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NOV 12 2019

PLD-PI-001

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address):  <b>Colleen O'Hara, #201827</b>  <b>Law Office of Colleen O'Hara</b>  <b>205 South Broadway Suite 902</b>  <b>Los Angeles, CA 90012</b></p> <p>TELEPHONE NO: <b>213628-3929</b> FAX NO. (Optional): <b>213628-3908</b>  E-MAIL ADDRESS (Optional): <b>colleenoharalaw@yahoo.com</b>  ATTORNEY FOR (Name): <b>Adam George</b></p>	<p>FOR COURT USE ONLY</p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> <b>Ventura</b>  STREET ADDRESS: <b>800 South Victoria Avenue</b>  MAILING ADDRESS:  CITY AND ZIP CODE <b>Ventura, CA 93009</b>  BRANCH NAME: <b>Spring Street Courthouse</b></p>	
<p><b>PLAINTIFF: Adam George</b></p> <p><b>DEFENDANT: Lockwood Animal Rescue Center, PC</b>  <b>Lorin Lindner and Matthew Simmons</b></p> <p><input checked="" type="checkbox"/> <b>DOES 1 TO 100</b></p>	
<p><b>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b>  <input type="checkbox"/> <b>AMENDED (Number):</b>  <b>Type (check all that apply):</b>  <input type="checkbox"/> <b>MOTOR VEHICLE</b> <input checked="" type="checkbox"/> <b>OTHER (specify): Wild Animal Attack</b>  <input type="checkbox"/> <b>Property Damage</b> <input type="checkbox"/> <b>Wrongful Death</b>  <input checked="" type="checkbox"/> <b>Personal Injury</b> <input type="checkbox"/> <b>Other Damages (specify):</b></p>	
<p><b>Jurisdiction (check all that apply):</b>  <input type="checkbox"/> <b>ACTION IS A LIMITED CIVIL CASE</b>  Amount demanded <input type="checkbox"/> does not exceed \$10,000  <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000  <input checked="" type="checkbox"/> <b>ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)</b>  <input type="checkbox"/> <b>ACTION IS RECLASSIFIED by this amended complaint</b>  <input type="checkbox"/> <b>from limited to unlimited</b>  <input type="checkbox"/> <b>from unlimited to limited</b></p>	<p>CASE NUMBER:</p>

1. Plaintiff (name or names): **Adam George**  
alleges causes of action against defendant (name or names):  
**Lockwood Animal Rescue Center, PC, Lorin Lindner, Matthew Simmons and DOES 1-100**
2. This pleading, including attachments and exhibits, consists of the following number of pages: **10**
3. Each plaintiff named above is a competent adult
  - a.  except plaintiff (name):
    - (1)  a corporation qualified to do business in California
    - (2)  an unincorporated entity (describe):
    - (3)  a public entity (describe):
    - (4)  a minor  an adult
      - (a)  for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
      - (b)  other (specify):
    - (5)  other (specify):
  - b.  except plaintiff (name):
    - (1)  a corporation qualified to do business in California
    - (2)  an unincorporated entity (describe):
    - (3)  a public entity (describe):
    - (4)  a minor  an adult
      - (a)  for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
      - (b)  other (specify):
    - (5)  other (specify):

Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

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SHORT TITLE: George v LARC PC, Lindner and Simmons and DOES 1-100	CASE NUMBER:
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4.  Plaintiff (name):  
 is doing business under the fictitious name (specify):  
 and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a.  except defendant (name): LARC PC
- (1)  a business organization, form unknown
  - (2)  a corporation
  - (3)  an unincorporated entity (describe):
  - (4)  a public entity (describe):
  - (5)  other (specify):

- c.  except defendant (name):
- (1)  a business organization, form unknown
  - (2)  a corporation
  - (3)  an unincorporated entity (describe):
  - (4)  a public entity (describe):
  - (5)  other (specify):

- b.  except defendant (name):
- (1)  a business organization, form unknown
  - (2)  a corporation
  - (3)  an unincorporated entity (describe):
  - (4)  a public entity (describe):
  - (5)  other (specify):

- d.  except defendant (name):
- (1)  a business organization, form unknown
  - (2)  a corporation
  - (3)  an unincorporated entity (describe):
  - (4)  a public entity (describe):
  - (5)  other (specify):

Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff

- a.  Doe defendants (specify Doe numbers): 1-15 were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b.  Doe defendants (specify Doe numbers): 16-100 are persons whose capacities are unknown to plaintiff.

