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11 Attorneys for Plaintiff

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

14  
15 GRISELDA NAVA, individually and as  
16 successor and heir of FLORENTINA  
LOPEZ, deceased,

17 Plaintiff,

18 vs.

19 PARKWEST REHABILITATION CENTER  
20 LLC, a California corporation; CRYSTAL  
21 SOLORZANO, an individual, and DOES 1  
through 100, inclusive,

22 Defendants.  
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Case No.: 20STCV20624

**COMPLAINT AND DEMAND FOR  
JURY TRIAL**

1. Elder Abuse;
2. Willful Misconduct;
3. Negligence; and
4. Wrongful Death.

1 Plaintiff alleges with respect to her own acts and on information and belief with respect to  
2 all other matters:

## 3 4 **GENERAL ALLEGATIONS**

### 5 **1.**

#### 6 **INTRODUCTION**

7 1. This is a case about profits over people. Griselda Nava trusted the Parkwest  
8 Rehabilitation Center, LLC(“Parkwest”) nursing home to care for and protect her mother  
9 Florentina Lopez. Parkwest grossly betrayed their trust. During the midst of the deadly  
10 Coronavirus pandemic, it intentionally concealed when staff members had been exposed to the  
11 virus and directed them to continue treating patients while failing to provide any type of personal  
12 protective equipment (“PPE”) such as gloves or masks to any of its staff members. It went as far  
13 as to direct staff members who had tested positive but had yet to exhibit symptoms to continue to  
14 work until symptoms did arise.

15 2. As a result multiple residents, including Florentina Lopez, were infected with the  
16 Coronavirus and died. It is likely that many other residents have been infected at the facility but  
17 it is unknown because Parkwest refused to test its residents to create the impression that it has  
18 only minimal COVID-19 infections.

19 3. Griselda Nava brings this action against Parkwest for her mother’s wrongful death.  
20 Parkwest took intentional and cruel actions in its response, and lack thereof, to the COVID-19  
21 virus until it was too late. *It failed to provide any protective equipment such as face coverings to*  
22 *employees, knowingly instructed staff infected with the virus to treat uninfected residents, and*  
23 *purposefully and systemically delayed care for symptomatic residents.* Parkwest took no  
24 precautions to identify or isolate employees or residents living with or suspected to live with the  
25 virus. To the contrary, it instead made the decision to hide knowledge of its employees that had  
26 been exposed to the virus and those that had reported testing positive for the virus. It then had the  
27 employees interact with other employees and residents as per the employees’ assigned job duties.

28 4. Parkwest sought to avoid scrutiny from local regulators, to save money, and to

1 minimize the knowledge of existence of the virus to the residents and employees until it was too  
2 late. As a result, the virus has run rampant through the Parkwest facility infecting residents and  
3 employees. Multiple people are dead and more are unfortunately sure to follow.

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5 **2.**

6 **THE PARTIES**

7 5. Decedent Florentina Lopez (“Florentina” or the “Decedent”) resided, at all times  
8 herein mentioned, in Los Angeles County. While alive, Florentina lived for the last  
9 approximately seven years of her life in the Parkwest Healthcare Center nursing home in Reseda,  
10 California. She died from the coronavirus on or about May 19, 2020.

11 6. Plaintiff Griselda Nava (“Griselda”) resides, now and at all times herein  
12 mentioned, in Los Angeles County. Florentina was Griselda’s mother.

13 7. Griselda is the successor in interest to the Decedent and with this complaint is an  
14 executed affidavit in compliance with CCP § 377.32, and thereby proceeds as successor in  
15 interest to the claims of Decedent Florentina Lopez as stated herein, and brings this action as an  
16 individual as such. See Declaration of Griselda Nava attached as Exhibit 1. Plaintiff brings this  
17 combined survival action on behalf of Florentina’s estate and also this wrongful death action  
18 under the provisions of Code of Civil Procedure § 377.60 which provides that Plaintiff, as the  
19 personal representative of the Decedent, may bring this wrongful death action on behalf of the  
20 decedent’s heirs: “A cause of action for the death of a person caused by the wrongful act or  
21 neglect of another may be asserted by ... by the decedent’s personal representative on their  
22 behalf.”

