

1 **PINNOCK & WAKEFIELD**

2 A Professional Corporation
3 Theodore A. Pinnock, Esq. Bar #: 153434
4 David C. Wakefield, Esq. Bar #: 185736
5 3033 Fifth Avenue, Suite 410
6 San Diego, CA 92103
7 Telephone: 619.858.3671
8 Facsimile: 619.858.3646

9 Attorneys for Plaintiff

DSC HEARING
AUG 04 2008

CIVIL GENERAL

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OF ORIGINAL FILED
Los Angeles Superior Court
MAY 19 2008

John A. Clarke, Executive Officer/Clerk
DEPUTY

CMC HEARING

OCT 20 2008

CIVIL GENERAL

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

12 **JON CARPENTER,**

13 **Plaintiff,**

14 **v.**

15 **PHILLIP TEAGUE; PATRICIA
16 TEAGUE; BEACON DRUG CO.NO.6;
17 And DOES 1 THROUGH 10, Inclusive**

18 **Defendants.**

Case No. NCO42560

NCO42560

CIVIL COMPLAINT:
DISCRIMINATORY PRACTICES IN
PUBLIC ACCOMMODATIONS
[42 U.S.C. 12182(a) ET. SEQ; CIVIL
CODE 51, 52, 54, 54.1, 54.3]

**UNLIMITED CIVIL CASE -
PERMANENT INJUNCTIVE RELIEF**

19 **NAMED DEFENDANTS AND NAMED PLAINTIFF**

20 1. Plaintiff is informed, believes and thereon alleges that Defendants are, and, at all times
21 mentioned herein, were, a business or corporation or franchise organized and existing and/or
22 doing business under the laws of the State of California. Plaintiff is informed and believes and
23 thereon alleges that Defendants PHILLIP TEAGUE; PATRICIA TEAGUE; BEACON DRUG
24 CO.NO.6 are the owner, operator, and/or lessor/lessee of the real property and the public
25 accommodation located thereon at the Property Address: 1303 N AVALON BLVD, LOS
26 ANGELES, CA 90744; Assessor's Parcel Number: 7420-007-020. Defendants PHILLIP
27 TEAGUE; and PATRICIA TEAGUE are located at 409 N MEADOWBROOK PL, ANAHEIM,
28 CA 92801. Defendant BEACON DRUG CO.NO.6 is located at 1303 N AVALON BLVD,
WILMINGTON, CA 90744-2603 or c/o Registered Agent: KAY L SONG, located at 2

1 ENCANTO DR, ROLLING HILLS EST, CA 90274.

2 2. The words Plaintiff and Plaintiffs as used herein specifically include JON CARPENTER.

3 3. Defendants Does 1 through 10, were at all times relevant herein subsidiaries, employers,
4 employees, agents, of Defendants PHILLIP TEAGUE; PATRICIA TEAGUE; BEACON DRUG
5 CO.NO.6. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as
6 Does 1 through 10, inclusive, and therefore sues these Defendants by such fictitious names.
7 Plaintiff will pray leave of the court to amend this complaint to allege the true names and
8 capacities of the Does when ascertained.

9 4. Plaintiff is informed and believes, and thereon alleges, that Defendants and each of them
10 herein were, at all times relevant to the action, the owner, lessor, lessee, franchiser, franchisee,
11 general partner, limited partner, agent, employee, representing partner, or joint venturer of the
12 remaining Defendants and were acting within the course and scope of that relationship. Plaintiff
13 is further informed and believe, and thereon allege, that each of the Defendants herein gave
14 consent to, ratified, and/or authorized the acts alleged herein to each of the remaining Defendants.

15 **CONCISE SET OF FACTS**

16 5. Plaintiff JON CARPENTER (hereinafter "Plaintiff") has physical impairments and due to
17 these impairments he has learned to successfully operate a wheelchair for mobility. Plaintiff said
18 physical impairments substantially limit one or more of the following major life activities
19 including but not limited to: walking.

20 6. Plaintiff has physical impairments because their conditions affect one or more of the
21 following body systems: neurological, musculoskeletal, special sense organs, and/or
22 cardiovascular. Further, Plaintiff said physical impairments substantially limits one or more of
23 the following major life activities. In addition, Plaintiff cannot perform one or more of the said
24 major life activities in the manner, speed, and duration when compared to the average person.
25 Moreover, Plaintiff has a history of or has been classified as having a physical impairment as
26 required by 42 U.S.C. § 12102(2)(A).

27 7. On January 31, 2008, Plaintiff JON CARPENTER wanted to visit Defendants' public
28 accommodation facilities located at Property Address: 1303 N AVALON BLVD, LOS
ANGELES, CA 90744; Assessor's Parcel Number: 7420-007-020 to utilize their goods and/or

