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FILED
Superior Court of California
County of Los Angeles

APR 07 2014

Sherri R. Carter, Executive Officer/Clerk
By Cristina Grijalva Deputy
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9 ATTORNEYS FOR: PLAINTIFF PAUL T. WILKES, M.D.

FSC: 09/21/2015 TRIAL: 10/07/2015 OSC: 4/07/2017

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

12 PAUL T. WILKES, M.D.

Plaintiff,

v.

15 BONGO LLC, a limited liability company, JON
16 TAFFER, an individual, NICOLE TAFFER, an
individual, and Does One Through Ten,

Defendants.

Case No.:

BC541787

COMPLAINT FOR DAMAGES

1. ASSAULT
2. BATTERY
3. CIVIL CONSPIRACY TO COMMIT ASSAULT
4. CIVIL CONSPIRACY TO COMMIT BATTERY
5. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

DEMAND FOR JURY TRIAL

COMPLAINT

Plaintiff Paul T. Wilkes, M.D., by and through his attorneys, Justin A. Nash and Deanna L.

Diamond, states by way of Complaint as follows:

JURISDICTION AND VENUE

CIT/CORSE: BC541787
LEA/DEF#: _____
RECEIPT #: CH195707023
DATE PAID: 04/07/14 10:53 AM
PAYMENT: \$435.00 310
RECEIVED: _____
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

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1 10. At all times material herein, Defendant Bongo was in charge of producing the reality
2 television program "Bar Rescue."

3 11. At all times material herein, Defendant Taffer, acting as agent of Defendant Bongo,
4 was the host and executive producer of the reality television program "Bar Rescue."

5 12. At all times material herein, Defendant Mrs. Taffer, acting as agent of Defendant
6 Bongo, was a "recon specialist" of the reality television program "Bar Rescue."

7 13. Plaintiff is ignorant of the true and correct names and capacities of the Defendants
8 sued herein as DOES 1 through 10, inclusive, and therefore sues those Defendants by such
9 fictitious names. Plaintiff will amend this Complaint to allege their true names and capacities
10 when ascertained. Plaintiff is informed and believes and thereon alleges that each of the
11 fictitiously named Defendants are individuals connected to the television program Bar Rescue who
12 acted as agents of Bongo, who actively contributed to the unlawful conduct of the named
13 Defendants herein alleged or acted with reckless disregard as to the unlawful conduct of the named
14 Defendants, and that said Defendants proximately caused the harm alleged herein.

15 **ALLEGATIONS COMMON TO ALL PARTIES AND CAUSES OF ACTION**

16 14. In December 2012, Dr. Wilkes got together with his medical partner, Dr. Joseph
17 Adashek ("Dr. Adashek") and a friend, Lisa Guerena ("Lisa") and bought the Sand Dollar in Las
18 Vegas under the arrangement that Dr. Wilkes and Dr. Adashek were the bulk investors, with Dr.
19 Wilkes taking 60% of the profits, Dr. Adashek taking 30% of the profits, and with Lisa taking the
20 remaining 10% of the profits and taking on full responsibility for managing the bar.

21 15. While Dr. Wilkes and Dr. Adashek had other sources of income, the Sand Dollar was
22 Lisa's sole source of income.

23 16. Bongo produces a reality television program for Spike Cable Networks, Inc.
24 ("Spike") called "Bar Rescue," which Taffer hosts. Taffer is an expert in bar management, and the
25 premise of the show is that he goes to failing bars and gives bar owners business advice to help
26 them turn their businesses around to make a profit.

27 17. The Sand Dollar was operating at a significant loss from the time that Dr. Wilkes,
28 Dr. Adashek, and Lisa purchased it, and so on September 18, 2012, Dr. Wilkes wrote an email to

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1 Metal Flowers Media, LLC ("Metal Flowers") to request that the Sand Dollar be featured on the
2 program Bar Rescue, because he thought that Taffer's expertise in bar management could save the
3 bar, Lisa's only source of income.

4 18. On October 1, 2012, Lauren Kalb ("Lauren"), a casting director for Metal Flowers,
5 contacted Dr. Wilkes via email, expressing interest in possibly featuring the Sand Dollar on Bar
6 Rescue.

7 19. On November 12, 2012, Greg Croteau, a casting assistant for Metal Flowers, sent Dr.
8 Wilkes an email with several attached contracts and waivers that needed to be signed.

9 20. Sometime in November 2012, Lauren, acting as agent of Metal Flowers, contacted
10 both Dr. Wilkes and Lisa via telephone. She told them that Metal Flowers was looking at
11 approximately forty bars in the Las Vegas area for consideration to be on the show. She told them
12 that the people who displayed the most outrageous behavior would be considered the most
13 television-worthy, and that those who behaved in the most outlandish manner would be the ones
14 who were chosen for the next phase of consideration for the program. She explained that she and
15 an associate would come to the Sand Dollar to film audition tapes for the purpose of getting a feel
16 of how individuals being considered for casting would react to being on camera.

17 21. In December 2012, Lauren and her associate went to the Sand Dollar to film the
18 audition tapes. Dr. Wilkes and Dr. Adashek were present, along with Mike Kelley ("Mike"), a
19 childhood friend of Dr. Wilkes, and Marc Robinson ("Marc"), a friend Dr. Wilkes met in college to
20 participate in the audition tapes. Lauren told them that she and her associate wanted to shoot the
21 men talking amongst themselves in a natural way, as they would if no cameras were present.
22 Remembering what Lauren told him about "outlandishness" being the key to securing the episode,
23 Dr. Wilkes and Marc discussed, among other topics, some of their past experiences going to Las
24 Vegas strip clubs.

