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Attorney for Petitioner Kosala Hemachandra

FILED
Superior Court of California
County Of Los Angeles

DEC 14 2017

herri R. Carter ~~Executive Officer~~ *Deputy*

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

BS171730

KOSALA HEMACHANDRA, an individual,

CASE NO.:

Petitioner,

v.

**VERIFIED PETITION FOR WRIT OF
MANDATE TO COMPEL
INSPECTION AND COPYING OF
BOOKS, RECORDS, AND
FINANCIAL DOCUMENTS OF
CALIFORNIA LIMITED LIABILITY
COMPANY**

TAYLOR MONAHAN, an individual;
MYETHERWALLET, LLC, a California
limited liability company,

(Cal. Code of Civil Procedure § 1085;
Cal. Corporations Code § 17704.10)

Respondents.

2100/93/03

CIT/CASE: BS171730
LEA/DEF#:

RECEIPT #: CCH505376037

DATE PAID: 12/14/17 12:43 PM

PAYMENT: \$435.00 310

RECEIVED:

CHECK: \$435.00

CASH: \$0.00

CHANGE: \$0.00

CARD: \$0.00

BS171730

188

1 Petitioner KOSALA HEMACHANDRA ("Hemachandra"), a member and manager
2 of Respondent MYETHERWALLET, LLC ("MEW"), whose books and records are
3 controlled and in the possession of director, member, and manager of MEW, Respondent
4 TAYLOR MONAHAN ("Monahan," collectively, "Respondents"), petitions this Court for
5 a Writ of Mandate or other extraordinary Writ or Order directing Respondents to
6 immediately make available to Hemachandra and his attorneys for inspection and copying,
7 all books, records, and financial documents of MEW. Hemachandra brings this action
8 under Code of Civil Procedure section 1085 and Corporations Code section 17704.10.
9 Hemachandra alleges as follows on knowledge as to himself and his known acts, and on
10 information and belief as to all other matters.

11 JURISDICTION AND VENUE

12 1. Jurisdiction is proper in this action because Monahan is believed to be a
13 resident of Los Angeles County, and a substantial part of the conduct at issue was
14 performed or to be performed in Los Angeles County, California. Hemachandra is
15 informed and believes that MEW is a California limited liability company with its principal
16 place of business in Los Angeles County, California. Hence, this Court has both personal
17 jurisdiction over the parties and subject matter jurisdiction over this action.

18 2. Venue is proper in this court. The records at issue are in the possession of
19 Monahan, who resides in Los Angeles County, California.

20 3. This Court has jurisdiction and authority to issue the requested Writ of
21 Mandate pursuant to California Code of Civil Procedure section 1085 and California
22 Corporations Code section 17704.10.

23 THE PARTIES

24 4. Hemachandra is an individual residing in Los Angeles County, California, at
25 all relevant times. Hemachandra is a member, manager, and holder of an economic interest
26 in MEW.

27 5. Upon information and belief, Monahan is an individual residing in Los
28 Angeles County, California, at all relevant times. At all relevant times, Monahan was and
is a manager of MEW, as well as the Chief Executive Officer ("CEO"). At all times,

1 Monahan has and continues to have possession of all of MEW's company books, records,
2 and financial documents.

3 6. Upon information and belief, MEW is a California limited liability company
4 with its principal place of business in Los Angeles County, California, at all relevant times.

5 **THE CALIFORNIA REVISED UNIFORM LIMITED**
6 **LIABILITY COMPANY ACT**

7 7. The California Revised Uniform Limited Liability Company Act
8 ("CRULLCA") sets forth the laws regulating limited liability companies, as well as the
9 rights, duties, and obligations of limited liability companies, and of its members and
10 managers. California Corporations Code section 17704.10(a) provides the following:

11 Upon the request of a member or transferee, for purposes reasonably
12 related to the interest of that person as a member or a transferee, a
13 manager or, if the limited liability company is member-managed, a
14 member in possession of the requested information, shall promptly
15 deliver, in writing, to the member or transferee, at the expense of the
16 limited liability company, a copy of the information required to be
17 maintained.

