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FILED
Superior Court of California
County of Los Angeles

JUN 13 2017

4 Attorneys for Petitioner Brad Heinz,
5 individually and on behalf of a class of
6 others similarly situated

Sherri R. Carter, Executive Officer/Clerk
By Judi Lara, Deputy

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91203
DEPT. 86
AMY D. HOBBS

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

BS169444

10 BRAD HEINZ, an individual; and on behalf
11 of a class of others similarly situated,

) Case No.:

12 Petitioners,

) PETITION FOR ORDER RELIEVING
) PETITIONER FROM PROVISIONS OF
) GOVERNMENT CODE SECTION 945.4
) OR OTHERWISE ACCEPTING HIS
) GOVERNMENT CLAIM AS TIMELY

13 vs.

14 CALIFORNIA PUBLIC EMPLOYEES'
15 RETIREMENT SYSTEM; BOARD OF
16 ADMINISTRATION OF CALIFORNIA
17 PUBLIC EMPLOYEES' RETIREMENT
SYSTEM (collectively "CalPERS");

) MEMORANDUM OF POINTS AND
) AUTHORITIES, DECLARATION IN
) SUPPORT AND [PROPOSED] ORDER
) FILED CONCURRENTLY HERewith

18 ANTHEM BLUE CROSS LIFE & HEALTH
19 INSURANCE COMPANY, a California
20 corporation, DOES 1-100,

) [COMPLAINT FOR DAMAGES FILED
) CONCURRENTLY]

21 Respondents.

) Hearing Date: _____
) Hearing Time: _____
) Department: _____

22 OFFICE OF RISK AND INSURANCE
23 MANAGEMENT, GOVERNMENT
24 OPERATIONS AGENCY, GOVERNMENT
25 CLAIMS PROGRAM,

26 Real Party in Interest.

RECEIPT #: CCH520872032
DATE PAID: 06/13/17 1:32 PM
PAYMENT: \$435.00
RECEIVED:
CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

CIT/CASE: BS169444
LER/DEF#:

28 Petitioner Brad Heinz ("Petitioner"), acting under Government Code section 946.6 and

- 1 -

Petition for Order Relieving Petitioner from Provisions of Government Code Section 945.4
or Otherwise Accepting His Government Claim as Timely

1 *Code of Civil Procedure* section 410.10, petitions the Court as follows:

2 **Introduction**

3 1. The presentation of a Government Claim is tolled or delayed for the period while
4 Petitioner Brad Heinz was required to present and to exhaust his individual and class claims in
5 Anthem's and CalPERS administrative processes.

6 2. In addition, the harm to Heinz only arose at the time that CalPERS/Anthem made
7 the final administrative decision that rejected his individual and class claims. Before the rejection
8 of the claims by CalPERS/Anthem at the end of the administrative process, the harm had not yet
9 occurred and the claim had not yet accrued.

10 3. Within a month after Heinz received a decision in the CalPERS/Anthem
11 administrative process, Heinz timely filed a GCA claim with Government Claims Program
12 ("GCP").

13 4. However, the GCP rejected the GCA claims as untimely, ignoring the (1) accrual
14 and presentation time for the GCA was tolled while Heinz exhausted the required administrative
15 processes and (2) that the harm only arose at the time of the final administrative decision and (3)
16 misunderstanding the nature of the claims.

17 **Parties**

18 5. Petitioner is a resident of the State of California.

19 6. Respondent California Public Employees' Retirement System (CalPERS), and
20 Respondent Board of Administration of California Public Employees' Retirement System
21 (collectively "CalPERS") is an agency of the State of California within the meaning of Part 3
22 (beginning with Section 900) of Division 3.6 of Title 1 of the *Government Code*.