25 22. Sometime between the taping of that audition tape and January 2013, agents of Metal
26 Flowers approached agents of Bongo with that audition tape, pitching an idea about making an
27 episode of Bar Rescue that focused on a "Dirty Doctor" who "picks up on strippers."
28

1 23. Sometime in January 2013, Tim Warren, an executive producer for Bongo,
2 ("Warren") went to the Sand Dollar with a single cameraman to film another audition tape.
3 Warren conducted isolated interviews with Dr. Wilkes, Dr. Adashek, Lisa, Robert Aleman
4 ("Bobby"), a bartender at the Sand Dollar, Tyee Reynolds ("Tyee"), a doorman at the Sand Dollar,
5 Paul Cruise ("Paulie"), a bartender at the Sand Dollar, and other bar staff. Warren had everyone go
6 into Lisa's private office in the Sand Dollar and he pulled out one person at a time to conduct these
7 interviews in the public area of the bar. When it was Dr. Wilkes' turn, Warren asked pointed
8 questions about Taffer. He asked Dr. Wilkes, "What do you think about Jon Taffer?" Dr. Wilkes
9 replied, "I don't think anything about Taffer. I don't even know the man." Warren pressed on,
10 asking, "What do you think about how Taffer dresses?" to which Dr. Wilkes replied, "Horrible."
11 Warren said to Dr. Wilkes, "You've seen the show. Taffer gets in people's faces. You look like
12 you wouldn't tolerate it well." Dr. Wilkes replied, "I respect him, he's good, and he knows what
13 he's doing. But he doesn't have to be such a jerk."

14 24. When Warren left, he told Dr. Wilkes and Lisa that there were several bars in the Las
15 Vegas area that were being considered for the program, and that producers would look at the
16 audition tapes to decide whether or not the Sand Dollar would be moved up to the next phase of
17 consideration for the show.

18 25. On January 10, 2013, Dr. Wilkes signed the contracts and waivers and put them in
19 the mail.

20 26. Sometime between the date that Warren made his audition tape and February 2,
21 2013, agents of Bongo made a final decision that the Sand Dollar would be featured on an episode
22 of Bar Rescue, and that they would play up the angle that Metal Flowers pitched about the "Dirty
23 Doctor" who "picks up on strippers." No one from Bongo or Metal Flowers ever told anyone
24 affiliated with the Sand Dollar that the bar had been chosen for the episode, or of the angle they
25 planned to play up about the "Dirty Doctor."

26 27. On February 2, 2013, Al Rincones, a story producer working for Bongo,
27 ("Rincones") sent Dr. Wilkes an email stating that he "would need all the bar owners and staff
28

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1 members available all day for the week of Feb. 11 – 15,” and “By tuesday [sic], we will know if
2 we got picked by Taffer. If we do get pick [sic], the roller coaster starts.”

3 28. On February 8, 2013, Rincones arrived in Las Vegas from Los Angeles. He went
4 with a cameraman to Dr. Wilkes’ Summerlin office. There, Dr. Wilkes, Dr. Adashek, and some
5 nurses from DPA filmed scenes which depicted the doctors helping their female patients.

6 29. On February 8, 2013, Rincones explained to both Dr. Wilkes and Dr. Adashek that
7 as the story producer, he was the person responsible for developing the concept of the episode. He
8 told the doctors that if the Sand Dollar was chosen, that the concept of the storyline would be about
9 two successful doctors who decided to buy a bar together, and while they are very good doctors,
10 their lack of experience in the bar business had left them with a failing business. Taffer would
11 come in and “save the day” by renovating the bar and by giving them solid business advice in order
12 to turn it around, thereby giving two “nice doctors, and nice guys” a real chance to succeed.

13 30. On February 8, 2013, Dr. Wilkes asked Rincones what the next step in the process
14 was for filming the episode. Rincones told Dr. Wilkes that producers had narrowed down their
15 choices to three area bars, and that the Sand Dollar still had not been chosen for the episode. He
16 told Dr. Wilkes that what they were filming would be sent to Taffer on the night of Monday,
17 February 11, 2013, and that Taffer would make an immediate decision by the next day, Tuesday,
18 whether to begin filming the actual episode of the show.

19 31. On February 8, 2013, Rincones asked Dr. Wilkes to find some “hot girls” to help
20 film the casting tapes so he could “sell” the show to Taffer.

21 32. On February 9, 2013, Rincones went with Dr. Adashek to his airplane hangar to film
22 scenes showing Dr. Adashek’s airplane. There, Rincones reiterated the point that if the Sand
23 Dollar was chosen, the concept of the storyline would be about giving two “nice doctors, and nice
24 guys” a second chance in making a success of the bar.

25 33. On February 9, 2013, Dr. Wilkes and Dr. Adashek arrived at the Sand Dollar.
26 Rincones was there with his single cameraman, and he directed Dr. Wilkes to conduct himself in
27 an obnoxious manner. To comply, Dr. Wilkes danced around while playing pool and performed
28 push-ups against the bar counter. Rincones, unsatisfied with the level of extremity, told Dr. Wilkes

1 to "turn it up" and make disreputable comments to the women in the bar. To comply with
2 Rincones' direction, when Lisa approached him, he said, "Don't try to grab my junk," and asked a
3 female friend of his, "What's the most orgasms you've had in one session?"

4 34. On February 10, 2013, Rincones sent Dr. Wilkes a text message which said, "i'm
5 [sic] going to sell this shit."

6 35. On February 11, 2013, sometime during the late morning hours, Rincones arrived at
7 the Sand Dollar with some cameramen to shoot more footage. Dr. Wilkes, Lisa, and other bar staff
8 were present. Rincones told Dr. Wilkes that Taffer was in Los Angeles filming an episode of
9 "Jimmy Kimmel Live." Rincones told Dr. Wilkes that if the Sand Dollar was chosen, that Taffer
10 would fly in to Las Vegas the following morning to begin filming the actual episode.