23 8. Defendant Parkwest Rehabilitation Center, LLC (“Parkwest”) is, and at all  
24 relevant times was, a corporation duly organized and existing under and by virtue of the laws of  
25 the State of California and authorized to transact and transacting business in the State of  
26 California, with its headquarters in the County of Los Angeles. It is the owner and operator of the  
27 Parkwest Rehabilitation Medical Center.

1           9.       Defendant Crystal Solorzano is, and at all relevant times was, a resident of the  
2 County of Los Angeles.

3           10.      Upon information and belief, Crystal Solorzano is the sole owner of Parkwest.  
4 There exists, and at all times mentioned existed, a unity of interest and ownership between  
5 Defendants Crystal Solorzano and Parkwest such that any individuality and separateness between  
6 them has ceased, and are the alter ego of each other defendant that Parkwest is, and at all times  
7 herein mentioned was, a mere shell, instrumentality, and conduit through which defendant Crystal  
8 Solorzano carried on the nursing home business. These Defendants intermingle monies and do  
9 not respect the corporate formalities necessary to operate as separate entities. As a result, these  
10 defendants are collectively referred to herein as "Parkwest."

11          11.      Adherence to the fiction of the separate existence of defendants as entities distinct  
12 from each other would permit an abuse of the corporate privilege and would promote injustice by  
13 protecting Defendant Crystal Solorzano from prosecution for the wrongful acts committed by her  
14 under the name Parkwest.

15          12.      Additionally, Plaintiff is informed and believes that Defendants were in a joint  
16 venture to provide nursing home services that are the subject of this lawsuit. They combined their  
17 property, skill, and knowledge with the intent to carry out a single business undertaking. Each of  
18 the Defendants has an ownership interest in the business and joint control over the business and  
19 share the profits and losses of the business.

20          13.      The true names and capacities, whether individual, corporate, associate or  
21 otherwise, of Defendants named herein as Does 1 through 100, inclusive, are unknown to  
22 Plaintiff, who therefore sues said Defendants by such fictitious names. Each of the Defendants  
23 named herein as a Doe is responsible in some manner for the events and happenings hereinafter  
24 referred to, and some of Plaintiff's damages as herein alleged were proximately caused by such  
25 defendants. Plaintiff will seek leave to amend this complaint to show said Defendants' true  
26 names and capacities when the same have been ascertained.

27          14.      The true names and capacities, whether individual, corporate, associate or  
28 otherwise, of Defendants named herein as Does 1 through 100, inclusive, are unknown to

1 Plaintiffs, who therefore sue said defendants by such fictitious names. Each of the Defendants  
2 named herein as a Doe is responsible in some manner for the events and happenings hereinafter  
3 referred to, and some of Plaintiffs' damages as herein alleged were proximately caused by such  
4 Defendants. Plaintiff will seek leave to amend this complaint to show said Defendants' true  
5 names and capacities when the same have been ascertained.

6 15. At all times mentioned herein, each of the Defendants was the agent or employee  
7 of each of the other Defendants, or an independent contractor, or joint venturer, and in doing the  
8 things herein alleged, each such Defendant was acting within the purpose and scope of said  
9 agency and/or employment and with the permission and consent of each other Defendant.

### 10 3.

#### 11 **FACTUAL BACKGROUND**

12 16. Up until her recent death at the age of 66 years old, Florentina Lopez was a  
13 resident of Parkwest's nursing home in Reseda, California. She had been living there since she  
14 suffered a stroke in or about December of 2012. In or around 2016 or 2017, the nursing home  
15 was sold to Defendants.

16 17. At all times relevant, Florentina had impairments that required total care. She was  
17 in the custody of Parkwest and wholly dependent upon it for nearly all activities of daily life,  
18 including clothing, laundry, hydration, hygiene, mobility, medication, and treatments. She was  
19 nonverbal and wheelchair bound but was able to feed herself and express simple communications.  
20 She was also totally dependent upon Parkwest for nursing care to assess changes in her condition,  
21 to report changes in her condition to an attending physician, and when appropriate to arrange for  
22 her to be transferred to a hospital.

