests she was not fully clothed
13 or that she otherwise did not want staff to have a window to the activity in her bungalow.

14 50. Either way, the delivery of the matches was the last time anyone reported
15 seeing Carmel alive.

16 51. At 7:04 am, an email message was sent from Carmel's phone, establishing that
17 she was still alive as of that time assuming she was the one that sent it.

18 52. On her front door, a do not disturb sign was later noticed.

19 53. In her room, later inventoried by police, two wine glasses were found on the
20 bungalow's bar area.

21 54. In her room, later inventoried by police, a cannabis joint, paraphernalia for
22 marijuana use and cocaine residue use were found.

23 55. In her room, later inventoried by police, items reflecting management of her
24 menstrual cycle were found.

25 56. In her room, later inventoried by police, a wet bathing suit was found on the
26 floor. If that was utilized to take a "midnight swim" after the matches were delivered, then it
27 is not clear why she would have taken a second swim, naked, sometime after 7 am in the
28 morning.

1 57. There were no signs of forced entry into Carmel's bungalow.

2 58. In her room, later inventoried by police, the bed was made. This is odd. If
3 she never slept in it, then she was up all night with no indication or trail of any activity from
4 12:30 am, when she was last seen, through 7:04 am when she sent her last email
5 communication, to some decision thereafter to venture outside in the early morning hours of
6 August 19, 2015 into the lagoon where she presumptively drowned.

7 59. If she did sleep in it, then she woke up at 7:04 am to send an email and made
8 her bed sometime thereafter, despite the fact that the remainder of the room was relatively
9 disheveled. After making her bed, of all things, she then oddly went for an early morning
10 swim where she presumptively drowned.

11 60. If her "Xxx" communication to Martin Herold was not the equivalent of a
12 parting "xoxo" but an invitation for him to come over for sexual purposes, and her hiding
13 behind the door when staff brought her the matches at 12:30 am was to conceal Mr. Herold's
14 presence in her bungalow, then someone made the bed after probable sexual relations as a
15 way of concealing the event; if so, Mr. Herold was far more involved in Carmel's death than
16 he disclosed to police when he reported his last observation of her to be around 11 pm the
17 night before.

18 61. The next morning no one reported seeing Carmel, and more importantly, no
19 one saw her take a swim after 7 am in the morning, when although the activity might have
20 been slow given the vacation atmosphere, it was not so early that it should not have been
21 noticed by at least one person occupying the adjacent bungalows.

22 62. According to Michael Baden's estimate of the time of her death based on
23 subtracting his estimate of 12 hours in the water based on the body's presentation from the
24 time she was found on August 20, 2015 at approximately 1 am, her time of death per his
25 estimate was approximately 1 pm on August 19, 2015.

26 63. Yet no one saw Carmel at any time after 12:30 am on August 19, 2015,
27 although according to Dr. Baden's opinion, she was alive until approximately 1 pm on that
28 same afternoon.

1 64. On August 19, 2015, as the day wore on, and Carmel's non-appearance
2 increasingly observed, Silver and other coworkers began searching for Carmel.

3 65. Around 6:03 pm, Herold sent Carmel an email message asking her if she
4 needed anything.

5 66. At or around 6:30 pm on August 19, 2015, Joel Silver knocked on her
6 bungalow door and involved members of the hotel to enter the unit and check on her welfare.
7 There was no one inside. Mr. Silver later reported that the bay window was wide open.

8 67. Hotel personnel began to search the facility.

9 68. Her body was found at 1 am the following morning, August 20, 2015, floating
10 nude on one of the banks in a nearby lagoon, 400-500 yards from her bungalow.

11 69. Officials formally declared her death to be 1 am on August 20, 2015 because
12 that is when her body was found; however, she clearly died sometime earlier than the time
13 that she washed up on shore 400-500 yards from her bungalow and was later found.

14 70. An autopsy report was prepared by French officials including toxicology tests
15 reporting positive results for alcohol, marijuana and cocaine.

16 71. Dr. Michael Baden was present for the autopsy. He estimated that the
17 decedent was in the water approximately 12 hours. However, it is difficult to reconcile a 1
18 pm time of death (on August 19, 2015) with a complete lack of witnesses to any activity on
19 her part from 12:01 am onward that morning.

20 72. A San Diego County autopsy report was later performed and they declared the
21 time of death at 2 am, not 1 am, on August 20, 2015, again reflecting an assignment of the
22 time of death as when her body was found rather than calculating when she actually died.

23 73. In an interview later given to French police, Mr. Silver informed that he knew
24 Carmel and Mr. Herold sometimes drank together but as regards to drug use, "I never saw
25 anything." In other words, one inference from Mr. Silver's phraseology is that he knew
26 Carmel and Herold did drugs together, but he did not personally witness these events.

27 74. At a different point in the interview, Silver denied any knowledge of Carmel's
28 use of marijuana or cocaine.

1 75. When the body was found, it did not have any signs of trauma on it indicating
2 a violent death.

3 76. According to Mr. Silver's statement to French police, he informed the
4 Musgrove family of Carmel's death at 5:30 am on August 20, 2015 indicating to Ann
5 Musgrove that she accidentally drowned.

6 77. According to Ann Musgrove, Silver told her that he had seen Carmel jump
7 into the ocean by herself around midnight the night before (the border of August 18 and
8 August 19, 2015), however Mr. Silver told police that the last time he saw Carmel was at
9 dinner on August 18, 2015, which had concluded around 8 pm.

