

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Serena Murillo

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Attorneys for Plaintiff STEPHANIE ALLEN, by and through her Guardian Ad Litem,  
Gwen Allen

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

STEPHANIE ALLEN, BY AND THROUGH  
HER GUARDIAN AD LITEM GWEN ALLEN  
  
Plaintiff,  
  
vs.  
  
COUNTY OF LOS ANGELES – FIRE  
DEPARTMENT, STATE OF CALIFORNIA –  
HIGHWAY PATROL, MCCORMICK  
AMBULANCE, AND DOES 1 THROUGH 20,  
INCLUSIVE.  
  
Defendants.

Case No. **22STCV11270**  
**COMPLAINT FOR DAMAGES**  
  
**1. GROSS PROFESSIONAL  
NEGLIGENCE**

Plaintiff STEPHANIE ALLEN, by and through her Guardian Ad Litem Gwen Allen,  
brings this action against Defendants COUNTY OF LOS ANGELES – FIRE  
DEPARTMENT, STATE OF CALIFORNIA – HIGHWAY PATROL, MCCORMICK  
AMBULANCE, and DOES 1 through 20 for the grossly negligent medical care and services

1 that Defendants provided or failed to provide to Plaintiff at the scene of a catastrophic motor  
2 vehicle accident, which resulted in the severe traumatic brain injury, complete disability, and  
3 extensive orthopedic injuries, all that left Plaintiff unable to independently care for her day-  
4 to-day needs – none of which would have resulted if it was not for the negligence of  
5 Defendants COUNTY OF LOS ANGELES – FIRE DEPARTMENT, STATE OF  
6 CALIFORNIA – HIGHWAY PATROL, MCCORMICK AMBULANCE, and DOES 1  
7 through 20.  
8

9 **PARTIES**

10 1. Plaintiff STEPHANIE ALLEN, by and through her Guardian Ad Litem Gwen  
11 Allen (“Plaintiff” or “Ms. Allen”) is and at all times herein mentioned was a resident of the  
12 County of Los Angeles, State of California.  
13

14 2. At all times mentioned herein, Defendant COUNTY OF LOS ANGELES –  
15 FIRE DEPARTMENT (“Defendant” or “LAFD”) is a public entity of the state of California.  
16 In pertinent part, LAFD is authorized to provide and provides emergency medical response  
17 services and is required, in doing so, to follow the applicable laws, regulations and standards  
18 of care for emergency medical response service providers.  
19

20 3. At all times mentioned herein, Defendant STATE OF CALIFORNIA –  
21 HIGHWAY PATROL (“Defendant” or “CHP”) is a public entity of the state of California.  
22 In pertinent part, CHP is authorized to provide and provides emergency medical response  
23 services and is required, in doing so, to follow the applicable laws, regulations and standards  
24 of care for emergency medical response service providers.  
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26 4. At all times mentioned herein, Defendant MCCORMICK AMBULANCE  
27 (“Defendant” or “McCormick”) is a private business entity operating in the state of California  
28

1 with its principal place of business located at 2020 South Central Avenue, Compton, CA  
2 90220. McCormick is in the business of providing emergency medical response services and  
3 is required, in doing so, to follow the applicable laws, regulations and standards of care for  
4 emergency medical response service providers. Plaintiff is informed and believes that  
5 McCormick holds a Los Angeles County Ambulance Operator Business license.

6  
7 5. Hereinafter, references to “Defendants” refers, collectively, to COUNTY OF  
8 LOS ANGELES – FIRE DEPARTMENT, STATE OF CALIFORNIA – HIGHWAY  
9 PATROL, MCCORMICK AMBULANCE, and DOES 1 through 20.

10 6. Plaintiff is ignorant of the true names and capacities of defendants sued as  
11 DOES 1 through 20, inclusive, and therefore sue these defendants by such fictitious names.  
12 Plaintiff will amend this Complaint to allege their true names and capacities when  
13 ascertained. Plaintiff is informed and believes and based thereon alleges that each of the  
14 defendants designated as a DOE are responsible in some manner for the wrongful conduct  
15 referred to and thereby proximately caused injuries and damages to Plaintiff as herein  
16 alleged.  
17

18 7. Plaintiff is informed and believes, and based thereon alleges, that each of the  
19 defendants sued herein were, at all times relevant to this action, the duly authorized agents,  
20 principals, employers, employees, representing partners, or joint venturers of the remaining  
21 defendants and were acting within the course and scope of that relationship. Plaintiff is  
22 further informed and believes, and thereon alleges, that each of the defendants herein,  
23 through their duly authorized agents, officers, employees and/or representatives acted  
24 intentionally, willfully, knowingly and/or consented, ratified, and authorized the injurious  
25 acts complained of herein which were perpetrated by said duly authorized agents, officers,  
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1 employees and/or representatives and that said agents, officers, employees and/or  
2 representatives knew their actions to be wrong but continued to act despite this knowledge,  
3 all to the detriment of Plaintiff.

4 **FACTS**

5 8. Plaintiff realleges and incorporates by reference the foregoing allegations as if  
6 alleged in full herein.

7  
8 9. Plaintiff has fully and timely satisfied her statutory requirements pursuant to  
9 Code of Civil Procedure Section 364 prior to filing the initial Complaint for Damages.

10 10. Plaintiff has fully and timely satisfied her statutory requirements pursuant to  
11 Government Code Sections 910 *et seq.* prior to filing the initial Complaint for Damages.