23 18. At all times mentioned, Parkwest accepted the responsibility to provide such  
24 caretaking and custodial services and had custody of Florentina. Each of these services are  
25 services which a nursing facility operator is required by law to provide. (Health & Safety C. §  
26 1418.6; 22 CCR. §§ 72301, 72303, 72527(a)(3), 72527(a)(12).) Despite Florentina's impairments  
27 and need for assistance, up until May of 2020 she was stable and still able to interact with her  
28

1 daughter Griselda.

2 19. On January 20, 2020, the first case of coronavirus infection in the United States  
3 appeared. By March 4, 2020, the virus spread to such an extent and posed such a danger that  
4 California's Governor, Gavin Newsom, declared a state of emergency in California. On the same  
5 day, the Los Angeles County Board of Supervisors and the Los Angeles County Department of  
6 Public Health similarly declared a local and public health emergency in the County of Los  
7 Angeles.

8 20. The elderly and particularly those with underlying health problems are most  
9 vulnerable to the coronavirus. In late February, a coronavirus outbreak at a nursing home in  
10 Washington infected two-thirds of its residents and killed 37 people. The media widely covered  
11 this story. It became quickly apparent that nursing homes needed to promptly take reasonable  
12 measures to protect their patients from exposure to the coronavirus. Such measures include  
13 testing of residents and employees, restricting visitors, requiring employees to use face masks,  
14 gloves, and gowns, and isolating employees and residents who are suspected or known carriers of  
15 the virus.

16 21. Even months after California and Los Angeles County were declaring a state of  
17 emergency, Parkwest failed to implement appropriate safety measures. To the contrary, through  
18 April and May of 2020, Parkwest's leadership learned that multiple members of its staff tested or  
19 were suspected of having COVID-19 yet did not inform residents or their families and continued  
20 to allow the staff to work. This is because Parkwest failed to keep sufficient staffing levels and  
21 did not want to spend money to hire additional staff to cover for any staff members that were  
22 infected. Further, Parkwest did not provide its employees, even its COVID positive employees,  
23 with any personal protective equipment ("PPE") even through as late as May of 2020.

24 22. When Florentina first entered the nursing home, she received appropriate  
25 custodial care. However, since defendants purchased the facility there had been a steep drop in  
26 the quality of care. Parkwest did not keep adequate staffing levels sufficient to provide  
27 appropriate care. As a result, Parkwest would fail to keep up proper hygiene for Florentina  
28 including a failure to trim her toe nails for months at a time. On occasions Parkwest would not

1 provide diaper pads for Florentina when she was sat up in a chair because it did not spend the  
2 money for sufficient supplies for the residents in the facility. Also despite explicit requests by  
3 Griselda, Parkwest continued to use male certified nurse assistants (“CNA”) to wash Florentina  
4 instead of females. Parkwest’s practice of understaffing and failing to purchase adequate supplies  
5 for the facility became even more problematic with the spread of COVID-19.

6 23. In or about the last week of April 2020, a CNA named Eddie who was working in  
7 the administration office at the time called Griselda. He told her that the facility learned of three  
8 confirmed cases of COVID-19 among its staff. Griselda asked him if these staff members were  
9 taking care of residents but he would not answer. She next asked him if the facility was testing  
10 residents at all. He told her that Parkview was not and that there was no need since the infected  
11 staff were self-isolating for two weeks. He then told her that Parkview would contact her with  
12 any updates.

13 24. On or about May 10, 2020, Griselda went to visit her mother for Mother’s Day.  
14 She brought food to the staff who then took it to Florentina in the facility’s dining hall. Griselda  
15 was then able to watch her mother eat the food from outside a window and interact with her.  
16 Florentina appeared healthy and without issue. This was the last time that Griselda was able to  
17 see her mother alive.