11 36. On February 11, 2013, Rincones had Dr. Wilkes, Lisa, and other bar staff "talk to the
12 camera" in an interview-like setting. Rincones told Dr. Wilkes that in order to "get the show," he
13 would have to make a number of offensive comments about women. Dr. Wilkes told Rincones that
14 he was uncomfortable making offensive comments about women, because as an OB/GYN who is a
15 partner in one of the largest private perinatal medical practices in the state of Nevada, his
16 professional reputation would be damaged beyond repair if people ever found out. Rincones told
17 Dr. Wilkes that since it was only a casting tape, none of the comments that Dr. Wilkes made would
18 ever be aired in any public forum. Rincones told Dr. Wilkes that the only person who would ever
19 see the casting tapes would be Taffer himself. Rincones told Dr. Wilkes that Taffer would not
20 choose the Sand Dollar to be featured on the show unless he saw an owner who was behaving in an
21 outrageous manner. After several reassurances from Rincones that nothing that was filmed that
22 day would ever be aired, Dr. Wilkes complied with Rincones' direction out of his sincere desire to
23 save the Sand Dollar for Lisa's sake, because without Taffer's business advice, the Sand Dollar
24 would go under, and Lisa would be left in dire straits. Rincones asked Dr. Wilkes several graphic
25 questions about women's anatomical parts. When Dr. Wilkes' responses were not extreme
26 enough, Rincones told him that in order to get the show, Dr. Wilkes would have to go further and
27 push boundaries. When Dr. Wilkes gave a relatively tame response to one of his questions,
28 Rincones re-worded the response, and told Dr. Wilkes to "say it like this." In the end, Rincones

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1 had Dr. Wilkes make comments such as, "Don't come up to me with half your titties hanging out
2 and not expect me to look and comment on'em," and "I think in order to get a driver's license in
3 Las Vegas, you have to have fake titties. They are delicious. Tonight it's like the Holy Grail of
4 pussy. When I see huge boobies, I just don't have a clutch. The shit that comes into my head,
5 comes out of my mouth." When the interview was finished, Rincones was exuberant, and told Dr.
6 Wilkes that they were "going to win."

7 37. On February 11, 2013, after owner and staff interviews were completed, Rincones
8 told Dr. Wilkes and Lisa that Mrs. Taffer would be coming into the Sand Dollar with a friend to
9 help with the casting tapes. When Mrs. Taffer and her friend arrived, Rincones sent Dr. Wilkes a
10 text message, directing him to stay away from them until he gave a cue for him to approach them.
11 After about twenty minutes, Rincones sent Lisa a text message, telling her to have Dr. Wilkes
12 approach Mrs. Taffer and her friend.

13 38. On February 11, 2013, Dr. Wilkes approached Mrs. Taffer and her friend, standing
14 about three feet away from them. Before ever introducing himself to them, Mrs. Taffer turned
15 directly to Dr. Wilkes, and asked, "Do you work here?" The cameraman taped a conversation
16 between Dr. Wilkes, Mrs. Taffer, and her friend. Rincones and Warren watched from a control
17 room in a remote location. Rincones was dissatisfied with Dr. Wilkes' charming personality. He
18 sent Dr. Wilkes a text message during that conversation, telling him to "Hit on [Mrs. Taffer]
19 hardcore!!" During the same conversation, Rincones sent Lisa several text messages that said,
20 "Please tell Paul to hit on [Mrs. Taffer] inappropriate [sic] !!"; "C'mon!!!"; "[Dr. Wilkes is] being
21 charming - we have nothing"; "Whisper in [Dr. Wilkes'] ear"; and "Tell [Dr. Wilkes] to comment
22 on [Mrs. Taffer's] boobs or something - fuck!"

23 39. On February 11, 2013, Lisa went to Dr. Wilkes and pulled him aside. She told Dr.
24 Wilkes about Rincones' text messages, and showed them to him. Dr. Wilkes returned to the
25 conversation with Mrs. Taffer and her friend, and Mrs. Taffer ordered a cocktail called "Sex on the
26 Beach" from Tyee. Dr. Wilkes responded, "We just met, but I'm good. Get those bags of sand
27 out. We need a beach." Mrs. Taffer said, "Do you just talk to women like that?" and Dr. Wilkes
28

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1 responded, "I have no filter." He asked Mrs. Taffer's friend, "Do you have any kids?" She replied
2 in the negative. He followed up, "Want one?" Mrs. Taffer asked, "Are you kidding me?"

3 40. On February 11, 2013, Mrs. Taffer said to Dr. Wilkes, "Anyway, I'm married." He
4 responded, "Congratulations! I'm just sayin', that every now and then, you gotta go on vacation."

5 41. On February 11, 2013, Dr. Wilkes then said, "Probably my most impressive trick is
6 just from looking at the bend of your arm, I can tell you what your vagina looks like. So, if you
7 bend your arm, and go like that, that's like Grade A va-gee. If someone bends their arm and it's all
8 like jacked up and, then, like you know they have the elephant ears, which is foul." Mrs. Taffer
9 responded, "Paul, that's disgusting," and Dr. Wilkes said, "I know. It's a deal-breaker, in my
10 world." Dr. Wilkes then picked up Mrs. Taffer's arm to demonstrate the trick and exclaimed,
11 "Wow! We have a winner! Somebody's downstairs is kickin'!"

12 42. What Dr. Wilkes did not know was that Taffer was not in Los Angeles at the time of
13 this conversation. Taffer was in an SUV with Jennifer Jakubowsky, a bartender who was
14 employed by Bongo to help re-train the bartenders at the Sand Dollar, and with Anthony Curtis
15 ("Anthony"), president of lasvegasadvisor.com and former professional gambler, who was
16 employed by Bongo to give professional advice on the Sand Dollar's gaming machines, watching
17 the scene unfold on a monitor in the parking lot outside the Sand Dollar. Taffer was unaware that
18 Rincones directed Dr. Wilkes to make the offensive comments about women during filming of the
19 casting tapes, or to hit on Mrs. Taffer. While watching the scene inside the SUV, Taffer called the
20 control room and told a staff member to make sure there was a drink near the spot where he
21 intended to confront Dr. Wilkes, so that he could throw it in Dr. Wilkes' face. As Taffer exited the
22 car, he turned to Anthony and said, "Now I'm going to show you why my show is Number One."

