

Case assigned to North Central Glendale,  
600 E. Broadway, Glendale, Cal., for all further  
proceedings.

**PINNOCK & WAKEFIELD**

A Professional Corporation

Theodore A. Pinnock, Esq.

Bar #: 153434

David C. Wakefield, Esq.

Bar #: 185736

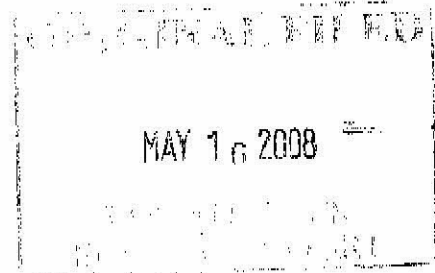
3033 Fifth Avenue, Suite 410

San Diego, CA 92103

Telephone: 619.858.3671

Facsimile: 619.858.3646

Attorneys for Plaintiff



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

**JON CARPENTER,**

Case No.

**EC 047310**

**Plaintiff,**

**CIVIL COMPLAINT:**

**DISCRIMINATORY PRACTICES IN  
PUBLIC ACCOMMODATIONS**

**[42 U.S.C. 12182(a) ET. SEQ; CIVIL  
CODE 51, 52, 54, 54.1, 54.3]**

v.

**14070 VENTURA BOULEVARD, LLC;  
MAXSONS DRUGS INC.; And DOES 1  
THROUGH 10, Inclusive**

**UNLIMITED CIVIL CASE -  
PERMANENT INJUNCTIVE RELIEF**

**Defendants.**

**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 Defendants 14070 VENTURA BOULEVARD, LLC; MAXSONS DRUGS INC. are the owner, operator, and/or lessor/lessee of the real property and the public accommodation located thereon at the Property Address: 14070 VENTURA BLVD SHERMAN OAKS, CA 91423; Assessor's Parcel Number: 2266-013-113. Defendant 14070 VENTURA BOULEVARD, LLC c/o Registered Agent: DAN BERGHER, located at 14310 VENTURA BLVD STE 300, SHERMAN OAKS, CA 91423. Defendant MAXSONS DRUGS INC. is located at 14070 VENTURA BLVD, SHERMAN OAKS, CA 91423-3542.

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

2 3. Defendants Does 1 through 10, were at all times relevant herein subsidiaries, employers,  
3 employees, agents, of Defendants 14070 VENTURA BOULEVARD, LLC; MAXSONS DRUGS  
4 INC.. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as Does 1  
5 through 10, inclusive, and therefore sues these Defendants by such fictitious names. Plaintiff will  
6 pray leave of the court to amend this complaint to allege the true names and capacities of the  
7 Does when ascertained.

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

14 **CONCISE SET OF FACTS**

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

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

26 7. On March 13, 2008, Plaintiff JON CARPENTER wanted to visite Defendants' public  
27 accommodation facilities located at Property Address: 14070 VENTURA BLVD, SHERMAN  
28 OAKS, CA 91423; Assessor's Parcel Number: 2266-013-113 to utilize their goods and/or  
services. When Plaintiff JON CARPENTER patronized Defendants' public accommodation