18 25. On or about May 12, 2020, Griselda went back to Parkwest to bring her mother  
19 lunch. When she went to the front desk to ask where her mother was, a Parkwest staff member  
20 told her that her mother was just lying down because she was not feeling well. Griselda called the  
21 nurse’s station outside her mother’s room but no one picked up. The person working at the front  
22 desk then went back and found a nurse to talk to Griselda. Griselda asked what was wrong with  
23 her mother since no one had told her anything. The nurse responded that Florentina had nothing  
24 serious and that she probably just had a urinary tract infection even though the nurse had not  
25 checked her urine yet. While they were talking, Griselda could see through a window that an x-  
26 ray technician was coming out of her mom’s room and she asked the nurse why he was there.  
27 The nurse simply said that it was a precaution and that there is no problem. Griselda asked how  
28 her mother’s blood pressure and oxygen levels were and the nurse again just responded that

1 Florentina was fine.

2 26. This was not true. Florentina had trouble breathing and Parkwest had put her on  
3 oxygen. She also had no appetite and refused to eat. Upon information and belief, she had  
4 already contracted the coronavirus.

5 27. On or about May 13, 2020, the following day, Griselda called Eddie and  
6 complained that no one told her that her mother was sick when the facility had a number of  
7 positive COVID-19 cases in the facility. Eddie then claimed that the facility had no COVID-19  
8 cases despite what he had told her earlier. He said that before Parkwest merely knew of three  
9 suspected cases. This was not true.

10 28. The licensed vocational nurse ("LVN") primarily in charge of Florentina's care  
11 during the day named Nelson had been infected with COVID-19 and had been off work in or  
12 about early May of 2020. Another employee who handled payroll, a CNA and a person who  
13 worked in the kitchen preparing food for the residents had all tested positive for COVID-19.  
14 Parkwest's policy was simply to send employees home only if they showed symptoms of  
15 COVID-19 even if they had tested positive for the virus. Then Parkwest would demand they  
16 return to work once the symptoms subsided, without requiring any testing to be sure the virus was  
17 gone.

18 29. On or about May 15, 2020, Griselda called Parkwest because she had not heard  
19 anything about the results of the testing. She talked to a nurse supervisor who simply told her that  
20 her mother was fine and that the testing was fine.

21 30. On or about May 18, 2020, Griselda got a call from the daughter of one of the two  
22 roommates Florentina had. The woman told Griselda that Parkwest transferred her mother to a  
23 hospital and that she believed that it had transferred Florentina as well. Griselda was shocked as  
24 Parkwest had not told her anything and the last communications from Parkview consisted of the  
25 nurse telling her that her mother was fine. Griselda called Parkwest to get more information but  
26 as was often the case, no one picked up.

27 31. Griselda was very distressed and was preparing to drive down to Parkview when  
28 she received a call from an emergency room doctor. The doctor told her that her mother was very



1 ill and that they had just tested her for COVID-19 but that the doctor believed that based on her  
2 symptoms there was no doubt that she had the virus. Two hours later the doctor called again to  
3 confirm a COVID-19 diagnosis and to inform Griselda that her mother had a heart attack.

4 32. Later that day, Nelson from Parkwest finally called Griselda. He told her that no  
5 one had called her earlier to tell her that her mother was not feeling well because he could not  
6 find her contact number. This was not true as Griselda's contact number was the first entry in her  
7 mother's chart as Florentina's point of contact. He told Griselda that Parkwest transferred  
8 Florentina to a hospital because she had a slight fever and that her condition was not serious. He  
9 told her she was simply in the hospital for observation.

10 33. The next morning, on or about May 19, 2020, Florentina died from COVID-19.

11 34. Parkwest had taken no measures to isolate Florentina from staff members and  
12 residents that it knew had or likely had COVID-19. If staff members were taking care of  
13 residents who had or were suspected of having COVID-19, Parkwest would move the staff to care  
14 for other residents who did not have the disease without disclosing the exposure. Parkwest also  
15 failed to provide such staff members with PPE to protect residents like Florentina. It did not tell  
16 Griselda the extent to which COVID-19 had infiltrated the facility and did not tell her once her  
17 mother started evidencing signs of the virus.

18 35. Despite its knowledge that it had exposed residents, Parkwest did not test any of its  
19 residents itself until on or after May 22, 2020. At this point, Florentina was already dead and her  
20 death was the direct result of Parkwest's actions and failure to act.