23 43. On February 11, 2013, as Taffer prepared to enter the Sand Dollar, Dr. Wilkes had
24 walked away from Mrs. Taffer and her friend, and was standing on the other side of the bar. Mrs.
25 Taffer approached Dr. Wilkes, and lured him over to the pool tables, where Taffer intended to
26 make his entrance and attack Dr. Wilkes. Dr. Wilkes followed her there.

27 44. On February 11, 2013, an entire camera crew burst into the Sand Dollar from every
28 available entrance carrying large cameras, boom mics, and lights, following Taffer as he entered

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1 the Sand Dollar carrying an electronic tablet to confront Dr. Wilkes. Taffer yelled, "I want you to
2 see a few things, you piece of shit!" Taffer showed Dr. Wilkes footage from the January audition
3 tapes, where Dr. Wilkes insulted the way that Taffer dressed. Dr. Wilkes was holding a plastic cup
4 of Diet Coke in his hand, which Taffer grabbed. Taffer threw the drink into Dr. Wilkes' face, and
5 then smashed the cup into Dr. Wilkes's face, calling him a "pervert" and a "scumbag." Taffer then
6 spit in Dr. Wilkes' face and tore off Dr. Wilkes' shirt so violently that four buttons were ripped off
7 in the attack. Dr. Wilkes turned to take his glasses off and put them on a nearby foosball table in
8 an attempt to prevent injury if he were hit. When Dr. Wilkes turned back around, Taffer picked up
9 the drink that had been planted by a Bongo employee to throw in Dr. Wilkes' face from a table and
10 then threw the second drink in Dr. Wilkes' face. Taffer then swung at Dr. Wilkes' head with his
11 electronic tablet, which Dr. Wilkes deflected with his left arm, and the tablet went flying across the
12 room. Taffer turned and went for his coat. Dr. Wilkes, terrified that Taffer was going for a
13 weapon, then went to restrain Taffer with his arms. Bobby, seeing the attack, came around from
14 the bar and grabbed Dr. Wilkes to take him away from the situation. Simultaneously, Todd
15 Watkins ("Todd"), a college friend of Dr. Wilkes, intervened and stepped between the two men.
16 Taffer then swung over Todd's shoulder and punched Dr. Wilkes on his left jaw with a closed fist.
17 Todd backed Taffer against the wall in an effort to stop him from further attacking Dr. Wilkes.
18 Taffer began hyperventilating and collapsed to the floor. The entire attack was caught on camera.

19 45. As a result of the allegations in paragraphs 14 through 44, Dr. Wilkes has suffered
20 and continues to suffer severe emotional distress which results in physical manifestations including
21 but not limited to migraine headaches, nausea, vomiting, night terrors, crying spells, severe
22 depression, and anxiety attacks.

23 **FIRST CAUSE OF ACTION**

24 **ASSAULT AGAINST JON TAFFER**

25 Plaintiff PAUL WILKES, M.D. realleges and incorporates by reference all those facts and
26 allegations in paragraphs 1 through 45 and further alleges:

27 46. On February 11, 2013, when Taffer called the control room from his SUV and
28 ordered a Bongo employee to make sure there was a drink nearby the area where he intended to

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1 confront Dr. Wilkes so that he could throw that drink in Dr. Wilkes' face, Taffer planned ahead
2 with the intent to cause harmful and offensive contact against Dr. Wilkes for the sole purpose of
3 improving ratings of the television show Bar Rescue, which he believed would improve his
4 relationship with Bongo and Spike.

5 47. On February 11, 2013, when Taffer stepped out of his SUV with the intent to assault
6 Dr. Wilkes and turned to Anthony to say, "Now you're going to see why my show is Number
7 One," Taffer showed that his motive for masterminding the plan to assault Dr. Wilkes was for the
8 sole purpose of improving ratings of the television show Bar Rescue, which he believed would
9 improve his relationship with Bongo and Spike.

10 48. On February 11, 2013, when Taffer entered the Sand Dollar and seized the drink out
11 of Dr. Wilkes' hand, Taffer intended to cause a harmful and offensive contact against Dr. Wilkes
12 for the sole purpose of improving ratings of the television show Bar Rescue, which he believed
13 would improve his relationship with Bongo and Spike.

14 49. On February 11, 2013, when Taffer threw the drink that he seized from Dr. Wilkes
15 into Dr. Wilkes' face, Taffer intended to cause a harmful and offensive contact against Dr. Wilkes
16 for the sole purpose of improving ratings of the television show Bar Rescue, which he believed
17 would improve his relationship with Bongo and Spike.

18 50. On February 11, 2013, when Taffer smashed the plastic cup that was in Dr. Wilkes'
19 hand into Dr. Wilkes' face, Taffer intended to cause a harmful and offensive contact against Dr.
20 Wilkes for the sole purpose of improving ratings of the television show Bar Rescue, which he
21 believed would improve his relationship with Bongo and Spike.

22 51. On February 11, 2013, when Taffer grabbed the nearby cup that had been planted for
23 him by a Bongo employee to throw in Dr. Wilkes' face and actually threw it in Dr. Wilkes' face,
24 Taffer intended to cause a harmful and offensive contact against Dr. Wilkes for the sole purpose of
25 improving ratings of the television show Bar Rescue, which he believed would improve his
26 relationship with Bongo and Spike.

27 52. On February 11, 2013, when Taffer spit in Dr. Wilkes' face, Taffer intended to cause
28 a harmful and offensive contact against Dr. Wilkes for the sole purpose of improving ratings of the

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1 television show Bar Rescue, which he believed would improve his relationship with Bongo and
2 Spike.

3 53. On February 11, 2013, when Taffer lunged at Dr. Wilkes and ripped his shirt apart,
4 Taffer intended to cause a harmful and offensive contact against Dr. Wilkes for the sole purpose of
5 improving ratings of the television show Bar Rescue, which he believed would improve his
6 relationship with Bongo and Spike.