7.  Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

- a.  at least one defendant now resides in its jurisdictional area.
- b.  the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c.  injury to person or damage to personal property occurred in its jurisdictional area.
- d.  other (specify):

9.  Plaintiff is required to comply with a claims statute, and

- a.  has complied with applicable claims statutes, or
- b.  is excused from complying because (specify):

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10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a.  Motor Vehicle
- b.  General Negligence
- c.  Intentional Tort
- d.  Products Liability
- e.  Premises Liability
- f.  Other (specify):  
 Strict Liability  
 Negligent Hiring, Supervision and Retention

11. Plaintiff has suffered

- a.  wage loss
- b.  loss of use of property
- c.  hospital and medical expenses
- d.  general damage
- e.  property damage
- f.  loss of earning capacity
- g.  other damage (specify):

12.  The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a.  listed in Attachment 12.
- b.  as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1)  compensatory damages
- (2)  punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1)  according to proof
- (2)  in the amount of: \$

15.  The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):  
 6, 10, and attachments (which are incorporated by reference)

Date: 11/11/2019

Colleen O'Hara, Attorney

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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1 (number) **CAUSE OF ACTION—Premises Liability** Page 4

ATTACHMENT TO  Complaint  Cross - Complaint  
 (Use a separate cause of action form for each cause of action.)

Prem.L-1. Plaintiff (name): Adam George

alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.  
 On (date): November 15, 2017 plaintiff was injured on the following premises in the following

fashion (description of premises and circumstances of injury):  
 Adam George was working at the Defendant Lockwood Animal Rescue Center, PC, which is operated on property located at 15660 Curtis Trail, Frazier Park 93225. This property is owned by Defendants Lorin Lindner and Matthew Simmons. Employee James Thompson asked Adam George to accompany him into a wolf enclosure so that Plaintiff George could perform a safety check of the perimeter of the enclosure to make sure that it was secure. Usually, the wolves would be placed in separate cages before Plaintiff George would conduct this safety check. However, on this occasion, two wolves remained free roaming in the enclosure. Mr. Thompson assured Mr. George that it would be fine and Mr. George followed him in and began the check. Suddenly, Mr. Thompson exited the enclosure quickly to take a phone call and closed Mr. George in by himself with the wolves. Mr. George was then

attacked by a wolf

Prem.L-2.  **Count One—Negligence** The defendants who negligently owned, maintained, managed and operated the described premises were (names):  
 Matthew Simmons  
 Lorin Lindner

Does 1 to 10

Prem.L-3.  **Count Two—Willful Failure to Warn** [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were (names):  
 Matthew Simmons  
 Lorin Lindner

Does 1 to 10

Plaintiff, a recreational user, was  an invited guest  a paying guest.

Prem.L-4.  **Count Three—Dangerous Condition of Public Property** The defendants who owned public property on which a dangerous condition existed were (names):

Does \_\_\_\_\_ to \_\_\_\_\_

- a.  The defendant public entity had  actual  constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.
- b.  The condition was created by employees of the defendant public entity.