21  
22 **4.**

23 **FIRST CAUSE OF ACTION**

24 **(ELDER ABUSE)**

25 PLAINTIFF FOR A FIRST CAUSE OF ACTION AGAINST ALL DEFENDANTS AND  
26 DOES 1 THROUGH 100, INCLUSIVE, AND EACH OF THEM, FOR ELDER ABUSE,  
27 ALLEGES:

28 36. Plaintiff incorporates by reference each and every paragraph of the General

1 Allegations as though set forth in full in this cause of action.

2 37. Florentina was at all times elderly within the meaning of Welf. & Inst. C. §  
3 15610.27 owing to the fact that she resided in the State of California, and was over the age of 65.

4 38. At all times mentioned, each of the defendants had care or custody of Florentina.

5 39. By virtue of the foregoing, Defendants and each of them have failed to protect  
6 Florentina from health and safety hazards and committed neglect as defined at Welf. & Inst. Code  
7 § 15610.57.

8 40. During the aforesaid periods during which Defendants and each of them had care  
9 or custody of the Deceased, she was intentionally and/or recklessly exposed to the coronavirus  
10 and not provided with basic necessary custodial care such as feeding or bathing by Parkwest  
11 employees in appropriate protective equipment. Defendants neglected Florentina, abandoned  
12 their obligations to her, and engaged in other mistreatments that resulted in physical harm and  
13 pain and mental suffering. Defendants deprived her of services that were necessary to avoid  
14 physical harm and mental suffering and failed to provide adequate funding and staffing to ensure  
15 that the nursing home provided necessary care for her.

16 41. By virtue of the foregoing, at all times during their care and treatment of the  
17 Deceased, Defendants have acted with recklessness.

18 42. By virtue of the foregoing, in addition to pre-death pain and suffering damages  
19 under Welf. & Inst. Code § 15657, Plaintiff is entitled to attorneys' fees unilaterally to them,  
20 under the same provision of law.

21 43. Florentina has been harmed by Defendants' conduct as described herein. The  
22 pattern of substandard care and neglect put her at extremely high risk for infection and resulting  
23 complications, including injury and death. Defendants' conduct was a substantial factor in  
24 causing Florentina to suffer physical, emotional, and economic harm, as well as other damages in  
25 an amount to be determined according to proof.

26 44. Defendants' conduct described herein was intended by the defendants to cause  
27 injury to Plaintiff or was despicable conduct carried on by the Defendants with a willful and  
28 conscious disregard of the rights of Plaintiff, or subjected Plaintiff to cruel and unjust hardship in

conscious disregard of Plaintiff's rights, or was an intentional misrepresentation, deceit, or concealment of a material fact known to the defendants with the intention to deprive Plaintiff of property, legal rights or to otherwise cause injury, such as to constitute malice, oppression or fraud under California Civil Code section 3294, thereby entitling Plaintiff to punitive damages in an amount appropriate to punish or set an example of Defendants.

45. Defendants' conduct described herein was undertaken by the corporate Defendants' officers or managing agents, identified herein as DOES 1 through 100, inclusive, who were responsible for claims supervision and operations, underwriting, communications and/or decisions. The aforementioned conduct of said managing agents and individuals was therefore undertaken on behalf of the corporate Defendants. Said corporate Defendants further had advance knowledge of the actions and conduct of said individuals whose action and conduct were ratified, authorized, and approved by managing agents whose precise identities are unknown to Plaintiff at this time and are therefore identified and designated herein as DOES 1 through 100.

## 5.

### **SECOND CAUSE OF ACTION**

#### **(Willful Misconduct)**

PLAINTIFF FOR A SECOND CAUSE OF ACTION AGAINST ALL DEFENDANTS AND DOES 1 THROUGH 100, INCLUSIVE, AND EACH OF THEM, FOR WILLFUL MISCONDUCT, ALLEGES:

46. Plaintiffs incorporate by reference each and every paragraph of the General Allegations as though set forth in full in this cause of action.

47. At all times during the periods of their care of Florentina, each Defendant knew or should have known that their failure to comply with standards, by providing custodial care in which infected workers lacked appropriate safety equipment, and by not employing reasonable custodial policies for isolating COVID positive or suspected positive staff and residents, all posed a peril to the Deceased.