18 Section 17704.10(b) further provides that "[e]ach member, manager, and transferee has the
19 right, upon reasonable request, for purposes reasonably related to the interest of that person
20 as a member, manager, or transferee to" inspect and copy the company's books and records
21 and financial statements.

22 8. Any request, inspection, or copying by a member may be made by that
23 person or by that person's agent or attorney. (Cal. Corp. Code § 17704.10(i)).

24 9. The CRULLCA provides authority for a court to enforce the requirements of
25 these sections: "[A] court of competent jurisdiction may enforce the duty of making and
26 mailing or delivering the information and financial statements required by this section."
27 (Cal. Corp. Code § 17704.10(f)).

28 10. Moreover, if the court finds that failure to comply with the requirements of
this section is without justification, the court may award an amount sufficient to reimburse
the person bringing the action for the reasonable expenses incurred by that person,

1 including attorney's fees. (Cal. Corp. Code § 17704.10(g)).

2 THE FACTS

3 11. MEW is a member-managed limited liability company. Hemachandra is a
4 member and manager of MEW. Monahan is also a member and manager of MEW, as well
5 as its CEO. At all times, Monahan has and continues to have possession of all of MEW's
6 company books, records, and documents.

7 12. On September 19, 2017, Hemachandra, asked Monahan to provide him with
8 a copy of all of MEW's records and financial statements, or to provide him access to
9 inspect such documents. Monahan failed to provide Hemachandra with the requested
10 documents or provide him access to MEW's documents.

11 13. On October 5, 2017, Hemachandra, through its attorneys, made a written
12 demand to Monahan's attorney to inspect the books and records of MEW. Monahan still
13 refused to provide the requested documents or access to Hemachandra, forcing
14 Hemachandra's attorneys to make multiple subsequent written demands for an inspection
15 of and access to MEW's books, records, and financial documents. Attached as Exhibit 1
16 are true and correct copies of the multiple written requests. Hemachandra also requested,
17 in writing, to Monahan that she provide him with the documents and informed her that his
18 attorneys have sent such request to her attorney. Moreover, Hemachandra's attorneys
19 made multiple oral demands to Monahan's attorney for MEW's books records throughout
20 October and November 2017.

21 14. To date, Monahan has failed to provide Hemachandra copies of, or provide
22 any access to, the books, records, and financial documents of MEW, which she continues
23 to control and possess. Even though Monahan's attorney has been specifically informed of
24 the requests and Monahan's duty to provide such documents, Monahan has still refused to
25 provide Hemachandra access to the company books, records, and financial documents, and
26 has not made any indication that she intends to provide him with such information. On the
27 contrary, Monahan has indicated that she will not provide any requested documents to
28 Hemachandra, and has falsely claimed that Hemachandra somehow already has access,

1 when he, in fact, does not. As such, Hemachandra has been and continues to be deprived of
2 substantive information regarding MEW, including its financial information.

3 15. The requests are, in the very least, reasonably related to Hemachandra's
4 interest as a member and manager of MEW. Specifically, the requests were made in
5 connection with Hemachandra's and Monahan's mutual discussions regarding the
6 potential dissolution of, and/or the acquisition by one member of the other's membership
7 interest in, MEW. In the context of these discussions, Hemachandra has a fundamental
8 right to know and substantial interest in MEW's current financial standing and position.
9 Accordingly, MEW's records and financial information are intimately tied to his pecuniary
10 interests as a member and manager of MEW.

11 16. Monahan has a clear and present legal duty to deliver and permit
12 Hemachandra and his attorneys to inspect and copy the books, records, and financial
13 documents, and she has the present ability to perform that duty.

14 17. Monahan's repeated failure to provide Hemachandra the requested records
15 and documents patently violate Corporations Code section 17704.10, and is without
16 justification in that inspection by Hemachandra is authorized by law and that Respondents
17 have failed to show or even assert that the demand is not reasonably related to
18 Hemachandra's interest as a member of MEW, or that he is otherwise not entitled to
19 exercise his right to receive information and inspect and copy the books, records, and
20 financial documents.