7 54. On February 11, 2013, when Taffer swung his electronic tablet at Dr. Wilkes' head,
8 Taffer intended to cause a harmful and offensive contact against Dr. Wilkes for the sole purpose of
9 improving ratings of the television show Bar Rescue, which he believed would improve his
10 relationship with Bongo and Spike.

11 55. On February 11, 2013, when Taffer punched Dr. Wilkes in the face with a closed
12 fist, Taffer intended a harmful and offensive contact against Dr. Wilkes for the sole purpose of
13 improving ratings of the television show Bar Rescue, which he believed would improve his
14 relationship with Bongo and Spike.

15 56. On February 11, 2013, when Taffer entered the Sand Dollar and seized the drink out
16 of Dr. Wilkes' hand, Dr. Wilkes reasonably felt an apprehension of imminent harmful and
17 offensive contact.

18 57. On February 11, 2013, when Taffer threw the drink that he seized from Dr. Wilkes in
19 Dr. Wilkes' face, Dr. Wilkes reasonably felt an apprehension of imminent harmful and offensive
20 contact.

21 58. On February 11, 2013, when Taffer grabbed the nearby cup that had been planted for
22 him by a Bongo employee to throw in Dr. Wilkes' face and actually threw it in Dr. Wilkes' face,
23 Dr. Wilkes reasonably felt an apprehension of imminent harmful and offensive contact.

24 59. On February 11, 2013, when Taffer spit in Dr. Wilkes' face, Dr. Wilkes reasonably
25 felt an apprehension of imminent harmful and offensive contact.

26 60. On February 11, 2013, when Taffer lunged at Dr. Wilkes and ripped his shirt apart,
27 Dr. Wilkes reasonably felt an apprehension of imminent harmful and offensive contact.

28

1 Wilkes for the sole purpose of improving ratings of the television show Bar Rescue, which he
2 believed would improve his relationship with Bongo and Spike, which Taffer did in fact
3 accomplish.

4 68. On February 11, 2013, when Taffer grabbed the nearby cup that had been planted for
5 him by a Bongo employee to throw in Dr. Wilkes' face and actually threw it in Dr. Wilkes' face,
6 Taffer intended to cause a harmful and offensive contact against Dr. Wilkes for the sole purpose of
7 improving ratings of the television show Bar Rescue, which he believed would improve his
8 relationship with Bongo and Spike, which Taffer did in fact accomplish.

9 69. On February 11, 2013, when Taffer spit in Dr. Wilkes' face, Taffer intended to cause
10 a harmful and offensive contact against Dr. Wilkes for the sole purpose of improving ratings of the
11 television show Bar Rescue, which he believed would improve his relationship with Bongo and
12 Spike, which Taffer did in fact accomplish.

13 70. On February 11, 2013, when Taffer lunged at Dr. Wilkes and ripped his shirt apart,
14 Taffer intended to cause a harmful and offensive contact against Dr. Wilkes for the sole purpose of
15 improving ratings of the television show Bar Rescue, which he believed would improve his
16 relationship with Bongo and Spike, which Taffer did in fact accomplish.

17 71. On February 11, when Taffer swung his electronic tablet at Dr. Wilkes' head, which
18 Dr. Wilkes had to deflect with his left arm, Taffer intended to cause a harmful and offensive
19 contact against Dr. Wilkes for the sole purpose of improving ratings of the television show Bar
20 Rescue, which he believed would improve his relationship with Bongo and Spike, which Taffer did
21 in fact accomplish.

22 72. On February 11, 2013, when Taffer punched Dr. Wilkes in the face with a closed
23 fist, Taffer intended to cause a harmful and offensive contact against Dr. Wilkes for the sole
24 purpose of improving ratings of the television show Bar Rescue, which he believed would improve
25 his relationship with Bongo and Spike, which Taffer did in fact accomplish.

26 73. In doing the acts herein alleged, Defendant acted with malice and oppression, and
27 with a conscious disregard of Plaintiff's rights, and Plaintiff is entitled to exemplary and punitive
28

1 damages from Defendant in an amount sufficient to punish Defendant and to deter such wrongful
2 conduct in the future.

3 **THIRD CAUSE OF ACTION**

4 **CIVIL CONSPIRACY TO COMMIT ASSAULT AGAINST BONGO LLC, JON TAFFER**

5 **AND NICOLE TAFFER**

6 Plaintiff PAUL WILKES, M.D. realleges and incorporates by reference all those facts and
7 allegations in paragraphs 1 through 73 and further alleges:

8 74. On February 11, 2013, when Taffer, acting as agent of Bongo, called the control
9 room run by Bongo employees and directed a Bongo employee to set up a full drink in the area
10 where he intended to attack Dr. Wilkes so that he could throw that drink in Dr. Wilkes' face, Taffer
11 concerted with agents of Bongo to commit assault against Dr. Wilkes with intent to harm Dr.
12 Wilkes for the sole purpose of improving ratings of the television show Bar Rescue, which he
13 believed would improve his relationship with Bongo and Spike.

14 75. On February 11, 2013, when a Bongo employee, acting as agent of Bongo, planted a
15 full drink in the area where Taffer intended to attack Dr. Wilkes so that Taffer could throw that
16 drink in Dr. Wilkes' face, that employee was carrying out the concerted plan to commit assault
17 against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the
18 television show Bar Rescue, which he believed would improve his relationship with Bongo and
19 Spike.

20 76. On February 11, 2013, when Mrs. Taffer, acting as agent of Bongo, lured Dr. Wilkes
21 to the area where Taffer intended to attack Dr. Wilkes and throw the planted drink in his face, Mrs.
22 Taffer was carrying out the concerted plan to commit assault against Dr. Wilkes with intent to
23 harm Dr. Wilkes for the sole purpose of improving ratings of the television show Bar Rescue,
24 which she believed would improve her relationship with her husband Taffer, Bongo, and Spike.