23 7. Respondent Anthem Blue Cross Life & Health Insurance Company ("Anthem" or
24 "Anthem Blue Cross") contracts with CalPERS to administer the Paid Provider Organization
25 ("PPO") health insurance coverage offered by CalPERS to its members and their beneficiaries.
26 Anthem also contracts with CalPERS to administer the reimbursement process concerning
27 payments to Non-Preferred Provider Organization ("NPPO") health plan subscribers Anthem
28 Blue Cross is the trade name of Blue Cross of California. Anthem Blue Cross and Anthem Blue

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Petition for Order Relieving Petitioner from Provisions of *Government Code* Section 945.4
or Otherwise Accepting His Government Claim as Timely

1 Cross Life & Health Insurance Company are independent licensees of the Blue Cross
2 Association.

3 8. Real Party in Interest Office of Risk and Insurance Management, Government
4 Agency, Government Claims Program is an agency of the State of California which handles
5 claims against CalPERS and other government agencies under the Government Claims Act
6 (*Gov't Code*, §§810, *et seq.*)

7 **Jurisdiction and Venue:**

8 9. Jurisdiction to hear this *Petition* is proper in the Superior Court of Los Angeles
9 County. (*Code of Civil Procedure*, §410.10.) The amount in question is greater than \$25,000.
10 This Court has personal jurisdiction over CalPERS as a California state agency headquartered in
11 California. A substantial amount of the wrongdoing alleged in the *Complaint for Damages*
12 concurrently filed by Petitioner occurred in Los Angeles County. CalPERS also maintains a
13 regional office in Glendale, CA, specifically to serve Los Angeles County, including in matters
14 related to the matters alleged in Petitioner's Government Claim. Anthem maintains an office in
15 Woodland Hills, CA, specifically to serve Los Angeles County, including in matters related to
16 the matters alleged in Petitioner's Government Claim.

17 **Background About Petitioner's Government Claim**

18 10. Soon after the CalPERS/Anthem administrative decision was first decided and on
19 or about April 21, 2017, John Michael Jensen, counsel for Petitioner Brad Heinz individually and
20 in a representational capacity for all others similarly situated, timely filed a Government Claim
21 with the Office of Risk and Insurance Management, Government Operations Agency,
22 Government Claims Program ("GCP") and paid the \$25 filing fee. A true and correct copy of
23 Petitioner's Government Claim, together with his proposed *Complaint for Damages* (but without
24 the exhibits attached thereto), is attached to the concurrently filed Declaration of John Michael
25 Jensen ("*Jensen Decl.*") as **Exhibit 1**.

26 11. Petitioner alleged that if claims presentation to the GCP was required, the time
27 period for presentation of his claim is one year from accrual of his cause of action. He is not
28 asserting a claim "relating to a cause of action for death or for injury to person or to personal

1. property or growing crops" which requires presentation within six months of the accrual of the
2. cause of action. (*Government Code* section 911.2(a).) Instead, he is asserting a claim for
3. breaches of contract and fiduciary duties and related claims which are wholly unrelated to
4. physical injury.

5. 12. Furthermore, Petitioner is asserting claims for damages which are continuing in
6. nature, in that he has not yet been paid the correct amount of reimbursement by CalPERS and/or
7. Anthem. Petitioner also alleged "delayed discovery" and "delayed accrual" of his cause of action,
8. as described in more detail below.

9. **Government Claims Program Response**

10. 13. On May 18, 2017, the GCP sent a letter stating that it had no jurisdiction over
11. Petitioner's claim because "[t]he claim was presented more than one year beyond the date the
12. damages accrued. Please see *Government Code* section 911.2." (*Jensen Decl., Exhibit 2.*)

13. 14. On May 24, 2017, Petitioner, through his counsel, responded by letter to the GCP,
14. reiterating and further explaining the "delayed discovery" and "delayed accrual" allegations and
15. asking that the GCP reconsider its rejection of Petitioner's Government Claim. (*Jensen Decl.,*
16. *Exhibit 3.*)

17. 15. On June 2, 2017, the GCP sent a letter reiterating its position that it did not have
18. jurisdiction to consider Petitioner's claim because it was allegedly presented more than one year
19. beyond the date the damages accrued. (*Jensen Decl., Exhibit 4.*)

20. **Basis for "Late Discovery" and "Late Accrual" of Petitioner's Cause of Action**

21. 16. Petitioner has alleged a failure by CalPERS and/or Anthem to pay the proper
22. reimbursement amounts as their share of Petitioner's NPPO medical expenses for the period 2008
23. through 2014.