21 18. Hemachandra has no plain, speedy, or adequate remedy in the ordinary
22 course of law, other than the relief sought in this petition, in that there is no alternative
23 method by which Hemachandra can seek to compel Respondents to perform their duty of
24 allowing disclosure and inspection of the documents. If the Court does not grant this writ,
25 Hemachandra will suffer irreparable injury in that he will not be able to know the status of
26 MEW's operations and its finances before making any pertinent decision regarding
27 MEW's future and his role in MEW, including prospects of dissolution of MEW and
28 selling or purchasing membership interest in MEW. Moreover, Monahan and her attorney

1 have not made any indication that they intend to provide Hemachandra with the requested
2 records.

3 19. Hemachandra alleges on information and belief that Respondents will
4 continue to refuse to provide him or provide access to copies of the requested records, in
5 violation of statute.

6 20. California Code of Civil Procedure section 1085 provides:

7 A writ of mandate may be issued by any court to any inferior tribunal,
8 corporation, board, or person, to compel the performance of an act
9 which the law specially enjoins, as a duty resulting from an office,
10 trust, or station, or to compel the admission of a party to the use and
11 enjoyment of a right or office to which the party is entitled, and from
12 which the party is unlawfully precluded by that inferior tribunal,
13 corporation, board, or person.

14 Where a right to inspect records is "given by statute, the rule is that... the right is
15 absolute, and may be enforced by mandamus, regardless of the purposes or motives of the
16 stockholder, or the existence of good cause." (*Hobbs v. Tom Reed Gold Mining Co.* (1913)
17 164 Cal. 497, 502.) "The remedy by mandamus is the appropriate remedy of the
18 stockholder in case of a refusal of the statutory right" to inspect records." (*Johnson v.*
19 *Langdon* (1902) 135 Cal. 624, 626.) "Where the right is statutory, it is not necessary for
20 the petition to aver or show the purposes or object of the inspection... The clear legal right
21 given by the... statute cannot be defeated by stopping to inquire into motives." (*Id.*)

22 21. Hemachandra has incurred and will continue to incur costs, expenses, and
23 attorney's fees to enforce his rights under the CRULLCA and requests such costs and
24 attorneys' fees pursuant to the CRULLCA. (Cal. Corp. Code § 17704.10(g).)

25 22. Hemachandra's petition is limited to his delivery and inspection rights. He
26 expressly reserves the right to assert any and all other claims that he has or may have
27 against Respondents.
28

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PRAYER

WHEREFORE, Hemachandra prays as follows:

1. That this Court issue a peremptory Writ of Mandate or other extraordinary Writ or Order directing Respondents to immediately make available for inspection and copying all company books, records, and financial documents, no later than ten (10) days of the Court's order directing they do so;
2. For costs and attorneys' fees, pursuant to Cal. Corp. Code section 17704.10(g);
3. For such further relief as the Court may deem appropriate.

DATE: December 13, 2017

SAPIENT LAW GROUP, P.C.

By: 

C. Mina Kim
Attorneys for Kosala Hemachandra

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing and know its contents of:

**VERIFIED PETITION FOR WRIT OF MANDATE TO COMPEL INSPECTION
AND COPYING OF BOOKS, RECORDS, AND FINANCIAL DOCUMENTS OF
CALIFORNIA LIMITED LIABILITY COMPANY**

I, Kosala Hemachandra, Petitioner of this action, have personal knowledge of the facts asserted in the aforementioned Petition and am authorized to make this verification. The matters stated in the foregoing document are true and correct to the best of my personal knowledge except as to matters that are stated on information and belief, and as to those matters I believe them to be true.

I declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed on December 13, 2017, at Los Angeles, California.