25 77. On February 11, 2013, when Taffer, acting as agent of Bongo, stepped out of his
26 SUV with the intent to attack Dr. Wilkes and turned to Anthony to say, "Now you're going to see
27 why my show is Number One," Taffer showed that his motive for masterminding the concerted
28 plan to commit assault against Dr. Wilkes was for the sole purpose of improving ratings of the

1 television show Bar Rescue, which he believed would improve his relationship with Bongo and
2 Spike.

3 78. On February 11, 2013, when Taffer, acting as agent of Bongo, seized the full drink
4 out of Dr. Wilkes' hand, Taffer was carrying out the concerted plan to commit assault against Dr.
5 Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the television
6 show Bar Rescue, which he believed would improve his relationship with Bongo and Spike.

7 79. On February 11, 2013, when Taffer, acting as agent of Bongo, threw the drink that
8 was in Dr. Wilkes' hand into Dr. Wilkes' face, Taffer was carrying out the concerted plan to
9 commit assault against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of
10 improving ratings of the television show Bar Rescue, which he believed would improve his
11 relationship with Bongo and Spike.

12 80. On February 11, 2013, when Taffer, acting as agent of Bongo, smashed the plastic
13 cup that was in Dr. Wilkes' hand into Dr. Wilkes' face, Taffer was carrying out the concerted plan
14 to commit assault against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of
15 improving ratings of the television show Bar Rescue, which he believed would improve his
16 relationship with Bongo and Spike.

17 81. On February 11, 2013, when Taffer, acting as agent of Bongo, grabbed the drink that
18 had been planted for him by a Bongo employee so that he could throw it in Dr. Wilkes' face, and
19 then actually threw it in Dr. Wilkes' face, Taffer was carrying out the concerted plan to commit
20 assault against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings
21 of the television show Bar Rescue, which he believed would improve his relationship with Bongo
22 and Spike.

23 82. On February 11, 2013, when Taffer, acting as agent of Bongo, spit in Dr. Wilkes'
24 face, Taffer was carrying out the concerted plan to commit assault against Dr. Wilkes with intent to
25 harm Dr. Wilkes for the sole purpose of improving ratings of the television show Bar Rescue,
26 which he believed would improve his relationship with Bongo and Spike.

27 83. On February 11, 2013, when Taffer, acting as agent of Bongo, tore apart Dr. Wilkes'
28 shirt so violently that four buttons flew off, Taffer was carrying out the concerted plan to commit

1 assault against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings
2 of the television show Bar Rescue, which he believed would improve his relationship with Bongo
3 and Spike.

4 84. On February 11, 2013, when Taffer, acting as agent of Bongo, swung an electronic
5 tablet at Dr. Wilkes' head, Taffer was carrying out the concerted plan to commit assault against Dr.
6 Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the television
7 show Bar Rescue, which he believed would improve his relationship with Bongo and Spike.

8 85. On February 11, 2013, when Taffer, acting as agent of Bongo, punched Dr. Wilkes
9 in the face with a closed fist, Taffer was carrying out the concerted plan to commit assault against
10 Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the
11 television show Bar Rescue, which he believed would improve his relationship with Bongo and
12 Spike.

13 86. As a result of the actions of the Defendants in paragraphs 74 through 85, Dr. Wilkes
14 has suffered damages in the form of migraine headaches, nausea, vomiting, night terrors, crying
15 spells, and anxiety attacks.

16 87. In doing the acts herein alleged, Defendants and each of them acted with malice and
17 oppression, and with a conscious disregard of Plaintiff's rights, and Plaintiff is entitled to
18 exemplary and punitive damages from Defendants and each of them in an amount sufficient to
19 punish Defendants and each of them and to deter such wrongful conduct in the future.

20 **FOURTH CAUSE OF ACTION**
21 **CIVIL CONSPIRACY TO COMMIT BATTERY AGAINST BONGO LLC, JON TAFFER**
22 **AND NICOLE TAFFER**

23 Plaintiff PAUL WILKES, M.D. realleges and incorporates by references all those facts and
24 allegations in paragraphs 1 through 87 and further alleges:

25 88. On February 11, 2013, when Taffer, acting as agent of Bongo, called the control
26 room run by Bongo employees and directed a Bongo employee to set up a full drink in the area
27 where he intended to attack Dr. Wilkes so that he could throw that drink in Dr. Wilkes' face, Taffer
28 concerted with agents of Bongo to commit battery against Dr. Wilkes with intent to harm Dr.

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1 Wilkes for the sole purpose of improving ratings of the television show Bar Rescue, which he
2 believed would improve his relationship with Bongo and Spike.

3 89. On February 11, 2013, when a Bongo employee, acting as agent of Bongo, planted a
4 full drink in the area where Taffer intended to attack Dr. Wilkes so that Taffer could throw that
5 drink in Dr. Wilkes' face, that employee was carrying out the concerted plan to commit battery
6 against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the
7 television show Bar Rescue, which he believed would improve his relationship with Bongo and
8 Spike.

9 90. On February 11, 2013, when Mrs. Taffer, acting as agent of Bongo, lured Dr. Wilkes
10 to the area where Taffer intended to attack Dr. Wilkes and throw the planted drink in his face, Mrs.
11 Taffer was carrying out the concerted plan to commit battery against Dr. Wilkes with intent to
12 harm Dr. Wilkes for the sole purpose of improving ratings of the television show Bar Rescue,
13 which she believed would improve her relationship with her husband Taffer, Bongo, and Spike.

14 91. On February 11, 2013, when Taffer, acting as agent of Bongo, stepped out of his
15 SUV with the intent to attack Dr. Wilkes and turned to Anthony to say, "Now you're going to see
16 why my show is Number One," Taffer showed that his motive for masterminding the concerted
17 plan to commit battery against Dr. Wilkes was for the sole purpose of improving ratings of the
18 television show Bar Rescue, which he believed would improve his relationship with Bongo and
19 Spike.

