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INITIAL CASE MANAGEMENT REVIEW
AND CONFERENCE SEP 02 2008

Attorneys for Plaintiff

JOHN L. SEGAL *Dist. O*

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

830am

JON CARPENTER,

Plaintiff,

v.

**WEST HOLLYWOOD SANTA
MONICA LLC; MARVIN'S
PHARMACY; And DOES 1
THROUGH 10, Inclusive**

Defendants.

Case No.

SC098226

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 Defendants WEST HOLLYWOOD SANTA MONICA LLC; MARVIN'S PHARMACY are the owner, operator, and/or lessor/lessee of the real property and the public accommodation located thereon at the Property Address: 8929-8933 SANTA MONICA BLVD, WEST HOLLYWOOD, CA 90069; Assessor's Parcel Number: 4340-009-013. Defendant WEST HOLLYWOOD SANTA MONICA LLC is located at 10660 WILSHIRE BLVD, UNIT 302, LOS ANGELES, CA 90024 or c/o Registered Agent: MICHAEL DRUCKER, located at 11301

1 WEST OLYMPIC BLVD STE 260, LOS ANGELES, CA 90064. Defendant MARVIN'S
2 PHARMACY is located at 8933 SANTA MONICA BLVD, WEST HOLLYWOOD, CA 90069-
3 4912 or c/o Contact Name: FRED STARZ, located at 5278 ELVIRA RD, WOODLAND HILLS,
4 CA 91364.

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

6 3. Defendants Does 1 through 10, were at all times relevant herein subsidiaries, employers,
7 employees, agents, of Defendants WEST HOLLYWOOD SANTA MONICA LLC; MARVIN'S
8 PHARMACY. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as
9 Does 1 through 10, inclusive, and therefore sues these Defendants by such fictitious names.

10 Plaintiff will pray leave of the court to amend this complaint to allege the true names and
11 capacities of the Does when ascertained.

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

18 CONCISE SET OF FACTS

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

23 6. Plaintiff has physical impairments because their conditions affect one or more of the
24 following body systems: neurological, musculoskeletal, special sense organs, and/or
25 cardiovascular. Further, Plaintiff said physical impairments substantially limits one or more of
26 the following major life activities. In addition, Plaintiff cannot perform one or more of the said
27 major life activities in the manner, speed, and duration when compared to the average person.
28 Moreover, Plaintiff has a history of or has been classified as having a physical impairment as