Kosala Hemachandra
Petitioner

100-100000-100000

FW: Follow Up

William W. Yen <wwy@sapientlawgroup.com>

Thu, Oct 5, 2017 at 1:48 PM

To: DeAnn Flores Chase <deann@chaselawmb.com>

Cc: Sally Stubbs <sally@chaselawmb.com>, cmk@sapientlawgroup.com

Hi DeAnn:

We gave them a few days to discuss an amicable solution amongst themselves, but based on the r recent communications, it seems unlikely that our clients will come to an agreement that would allow MEW to exist with both of them as equal owners.

To expedite the dissolution process, and to reiterate our previous demand, we would like to schedule a time to review MEW's books and records. The Google spreadsheet your client created, without supporting documents, will not suffice. Kosala is entitled to these records as Taylor's partner under the Corporations Code. Unfortunately, your client continues to delay the inevitable.

If you truly want to move this process forward, please provide us with a time and place within the r ext two weeks for us to review MEW's books and records, including any and all supporting documents.

Best regards,

William Yen

Attorney at Law

--
Sapient Law Group, P.C.

155 N. Lake Avenue, Suite 420

Pasadena, California 91101

Direct: 626.768.0633

Office: 626.768.0522

Facsimile: 626.768.0523

Email: wwy@sapientlawgroup.com

Web: www.sapientlawgroup.com

FW: Follow Up

C. Mina Kim <cmk@sapientlawgroup.com>

Tue, Oct 10, 2017 at 2:27 PM

To: "William W. Yen" <wwy@sapientlawgroup.com>

Cc: DeAnn Flores Chase <deann@chaselawmb.com>, Sally Stubbs <sally@chaselawmb.com>

DeAnn:

As we discussed this afternoon on the phone, our office will work on drafting the membership purchase agreement for our client to purchase your client's interest in MEW for \$1 million. We will send you the agreement to review as soon as it is ready.

You also agreed to talk to your client about conducting an accounting and coordinating our client's review of MEW's records. We have asked you for this a number of times, yet our client has still been denied access. We do hope you are informing your client of her legal obligations to give our client access to the company accounts, as well as to the books and records. **Please provide us a time and place for our client to review MEW's books and records**, so we can conduct an accounting and finally resolve this dispute.

Regards,

C. Mina Kim
Attorney at Law

Sapient Law Group, P.C.
155 N. Lake Avenue, Suite 420
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[Quoted text hidden]

FW: Follow Up

C. Mina Kim <cmk@sapientlawgroup.com>

Tue, Oct 17, 2017 at 4:38 PM

To: DeAnn Flores Chase <deann@chaselawmb.com>

Cc: "William W. Yen" <wwy@sapientlawgroup.com>, Sally Stubbs <sally@chaselawmb.com>

DeAnn:

Attached are drafts of the (1) Membership Interest Purchase Agreement and (2) Absolute Assignment of Interest. Please review these documents and let us know if your client agrees to their terms.

We are still waiting on you to provide us with a time and place for our client to review MEW's books and records. Please provide us with that immediately.

Regards,

C. Mina Kim
Attorney at Law

Sapient Law Group, P.C.
155 N. Lake Avenue, Suite 420
Pasadena, CA 91101
Office: 626.768.0522
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[Quoted text hidden]

2 attachments



MEMBERSHIP INTEREST PURCHASE AGREEMENT [Draft].docx

30K



ABSOLUTE ASSIGNMENT OF INTEREST [Draft].docx

20K



C. Mina Kim <cmk@sapientlawgroup.com>

FW: Follow Up

C. Mina Kim <cmk@sapientlawgroup.com>

Tue, Nov 14, 2017 at 3:56 PM

To: DeAnn Flores Chase <deann@chaselawmb.com>

Cc: "William W. Yen" <wwy@sapientlawgroup.com>, Sally Stubbs <sally@chaselawmb.com>

DeAnn:

We write to follow up on the above. To date, your client has still failed to provide our client access to the MEW's books, records, and financial documents, despite our repeated requests.