20 92. On February 11, 2013, when Taffer, acting as agent of Bongo, seized the full drink
21 out of Dr. Wilkes' hand, Taffer was carrying out the concerted plan to commit battery against Dr.
22 Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the television
23 show Bar Rescue, which he believed would improve his relationship with Bongo and Spike.

24 93. On February 11, 2013, when Taffer, acting as agent of Bongo, threw the drink that
25 was in Dr. Wilkes' hand into Dr. Wilkes' face, Taffer was carrying out the concerted plan to
26 commit battery against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of
27 improving ratings of the television show Bar Rescue, which he believed would improve his
28 relationship with Bongo and Spike.

1 94. On February 11, 2013, when Taffer, acting as agent of Bongo, smashed the plastic
2 cup that was in Dr. Wilkes' hand into Dr. Wilkes' face, Taffer was carrying out the concerted plan
3 to commit battery against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of
4 improving ratings of the television show Bar Rescue, which he believed would improve his
5 relationship with Bongo and Spike.

6 95. On February 11, 2013, when Taffer, acting as agent of Bongo, grabbed the drink that
7 had been planted for him by a Bongo employee so that he could throw it in Dr. Wilkes' face, and
8 then actually threw it in Dr. Wilkes' face, Taffer was carrying out the concerted plan to commit
9 battery against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings
10 of the television show Bar Rescue, which he believed would improve his relationship with Bongo
11 and Spike.

12 96. On February 11, 2013, when Taffer, acting as agent of Bongo, spit in Dr. Wilkes'
13 face, Taffer was carrying out the concerted plan to commit battery against Dr. Wilkes with intent to
14 harm Dr. Wilkes for the sole purpose of improving ratings of the television show Bar Rescue,
15 which he believed would improve his relationship with Bongo and Spike.

16 97. On February 11, 2013, when Taffer, acting as agent of Bongo, tore apart Dr. Wilkes'
17 shirt so violently that four buttons flew off, Taffer was carrying out the concerted plan to commit
18 battery against Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings
19 of the television show Bar Rescue, which he believed would improve his relationship with Bongo
20 and Spike.

21 98. On February 11, 2013, when Taffer, acting as agent of Bongo, swung an electronic
22 tablet at Dr. Wilkes' head, Taffer was carrying out the concerted plan to commit battery against Dr.
23 Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the television
24 show Bar Rescue, which he believed would improve his relationship with Bongo and Spike.

25 99. On February 11, 2013, when Taffer, acting as agent of Bongo, punched Dr. Wilkes
26 in the face with a closed fist, Taffer was carrying out the concerted plan to commit battery against
27 Dr. Wilkes with intent to harm Dr. Wilkes for the sole purpose of improving ratings of the
28

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1 television show Bar Rescue, which he believed would improve his relationship with Bongo and
2 Spike.

3 100. As a result of the actions of the Defendants in paragraphs 88 through 99, Dr. Wilkes
4 has suffered damages in the form of migraine headaches, nausea, vomiting, night terrors, crying
5 spells, and anxiety attacks.

6 101. In doing the acts herein alleged, Defendants and each of them acted with malice and
7 oppression, and with a conscious disregard of Plaintiff's rights, and Plaintiff is entitled to
8 exemplary and punitive damages from Defendants and each of them in an amount sufficient to
9 punish Defendants and each of them and to deter such wrongful conduct in the future.

10 **FIFTH CAUSE OF ACTION**

11 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST JON TAFFER**

12 **AND NICOLE TAFFER**

13 Plaintiff PAUL WILKES, M.D. realleges and incorporates by reference all those facts and
14 allegations in paragraphs 1 through 101 and further alleges:

15 102. On February 11, 2013, when Taffer called the control room from his SUV and
16 ordered a Bongo employee to make sure a full drink was near the area where he intended to make
17 his entrance and attack Dr. Wilkes, Taffer exhibited outrageous behavior by deliberately planning
18 to assault and batter Dr. Wilkes for the sole purpose of improving ratings of the television show
19 Bar Rescue.

20 103. On February 11, 2013, when Taffer turned to Anthony and said, "Now I'm going to
21 show you why my show is Number One," right before entering the Sand Dollar to attack Dr.
22 Wilkes, Taffer exhibited outrageous behavior by indicating to Anthony that he intended to engage
23 in unlawful behavior by physically attacking Dr. Wilkes for the sole purpose of improving ratings
24 of the television show Bar Rescue.

25 104. On February 11, 2013, when Mrs. Taffer lured Dr. Wilkes over to the area where
26 Taffer planned to make his entrance and attack Dr. Wilkes, Mrs. Taffer exhibited outrageous
27 behavior because she knew that Taffer intended to physically attack Dr. Wilkes, and she involved
28 herself in the attack by making sure that Dr. Wilkes would be in the targeted place.

1 105. On February 11, 2013, when Taffer grabbed the drink out of Dr. Wilkes' hand and
2 threw it on him, Taffer exhibited outrageous behavior by deliberately assaulting and battering Dr.
3 Wilkes for the sole purpose of improving ratings of the television show Bar Rescue.

4 106. On February 11, 2013, when Taffer spit on Dr. Wilkes' face, Taffer exhibited
5 outrageous behavior by deliberately assaulting and battering Dr. Wilkes for the sole purpose of
6 improving ratings of the television show Bar Rescue.

7 107. On February 11, 2013, when Taffer tore Dr. Wilkes' shirt so violently that four
8 buttons flew off, Taffer exhibited outrageous behavior by deliberately assaulting and battering Dr.
9 Wilkes for the sole purpose of improving ratings of the television show Bar Rescue.

10 108. On February 11, 2013, when Taffer picked up the drink that had been planted for
11 him to throw in Dr. Wilkes' face, and then threw it in Dr. Wilkes' face, Taffer exhibited
12 outrageous behavior by deliberately assaulting and battering Dr. Wilkes for the sole purpose of
13 improving ratings of the television show Bar Rescue.