24. 17. Anthem and CalPERS required Heinz to wait to pursue civil legal remedies until
25. after exhausting administrative review and an administrative hearing. See 2CCR § 599.518.

26. 18. After exhausting the appeal process with Anthem as required by the terms of his
27. contracts for NPPO health insurance coverage, Petitioner was required to file an appeal with
28. CalPERS, which he did on or about June 15, 2009. Petitioner later filed an Amended Appeal

1 with CalPERS on or about April 14, 2011.

2 19. Heinz diligently pursued his claims in both the CalPERS and Anthem
3 administrative processes. The administrative process concerning Petitioner's claims has been
4 pending in the CalPERS administrative process for approximately seven years. CalPERS' *Final*
5 *Decision* denying Petitioner's appeal was adopted by the CalPERS Board on or about March 20,
6 2017, and CalPERS denied Petitioner's request for reconsideration of its decision on or about
7 May 17, 2017.

8 20. Thus, Petitioner's claims against CalPERS and Anthem have been tolled since at
9 least June 15, 2009.

10 21. Second and more generally, CalPERS' and Anthem's position to this day is that
11 Petitioner and others similarly situated have not and will not be harmed by CalPERS' and/or
12 Anthem's reimbursement policies, and thus there is no cause of action to accrue. CalPERS and
13 Anthem still have not disclosed sufficient law or facts to provide notice of their policies and
14 practices that would put Plaintiffs on notice of the facts or the harm. CalPERS and Anthem still
15 have not disclosed the risks, harms, and damages that would start the accrual of the causes of
16 action.

17 **Request to Be Relieved from Provisions of Government Code Section 945.4 or Otherwise**
18 **Have the Court Accept Petitioner's Government Claim as Timely**

19 22. Although he disputes CalPERS' and Anthem's allegations, Petitioner filed his
20 Government Claim on April 21, 2017, after CalPERS first adopted its *Final Decision* on or about
21 March 20, 2017. This alone makes his claim timely under the provisions of the Government
22 Claims Act and other applicable law.

23 23. In a further abundance of caution, after the GCP took the position that it would
24 not accept Petitioner's Government Claim because it had been presented late, Petitioner sought
25 reconsideration of that determination by the GCP and submitted extensive additional
26 explanations for the "delayed discovery" and "delayed accrual" claims of Petitioner. That, too,
27 has been rejected by the GCP.

28 24. Denying reconsideration, CalPERS made a final decision on May 17, 2017.

1 25. Petitioner is concurrently filing a proposed class action *Complaint for Damages*
2 based on the allegations raised in his Government Claim. It will be filed before June 16, 2017.
3 The *Complaint for Damages* more comprehensively pleads out Petitioner's delayed accrual
4 claims, including facts about the tolling during Heinz' persistent diligence in presenting the
5 claims in CalPERS and Anthem's required administrative processes, which are foundational to
6 the assertions of compliance with the GCP's claim presentment deadlines.

7 26. If the Court determines that Petitioner's claim *was* required to be presented earlier
8 than it was, Petitioner submits that his failure to do so was as a result of mistake, inadvertence,
9 surprise and/or excusable neglect because he had no good faith reason to believe that his claim
10 was not tolled during his CalPERS administrative process, and for other reasons.

11 WHEREFORE, since a delayed accrual argument requires a full hearing into the facts of
12 the claim,¹ and since Petitioner has requested a trial by jury, Petitioner respectfully requests that
13 the Court hearing this *Petition*:

14 a) Determine whether (i) Petitioner was required to present his claim to the
15 GPC within one year of the accrual of his cause of action, but that no cause of action has
16 yet accrued because of "delayed discovery" and "delayed accrual" and that no *Petition*
17 seeking relief from *Government Code* section 945.4 is required; or (ii) that this *Petition* is
18 granted and Petitioner is relieved from the requirements of *Government Code* section
19 945.4;