As you should know, our client, as a manager and member of MEW, is entitled to access to MEW's books and records. We again demand that, pursuant to Corporations Code section 17704.10, Ms. Monahan (1) promptly delivers, in writing, a copy of the information required to be maintained by paragraphs (1), (2) and (4) of section 17701.13(d) of the Corporations Code, as well as the company's tax returns for each year; and (2) permit Mr. Hemachandra, whether in person or by his attorneys, to inspect and copy all the books, records, and financial documents of MEW, by providing a time and place for such inspection and copying, on a date within the next two weeks.

Regards,

C. Mina Kim
Attorney at Law

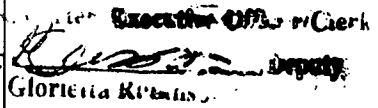
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[Quoted text hidden]

11/14/17 3:56 PM

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): C. Mina Kim (Bar No. 252271); William W. Yen (Bar No. 282463) Sapient Law Group, P.C. 155 N. Lake Avenue, Suite 420 Pasadena, California 91101 TELEPHONE NO.: 626-768-0522 FAX NO.: 626-768-0523 ATTORNEY FOR (Name): Petitioner Kosala Hemachandra	FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 150px;"> FILED Superior Court Of California County Of Los Angeles </div> DEC 14 2017 By:  Deputy Clerk Gloria A. Roberts
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: 111 N. Hill Street CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME: Stanley Mosk Courthouse	
CASE NAME: Kosala Hemachandra v. Taylor Monahan, 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)
CASE NUMBER: BS171730 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)
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 type="checkbox"/> Other PI/PD/WD (23)
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)
Employment
<input type="checkbox"/> Wrongful termination (36)
<input type="checkbox"/> Other employment (15) | 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)
Real Property
<input type="checkbox"/> Eminent domain/Inverse condemnation (14)
<input type="checkbox"/> Wrongful eviction (33)
<input type="checkbox"/> Other real property (26)
Unlawful Detainer
<input type="checkbox"/> Commercial (31)
<input type="checkbox"/> Residential (32)
<input type="checkbox"/> Drugs (38)
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) | 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)
Enforcement of Judgment
<input type="checkbox"/> Enforcement of judgment (20)
Miscellaneous Civil Complaint
<input type="checkbox"/> RICO (27)
<input type="checkbox"/> Other complaint (not specified above) (42)
Miscellaneous Civil Petition
<input checked="" 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
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
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
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): **One**
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: December 13, 2017

C. Mina Kim

(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.

Page 1 of 2

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:

Hemachandra v. Monahan, et al.

CASE NUMBER

**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)

- | | |
|---|--|
| <p>1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.</p> <p>2. Permissive filing in central district.</p> <p>3. Location where cause of action arose.</p> <p>4. Mandatory personal injury filing in North District.</p> <p>5. Location where performance required or defendant resides.</p> <p>6. Location of property or permanently garaged vehicle.</p> | <p>7. Location where petitioner resides.</p> <p>8. Location wherein defendant/respondent functions wholly.</p> <p>9. Location where one or more of the parties reside.</p> <p>10. Location of Labor Commissioner Office.</p> <p>11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury).</p> |
|---|--|

Auto
TortOther 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 type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: Hemachandra v. Monahan, et al.

CASE NUMBER

Non-Personal Injury/ Property
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
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
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 1C
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, 5, 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, 5
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, 5 2, 5 2, 5
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, 5, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 5, 11

SHORT TITLE: Hemachandra v. Monahan, et al.	CASE NUMBER:
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200/03/03

	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 <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
Miscellaneous Civil Complaints	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 checked="" type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
Miscellaneous Civil Petitions	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


SHORT TITLE: Hemachandra v. Monahan, et al.	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 checked="" 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 type="checkbox"/> 11.			ADDRESS: 1306 Kingsdale Avenue (Petitions to compel inspection of LLC may be filed in the Central District)
CITY: Redondo Beach	STATE: CA	ZIP CODE: 90278	

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: December 12, 2017


 (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.