10 78. On August 21, 2015, police became concerned because Martin Herold left
11 Bora Bora by paying cash for a flight out. Although he had given police a statement on
12 August 20, 2015, his prompt departure created some amount of suspicion.

13 79. On August 21, 2015 at approximately 1:52 pm, a day after she was found
14 deceased, Carmel's Instagram account password was changed by an unknown actor.

15 80. No activity was detected with Carmel's key card from August 18, 2015 at
16 11:11 pm through 7:11 pm on August 19, 2015, thus continuing the uncertainty of her
17 movements and activities from 12:30 am to the time she died.

18 81. According to a perusal of her cellular phone, Carmel received a number of
19 emails on August 19, 2015 without responding.

20 82. According to the French investigation, Carmel drowned as a product of five
21 factors:

- 22 (a) overconsumption of alcohol;
23 (b) consumption of cocaine;
24 (c) fatigue caused by overwork;
25 (d) heat stroke after the fishing trip on August 18, 2015;
26 (e) a midnight swim during unfavorable weather conditions.

27 83. Four of these reasons (a-d) are traceable to conduct involving Defendants.
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I.

CAUSE OF ACTION FOR WRONGFUL DEATH

84. Plaintiffs incorporate the allegations of paragraphs 1-83.

85. Defendant Herold committed a wrongful act by furnishing Carmel with cocaine, which contributed to her death.

86. The Silver Defendants, themselves or through their agents, committed wrongful acts by furnishing Carmel with excessive amounts of alcohol, furnishing her with cocaine, creating excessive fatigue by requiring her performance of work functions during the Silver's family vacation in Bora Bora from August 4, 2015 to August 18, 2015, which included her suffering a heat stroke as a result of a work function on August 18, 2015 during a fishing trip.

87. These acts caused, or contributed to the cause, of Carmel's death.

88. Plaintiff Estate of Carmel Musgrove was damaged by virtue of the loss of earnings during her lifetime and the loss of the remainder of her life itself.

89. Plaintiff Ann Musgrove suffered damages by the loss of her daughter and its many and varied logistic, economic, personal and emotional consequences for Ann's life.

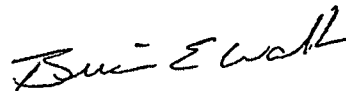
90. Plaintiff Ron Musgrove suffered damages by the loss of her daughter and its many and varied logistic, economic, personal and emotional consequences for Ron's life.

Wherefore, Plaintiffs seek the following relief:

- (i) past and future compensatory damages according to proof;
- (ii) interest according to proof;
- (iii) attorney's fees and costs as allowable by law;
- (iv) such other relief as the Court deems just and proper.

Date: August 18, 2017

BRIAN E. WATKINS & ASSOCIATES



Brian E. Watkins, Esq.
Attorney for Plaintiffs

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, and address):
Brian E. Watkins, Esq., SBN 190599
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TELEPHONE NO.: 619 255 5930 FAX NO.: 619 255 5369
ATTORNEY FOR (Name): Estate of Carmel Musgrove, et al.

FOR COURT USE ONLY
FILED
Superior Court of California
County of Los Angeles
AUG 18 2017
Sherri B. Carter, Executive Officer/Clerk
By Marlon Gomez Deputy

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: Central

CASE NAME:
Musgrove v. Silver, et al.

CIVIL CASE COVER SHEET
 Unlimited (Amount demanded exceeds \$25,000)
 Limited (Amount demanded is \$25,000 or less)

Complex Case Designation
 Counter **Joinder**
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:
BC 673010
JUDGE:
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): 1
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: August 18, 2017
Brian E. Watkins, Esq.

Brian E. Watkins
(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.

BY FAX

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

**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)

- | | |
|--|---|
| <ul style="list-style-type: none"> 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. | <ul style="list-style-type: none"> 7. Location where petitioner resides. 8. Location wherein defendant/respondent functions wholly. 9. Location where one or more of the parties reside. 10. Location of Labor Commissioner Office. 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
|--|---|

BY FAX

Auto Tort

Other Personal Injury/Property Damage/Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input checked="" type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

03/01/00

SHORT TITLE: Musgrove v. Silver	CASE NUMBER
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	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	1, 2, 3
		<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	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	1, 2, 3
		<input type="checkbox"/> A6109 Labor Commissioner Appeals	10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2, 5
		<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	5, 6, 11
		<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	5, 11
	<input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	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	1, 2, 3, 5	
	<input type="checkbox"/> A6031 Tortious Interference	1, 2, 3, 5	
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9	
Real Property	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
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2, 6
		<input type="checkbox"/> A6032 Quiet Title	2, 6
<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)		2, 6	
Unlawful Detainer	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- 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: Musgrove v. Silver	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	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
Provisionally Complex Litigation	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	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	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	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)		1, 2, 8	
Miscellaneous Civil Petitions	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	2, 3, 9
		<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		<input type="checkbox"/> A6190 Election Contest	2
		<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2, 3, 8	
	<input type="checkbox"/> A6100 Other Civil Petition	2, 9	

SHORT TITLE: Musgrove v. Silver	CASE NUMBER
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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: 470 Layton Way Los Angeles, CA 90049
CITY: Los Angeles	STATE: CA	ZIP CODE: 90049

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: August 18, 2017

Bruce E. Wall

(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.

08/18/2017