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CONFORMED COPY
OF ORIGINAL FILED
Los Angeles County Superior Court

MAY 15 2008

John A. Clarke, Executive Officer/Clerk
By _____ Deputy

A. SOTO

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

JON CARPENTER,

Plaintiff,

v.

**FISHBOR, INC. DBA PLAZA WEST
PHARMACY; And DOES 1
THROUGH 10, Inclusive**

Defendants.

Case No. PC042846

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**

NAMED DEFENDANTS AND NAMED PLAINTIFF

1. Plaintiff is informed, believes and thereon alleges that Defendants are, and, at all times mentioned herein, were, a business or corporation or franchise organized and existing and/or doing business under the laws of the State of California. Plaintiff is informed and believes and thereon alleges that Defendant FISHBOR, INC. DBA PLAZA WEST PHARMACY is the owner, operator, and/or lessor/lessee of the real property and the public accommodation located thereon at the Property Address: 19631 PARTHENIA ST, NORTHIDGE, CA 91324. Defendant FISHBOR, INC. DBA PLAZA WEST-PHARMACY c/o Registered Agent: TATYANNA BROKHORICA, located at 19631 PARTHENIA ST, NORTHIDGE, CA 91324.

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

3. Defendants Does 1 through 10, were at all times relevant herein subsidiaries, employers,

1 employees, agents, of Defendant FISHBOR, INC. DBA PLAZA WEST PHARMACY. Plaintiff
2 is ignorant of the true names and capacities of Defendants sued herein as Does 1 through 10,
3 inclusive, and therefore sues these Defendants by such fictitious names. Plaintiff will pray leave
4 of the court to amend this complaint to allege the true names and capacities of the Does when
5 ascertained.

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

12 **CONCISE SET OF FACTS**

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

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

24 7. On February 26, 2008, Plaintiff JON CARPENTER wanted to visit Defendants' public
25 accommodation facilities located at Property Address: 19631 PARTHENIA ST, NORTHIDGE,
26 CA 91324 to utilize their goods and/or services. When Plaintiff JON CARPENTER patronized
27 Defendants' public accommodation facilities, he was unable to use and/or had difficulty using the
28 public accommodations' facilities including but not limited to the barriers to access listed herein
and said facilities were not accessible because they failed to comply with ADA Access