14 109. On February 11, 2013, when Taffer swung at Dr. Wilkes' head with his electronic
15 tablet which Dr. Wilkes had to deflect with his left arm, Taffer exhibited outrageous behavior by
16 deliberately assaulting and battering Dr. Wilkes for the sole purpose of improving ratings of the
17 television show Bar Rescue.

18 110. On February 11, 2013, when Taffer punched Dr. Wilkes in the face with a closed
19 fist, Taffer exhibited outrageous behavior by deliberately assaulting and battering Dr. Wilkes for
20 the sole purpose of improving ratings of the television show Bar Rescue.

21 111. By making the statements and performing the actions in paragraphs 102 through 110,
22 Defendants acted with reckless disregard of the probability that their actions would cause Dr.
23 Wilkes to suffer severe emotional distress.

24 112. As a result of the actions of Defendants in paragraphs 102 through 110, Dr. Wilkes
25 has suffered severe emotional distress, resulting in migraine headaches, nausea, vomiting, night
26 terrors, crying spells, severe depression, and anxiety attacks.

27 113. In doing the acts herein alleged, Defendants and each of them acted with malice and
28 oppression, and with a conscious disregard of Plaintiff's rights, and Plaintiff is entitled to

1 exemplary and punitive damages from Defendants and each of them in an amount sufficient to
2 punish Defendants and each of them and to deter such wrongful conduct in the future.

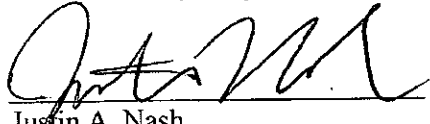
3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff requests of this Court the following relief:

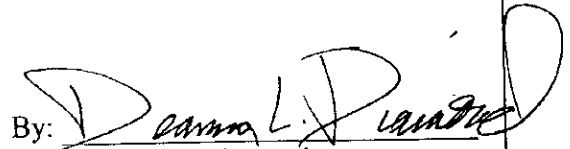
- 5 1. For general damages according to proof;
6 2. For actual damages according to proof;
7 3. For medical and related expenses in a sum according to proof;
8 4. For other damages, according to proof;
9 5. For pain and suffering;
10 6. For punitive damages, as allowed by law;
11 7. For costs of suit; and
12 8. For such other and further relief as the Court may deem just and proper.

13
14 DATED: April 4, 2014

JUSTIN A. NASH, ESQ.

15
16 By: 
Justin A. Nash

17 DEANNA L. DIAMOND, ESQ.

18
19 By: 
20 Deanna L. Diamond

21
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Chicago, Illinois 60640
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Attorneys for Plaintiff PAUL T. WILKES, M.D.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

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FOR COURT USE ONLY

FILED
Superior Court of California
County of Los Angeles

APR 07 2014

Sherri R. Carter, Executive Officer/Clerk
By Cristina Grijalva Deputy
Cristina Grijalva

ATTORNEY FOR (Name): Paul Wilkes

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS: 111 N. Hill St.
MAILING ADDRESS:
CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: Stanley Mosk

CASE NAME: Wilkes v. Borjo, et al

CASE NUMBER:

BC 541787

JUDGE:

DEPT:

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)

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

Auto (22)
 Uninsured motorist (46)

Other P/DP/DWD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
 Product liability (24)
 Medical malpractice (45)
 Other P/DP/DWD (23)

Non-P/DP/DWD (Other) Tort

Business tort/unfair business practice (07)
 Civil rights (08)
 Defamation (13)
 Fraud (16)
 Intellectual property (19)
 Professional negligence (25)
 Other non-P/DP/DWD tort (35)

Employment

Wrongful termination (36)
 Other employment (15)

Contract

Breach of contract/warranty (06)
 Rule 3.740 collections (09)
 Other collections (09)
 Insurance coverage (18)
 Other contract (37)

Real Property

Eminent domain/Inverse condemnation (14)
 Wrongful eviction (33)
 Other real property (26)

Unlawful Detainer

Commercial (31)
 Residential (32)
 Drugs (38)

Judicial Review

Asset forfeiture (05)
 Petition re: arbitration award (11)
 Writ of mandate (02)
 Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

Antitrust/Trade regulation (03)
 Construction defect (10)
 Mass tort (40)
 Securities litigation (28)
 Environmental/Toxic tort (30)
 Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

Enforcement of judgment (20)

Miscellaneous Civil Complaint

RICO (27)
 Other complaint (not specified above) (42)

Miscellaneous Civil Petition

Partnership and corporate governance (21)
 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. Large number of separately represented parties
- b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c. Substantial amount of documentary evidence
- d. Large number of witnesses
- e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f. 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):

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: 4/7/14
Justin Nash
(TYPE OR PRINT NAME)

[Signature]
(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 PII/PD/W/D (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 PII/PD/W/D (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/W/D (e.g., assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress
 - Other PII/PD/W/D

Non-PII/PD/W/D (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-PII/PD/W/D 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:

Wilkes v. Bonyo

CASE NUMBER:

BC 541787

**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 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 3 HOURS/ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
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

Step 4: Fill in the information requested on page 4 in Item III, complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
		<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.	
	<input checked="" type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.	
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.	
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.	

SHORT TITLE:

CASE NUMBER

	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., 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	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	2., 5., 6.
		<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
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.	
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
	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)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:	CASE NUMBER
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Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 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.
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 (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., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
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 <input type="checkbox"/> A6040 Injunct'ive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6006 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
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 <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 <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., 4., 8. 2., 9.

SHORT TITLE:	CASE NUMBER:
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <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 checked="" type="checkbox"/> 8. <input checked="" type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: Bongo LLC 3650 Redondo Beach Ave.
CITY: Redondo Beach	STATE: CA	ZIP CODE: 90278

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the _____ District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 4/7/14


 (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. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
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.

04/07/2014