48. At all times mentioned during the periods of their care of the Deceased, each

1 defendant knew or should have known the peril posed by their failure to comply with appropriate  
2 standards, by providing custodial care with appropriate safety equipment, by employing  
3 reasonable custodial policies for isolating COVID positive residents and staff, and by keeping  
4 staffing levels of uninfected staff high, exposed Florentina to the high probability of her injury or  
5 death.

6 49. At all times mentioned above Defendants, and each of them, knowingly  
7 disregarded the aforesaid peril and high probability of injury and in doing so failed to comply  
8 with their duties under the standard of care as set forth above, as follows:

9 (a) Failing to adequately staff Parkview with uninfected personnel;

10 (b) Failing to provide staff with adequate PPE;

11 (c) Failing to provide staff with adequate training;

12 (d) Failing to isolate suspected or identified COVID-19 carriers from staff or residents;

13 (e) Failing to disclose known or suspected COVID-19 carriers to staff and/or residents;

14 (f) Failing to take all reasonable and necessary precautions to ensure that Florentina did  
15 not contract COVID-19;

16 (g) Failing to test Florentina and other residents and staff for COVID-19 to quickly  
17 address and isolate if necessary; and

18 (h) Failing to treat Florentina with respect, dignity and without abuse.

19 50. Defendants had made certain financial and budgetary decisions - at the highest  
20 corporate levels - regarding their operation based solely on the need to enhance the profitability of  
21 their operation. Among these decisions was the decision to limit its purchase of PPE such that it  
22 could not meet the needs of its residents, including Florentina, and its failure to staff healthy  
23 employees sufficient to treat the needs of residents safely. As a foreseen and predictable result of  
24 these cut-backs, residents and patients - including Deceased - were exposed to the coronavirus.  
25 These changes were knowingly in violation of basic and humane care responsibilities.

26 51. Plaintiff is informed and believes, and thereon alleges, that in the days leading up  
27 to Florentina's death, and continuing through her death, Defendants, at all times mentioned, were  
28 under a statutory duty to comply with all applicable federal and state laws and regulations

governing nursing homes in California, including but not limited to the following:

- (a) 42 CFR §483.10(a) & (e) (respect, dignity, & without abuse);
- (b) 42 CFR §483.21 (care plan);
- (c) 42 CFR §483.25 (quality care must be provided; protecting for health and safety hazards);
- (d) 42 CFR §483.30 (adequate physician oversight);
- (e) Cal Health & Safety Code § 1279.6 (safety plan);
- (f) Cal Health & Safety Code § 1337.1 (adequate training);
- (g) Cal Health & Safety Code §1599.1(a) (adequate and qualified staff);
- (h) Title 22 CCR §72311 (care plan and prompt reporting);
- (i) Title 22 CCR §72315 (required services);
- (j) Title 22 CCR §§72329(a) & 72501(e) (adequate staffing);
- (k) Title 22 CCR § 72517 (adequate training);
- (l) Title 22 CCR §72523(adequate policies and procedures);
- (m) Title 22 CCR § 72527(a)(11) (respect, dignity, & without abuse);
- (n) Title 22 CCR § 72537 (reporting of communicable diseases);
- (o) Title 22 CCR § 72539 (reporting of outbreaks);
- (p) Title 22 CCR § 72541 (reporting of unusual occurrences);
- (q) 42 USC §1396r(b)(2) (adequate plan of care);

Defendants' violations of these laws and regulations were a contributing factor to the death of Florentina Lopez.

52. By virtue of the foregoing, Defendants and each of them have acted in conscious disregard of the probability of injury to the Deceased, and because she was helpless to protect herself from exposure to the virus and Defendants' failure and refusal to provide such basic care and services is despicable. Accordingly, Defendants have each acted with malice.

53. By virtue of the foregoing, Defendants and each of them have acted despicably, and have subjected the Deceased to cruel and unjust hardship in conscious disregard of her rights and safety. Accordingly, Defendants have each acted with oppression.

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6.

