

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Samer Habbas (State Bar # 243683) Law Offices of Samer Habbas 7700 Irvine Center Drive, Suite 955 Irvine, CA 92618 TELEPHONE NO: (949) 727-9300 FAX NO. (Optional): (949) 727-9308 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Aaron Benoit, Plaintiff	FOR COURT USE ONLY ELECTRONICALLY FILED <i>Superior Court of California, County of San Francisco</i> 01/14/2015 Clerk of the Court BY: ANNIE PASCUAL Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister St. MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, 94102 BRANCH NAME:	
PLAINTIFF: Aaron Benoit DEFENDANT: Ahmad Aghel, Kevin Reza <input checked="" type="checkbox"/> DOES 1 TO 50	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input checked="" type="checkbox"/> AMENDED (Number): 1 Type (check all that apply): <input checked="" type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify): <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify):	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER: <div style="font-size: 1.5em; font-family: cursive;">CGG-14-543468</div>

1. **Plaintiff** (name or names): Aaron Benoit
 alleges causes of action against **defendant** (name or names): Ahmad Aghel, Kevin Reza

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.

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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. ☐ **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*):
- 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. ☐ Doe defendants (*specify Doe numbers*): _____ were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☒ Doe defendants (*specify Doe numbers*): 1 to 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. ☒ 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*):

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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. ☐ loss of earning capacity
- g. ☐ other damage (*specify*):

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)*):

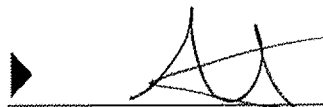
- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date: January 8, 2015

Samer Habbas

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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FIRST

(number)

CAUSE OF ACTION—Motor VehicleATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

Plaintiff (name): Aaron Benoit

MV- 1. Plaintiff alleges the acts of defendants were negligent; the acts were the legal (proximate) cause of injuries and damages to plaintiff; the acts occurred
 on (date): January 12, 2013
 at (place): San Francisco Bay Bridge in the City of Francisco

MV- 2. DEFENDANTS

a. ☒ The defendants who operated a motor vehicle are (names): Kevin Reza☒ Does 1 to 50b. ☒ The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names):☒ Does 1 to 50c. ☒ The defendants who owned the motor vehicle which was operated with their permission are (names): Ahmad Aghel☒ Does 1 to 50d. ☒ The defendants who entrusted the motor vehicle are (names):☒ Does 1 to 50e. ☒ The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):☒ Does 1 to 50f. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are ☐ listed in Attachment MV-2f ☐ as follows:☒ Does 1 to 50

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SECOND
(number)

CAUSE OF ACTION—General Negligence

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ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Aaron Benoit

alleges that defendant (name): Ahmad Aghel, Kevin Reza

☒ 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): January 12, 2013

at (place): San Francisco Bay Bridge in the City of Francisco

(description of reasons for liability):

GN-2

On said date, Plaintiff Benoit was a passenger in a vehicle driven by Rexford Gallardo Jr. Plaintiff was travelling southbound San Francisco Bay Bridge in the City of Francisco. Plaintiff Benoit came to a complete stop for traffic. At this time, DEFENDENT REZA violently rear ended PLAINTIFF. Said collision caused Plaintiff's to sustain injuries to her person and damage to her vehicle.

GN-3

Defendent, and each of them did so negligently maintain, manage, care for entrust their vehicle that they allowed said vehicle to be driven in a negligent and unsafe manner, that driver of this vehicle rearended plaintiff's vehicle, thereby causing the collision.

GN-4

As a direct and proximate result of the negligence of Defendent, Plaintiffs have sustained damages all in an amount according to proof.