12 11. On January 16, 2021, Plaintiff was involved in a catastrophic motor vehicle  
13 accident (the “MVA”) in which she was one of multiple other individuals who potentially  
14 had injuries. The MVA took place on Broadway at the intersection of 135<sup>th</sup> Street in  
15 unincorporated Los Angeles County.

16 12. Following multiple 911 calls reporting the MVA, employees and or agents of  
17 Defendants arrived on the scene for the pertinent purpose of rendering emergency medical  
18 response services.

19 20  
21 13. Despite showing overt signs and symptoms of decompensation and the need  
22 for prioritization, Defendants propped Plaintiff up against a tree without any providing any  
23 other assistance, assessment, attention, transportation to a hospital or other trauma center, or  
24 any other manner of care. Defendants instead decided to prioritize the care of the other  
25 individuals involved in the MVA, despite Plaintiff’s obvious comparative needs relative to  
26 the other individuals.  
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1           14. By the time Plaintiff was transported from the scene, she was unresponsive as  
2 she had suffered a worsening midline shift in her brain. Had Defendants provided Plaintiff  
3 the requisite and prompt care, attention and prioritized transportation from the scene in light  
4 of her relatively severe injuries, the worsening injuries could have been timely transported  
5 and promptly received care to address the injuries and reduce the severity and permanent  
6 nature of said injuries.  
7

8           15. Plaintiff was ultimately hospitalized for a prolonged period and then was  
9 transferred to a long-term care facility due to the catastrophic brain and physical injuries that  
10 went improperly treated by Defendants.  
11

12           16. As a result of Defendants' gross negligence, Ms. Allen has suffered constant  
13 and continuous severe pain throughout her body. She is no longer able to provide for her  
14 regular activities of daily living, despite having been completely independent prior to  
15 suffering from Defendants' grossly negligent treatment. Ms. Allen's prognosis indicates that  
16 she will be permanently disabled, will never regain the cognitive abilities to make decisions  
17 for herself, will never walk again, and will be permanently dependent in every way for the  
18 remainder of her life. The constant and severe pain and distress Ms. Allen continues to  
19 experience on a daily basis has completely impaired her ability to live a normal life, requiring  
20 constant treatment and supervision. As a direct result of Defendants' gross negligence, Ms.  
21 Allen has suffered and continues to suffer severe physical and emotional injuries that have  
22 completely affected her quality of life. As a result of Defendants' gross negligence, ms. Allen  
23 has incurred substantial medical and other related costs. Ms. Allen continues to require  
24 constant medical treatment and management, all further contributing to his special damages.  
25 In addition to her physical injuries, Ms. Allen suffered and continues to suffer severe  
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1 emotional harm as a result of Defendants' grossly negligent acts and omissions. Additionally,  
2 Ms. Allen is rendered completely unable to return to her full-time employment. She has not  
3 worked since the incident and will not again be capable of working, such that she has further  
4 sustained a loss of income and loss of future earning capacity.

5 **FIRST CAUSE OF ACTION**

6 **FOR GROSS PROFESSIONAL NEGLIGENCE**

7  
8 **(Against COUNTY OF LOS ANGELES – FIRE DEPARTMENT, STATE OF**  
9 **CALIFORNIA – HIGHWAY PATROL, MCCORMICK AMBULANCE, and DOES 1**  
10 **through 20)**

11 17. Plaintiff realleges and incorporates by reference the foregoing allegations as if  
12 alleged in full herein.

13  
14 18. On or about January 16, 2021, Defendants undertook the provision of  
15 emergency medical care and treatment of Ms Allen following the MVA. Pursuant to this  
16 employment, Defendants rendered professional medical services to Ms. Allen, including  
17 assessment of her acuity and need for further emergency care and decision-making on  
18 prioritizing her care needs at the scene of the MVA.

19  
20 19. Defendant had the duty to use the level of skill, care and knowledge in  
21 rendering the professional medical services that other reasonably careful medical providers  
22 would use in the same or similar circumstances when Defendants provided services to Ms.  
23 Allen for which Defendants were employed.

24  
25 20. Defendants failed to exercise the proper degree of skill, care and knowledge  
26 in providing medical services to Ms. Allen by:

- 27
  - Failing to properly, adequately and timely identify all injured parties,

including Ms. Allen, affected by the MVA;

- Failing to properly, adequately and timely assess and reassess Ms. Allen's condition;
- Failing to properly, adequately and timely identify Ms. Allen's significant change of condition;
- Failing to properly, adequately and timely prioritize patient triage and identify Ms. Allen as a priority patient based on patients' symptom and condition presentation;
- Failing to properly, adequately and timely prioritize the transportation of Ms. Allen from the scene;
- Failing to properly, adequately and timely transport Ms. Allen for emergent care based on her significant change of condition;

21. As a proximate result of Defendants' gross negligence, Ms. Allen suffered from significant physical and emotional injuries as set forth in greater detail herein. Ms. Allen continues to suffer from significant physical and emotional injuries as a result and has sustained general damages, in an amount to be proven at trial.

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22. As a proximate result of Defendants' gross negligence, Ms Allen suffered past loss of earnings and continues to suffer future loss of earning potential as a result of her permanent medical condition.

**WHEREFORE**, Plaintiff prays judgment as follows:

1. For general damages according to proof;
2. For medical and related expenses according to proof;
3. For costs of suit herein incurred, and;
4. For such other and further relief as the court may deem proper.

DATE: April 1, 2022

Respectfully submitted,

**GREENSLADE CRONK, LLP**



By:

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