20 b) State explicitly that the Court is ruling only on the time period within
21 which Petitioner was required to present his claim to the GCP, but is not making any
22 determination as to his argument that accrual of his claim was delayed until no earlier
23 than March 20, 2017; and

24 c) Defer a decision on the delayed accrual argument itself to the court

25 ¹ Case law is split on whether determination of the applicability of delayed accrual is a
26 question of fact (*Dujardin v. Ventura County Gen. Hosp.* (1977) 69 Cal.App.3d 350) or a
27 mixture of fact and law (*Leaf v. City of San Mateo* (1980) 104 Cal.App.3d 398, disapproved on
28 another point in *Trope v. Katz* (1995) 11 Cal.4th 274). In either case, a full hearing into the facts
of the claim is required.

1 hearing Petitioner's case so that a full hearing into the facts of this claim may be held.

2 d) Petitioner further respectfully requests that a decision on whether
3 Petitioner is entitled to assert the delayed accrual of his cause of action be deferred to the
4 court which shall hear Petitioner's concurrently filed proposed class action.

5 Respectfully Submitted,

6 Dated: June 12, 2017

7 By: 

8 John Michael Jensen,
9 Attorney for Petitioner Brad Heinz
10 and the proposed class
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Petition for Order Relieving Petitioner from Provisions of *Government Code* Section 945.4
or Otherwise Accepting His Government Claim as Timely

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

John Michael Jensen SBN 176813

Law Offices of John Michael Jensen
11500 West Olympic Blvd., Suite 550
Los Angeles, CA 90064

TELEPHONE NO: (310) 312-1100

FAX NO: (310) 477-7090

ATTORNEY FOR (Name): Petitioner Jason Jackson, et al.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 111 North Hill St.

MAILING ADDRESS: 111 North Hill St.

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Central District

CASE NAME:

Brad Heinz, et al. v. California Public Employees' Retirement Sys.

FOR COURT USE ONLY

FILED
Superior Court of California
County of Los Angeles

JUN 13 2017

Sherri R. Carter, Executive Officer/Clerk
By Judi Lara Deputy

CASE NUMBER:

BS169444

JUDGE:

DEPT:

CIVIL CASE COVER SHEET

☒ Unlimited (Amount demanded exceeds \$25,000)
 ☐ Limited (Amount demanded is \$25,000 or less)

Complex Case Designation

☐ Counter ☐ Joinder

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

☐ Wrongful termination (36)
☐ Other employment (15)

Contract

☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

☐ Eminent domain/inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint

☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

☐ Partnership and corporate governance (21)
☒ Other petition (not specified above) (43)
2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties
 b. ☒ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
 c. ☐ Substantial amount of documentary evidence
 d. ☐ Large number of witnesses
 e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): One

5. This case ☒ is ☐ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 12, 2017

John Michael Jensen

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.

• File this cover sheet in addition to any cover sheet required by local court rule.

• If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.

• Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
Cal. Standards of Judicial Administration, sld. 3.10
www.courtinfo.ca.gov

SHORT TITLE:

Heinz, etal v. California Public Employees' Retirement Sys., etal

CASE NUMBER

BS169444

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☐ YES CLASS ACTION? ☒ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 1 ☒ HOURS/ ☐ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form; find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
		<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

LACIV 109 (Rev. 03/11)

LASC Approved 03-04

**CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION**

Local Rule 2.0

Page 1 of 4

SHORT TITLE: Heinz, etal v. California Public Employees' Retirement Sys., etal	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above	
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.	
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.	
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.	
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.	
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.	
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.	
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.	
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.	
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.	
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.	
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.	
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.	
		Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
		Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.	
		<input type="checkbox"/> A6032 Quiet Title	2., 6.	
		<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.	
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.	
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.	
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.	
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.	

SHORT TITLE: Heinz, etal v. California Public Employees' Retirement Sys., etal	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input checked="" type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input checked="" type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: Heinz, etal v. California Public Employees' Retirement Sys., etal	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input checked="" type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: California Public Employees' Retirement System (CalPERS) 655 North Central Ave., Suite 1400
CITY: Glendale	STATE: CA	ZIP CODE: 91203

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the County courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: June 12, 2017

(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

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