**THIRD CAUSE OF ACTION**

**(Custodial Negligence)**

PLAINTIFF, INDIVIDUALLY, FOR A THIRD CAUSE OF ACTION AGAINST ALL DEFENDANTS AND DOES 1 THROUGH 100, INCLUSIVE, AND EACH OF THEM, FOR NEGLIGENCE, ALLEGES:

54. Plaintiff refers to each and every paragraph above and incorporate those paragraphs as though set forth in full in this cause of action.

55. Deceased was admitted as a resident at Parkwest, located at 6740 Wilbur Ave., Reseda, CA 91335, for approximately the last seven or eight years of her life.

56. By virtue of the foregoing, Defendants and each of them owed a duty of ordinary care to the Deceased, to use that degree of care and skill that a reasonably prudent person would use, and to use that degree of care that a reasonably prudent nursing home would owe given its knowledge, training, expertise and skill.

57. Defendants and each of them breached the aforesaid duty of care by failing to implement policies, procedures, and safety measures necessary to prevent Florentina's exposure to the coronavirus.

58. As a direct and legal result of the foregoing, the Deceased was injured in a sum according to proof at trial.

7.

**FOURTH CAUSE OF ACTION**

**(Wrongful Death)**

PLAINTIFF FOR A FOURTH CAUSE OF ACTION AGAINST ALL DEFENDANTS AND DOES 1 THROUGH 100, INCLUSIVE, AND EACH OF THEM, FOR WRONGFUL DEATH, ALLEGES:

59. Plaintiff incorporates by reference each and every of the foregoing paragraphs as

1 though set forth in full in this cause of action.

2 60. As a direct and proximate result of the foregoing, Florentina Lopez died and her  
3 heir represented by Plaintiff, has been deprived of her care, comfort and society to their general  
4 damages according to proof.

5  
6 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as  
7 follows:

8 AS TO THE FIRST CAUSE OF ACTION:

- 9 1. For special and general damages according to proof at the time of trial;
- 10 2. For punitive damages;
- 11 3. For attorney's fees and litigation costs;
- 12 4. For costs of suit incurred herein; and
- 13 5. For such other and further relief as the Court deems just and proper.

14  
15 AS TO THE SECOND CAUSE OF ACTION:

- 16 6. For special and general damages according to proof at the time of trial;
- 17 7. For punitive damages;
- 18 8. For costs of suit incurred herein; and
- 19 9. For such other and further relief as the Court deems just and proper.

20  
21 AS TO THE THIRD CAUSE OF ACTION:

- 22 10. For special and general damages according to proof at the time of trial;
- 23 11. For costs of suit incurred herein; and
- 24 12. For such other and further relief as the Court deems just and proper.

25  
26 AS TO THE FOURTH CAUSE OF ACTION:

- 27 13. For general damages including loss of care, comfort and society of the deceased;
- 28 14. For costs of suit incurred herein; and

1 15. For such other and further relief as the Court deems just and proper.

2  
3 Dated this 1st day of June 2020, at Claremont, California.

4  
5 LAW OFFICES OF SCOTT GLOVSKY, APC

6  
7 By:  \_\_\_\_\_

8 SCOTT C. GLOVSKY  
9 ARI DYBNIS  
10 Attorneys for Plaintiff  
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**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury.

DATED: June 1, 2020

LAW OFFICES OF SCOTT GLOVSKY, APC

By: \_\_\_\_\_



SCOTT C. GLOVSKY  
ARI DYBNIS  
Attorneys for Plaintiff

**DECLARATION OF GRISELDA NAVA**

I, Griselda Nava, declare as follows:

1. I have personal knowledge of the matters set forth herein and, if called upon to do so, I would and could testify thereto.

2. Florentina Lopez is deceased and this action is brought on behalf of her estate in addition to others.

3. Ms. Lopez died on May 19, 2020 in the County of Los Angeles in California.

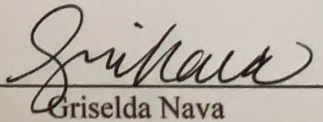
4. No proceeding is now pending in California for administration of the decedent's estate.

5. I am her daughter and I am the successor in interest for Florentina Lopez and succeed to her interest in this action.

6. No other person has a superior right to commence the action or proceeding or to be substituted for the decedent in the pending action or proceeding.

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

Executed this 1st day of June 2020 at Arleta, California.

  
Griselda Nava