Prem.L-5. a.  **Allegations about Other Defendants** The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

Does 1 to 10

- b.  The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are  described in attachment Prem.L-5.b  as follows (names):

1 SECOND CAUSE OF ACTION: STRICT LIABILITY FOR INJURY CAUSED BY  
2 WILD ANIMAL  
3 Page 5

4 ATTACHMENT TO COMPLAINT  
5 AS TO DEFENDANT LOCKWOOD ANIMAL RESCUE CENTER, PC  
6 (LARC, PC)

7 On November 15, 2017, Plaintiff Adam George was working at the Defendant  
8 Lockwood Animal Rescue Center, PC, which is operated on property located at 15660  
9 Curtis Trail, Frazier Park 93225. The property itself is owned by the individual  
10 Defendants, Lorin Lindner and Matthew Simmons.

11 Employee James Thompson is an individual, (now deceased), whose job involved  
12 working directly with the wolves at the center as a trainer.

13 Plaintiff Adam George's job was to provide maintenance support, safety checks  
14 for the enclosures, and to build cages and sheds, and other items when necessary. Mr.  
15 George's job was not to work with the wolves directly.

16 On November 15, 2017, Mr. Thompson asked Adam George to accompany him  
17 into a wolf enclosure so that Plaintiff George could perform a safety check of the  
18 perimeter of the enclosure to make sure that it was secure. Usually, the wolves would be  
19 placed in separate cages before Plaintiff George would conduct this safety check.  
20 However, on this occasion, two wolves remained free roaming in the enclosure. Mr.  
21 Thompson assured Mr. George that he would be safe because he would accompany him  
22 and that the wolves would not attack him. Accordingly, Mr. George followed Mr.  
23 Thompson into the enclosure and began the safety check.

24 Without warning, Mr. Thompson exited the enclosure quickly to take a phone call  
25 and closed Mr. George in by himself with the wolves. One of the wolves immediately  
26 attacked Mr. George. Because Mr. Thompson was not facing the enclosure during the  
27 call, he did not see one of the wolves attacking Mr. George for an unduly prolonged  
28 period of time. When Mr. Thompson finally noticed the ongoing attack, it took him  
awhile to enter the enclosure because of the way the access gate is configured.

1 Mr. George was seriously injured in the attack and was taken to a nearby urgent  
2 care for stitches and treatment.

3 Before he arrived there, Matthew Simmons, the executive director of the  
4 Lockwood Animal Rescue Center, PC, told Mr. George that his employment would be  
5 terminated if he did not lie to the medical provider at urgent care regarding the cause of  
6 his injuries. Mr. Simmons told him to tell the medical provider that he had run into a  
7 fence on a dirt bike. Not wanting to lose his job, Mr. George promised to comply with  
8 this request, and he did. Accordingly, Mr. Simmons, in his capacity as the executive  
9 director of the Lockwood Animal Rescue Center, fraudulently concealed Mr. George's  
10 injuries.

11 While being driven to the urgent care facility, Mr. George asked Mr. Simmons if  
12 LARC, PC would cover his medical costs since he did not have health insurance. At that  
13 time, Mr. Simmons promised, on behalf of LARC, PC, to cover all of his medical costs.

14 During this conversation, Mr. George asked Mr. Simmons if he should file a  
15 workers compensation claim and Mr. Simmons told him not to file a workers  
16 compensation claim. Mr. Simmons told Mr. George that LARC, PC did not have workers  
17 compensation coverage and, further, that if Mr. George filed a workers compensation  
18 coverage claim in spite of the non-coverage, that the wolf who attacked him would be  
19 euthanized. A search of Workers' Compensation Insurance Rating Bureau of California  
20 (WCIRB) online corroborated Mr. Simmon's assertion that LARC, PC did not have  
21 workers compensation coverage.

22 On behalf of LARC, PC, Mr. Simmons reimbursed Mr. George for his medical  
23 costs from his urgent care visit. However, Mr. Simmons later said that LARC, PC would  
24 not pay for anymore medical costs.

25 Mr. George returned to work at LARC, PC, and his injuries became exacerbated  
26 from nontreatment and he was in constant pain.

27 When Mr. George complained to Mr. Simmons about his injuries, Mr. Simmons  
28 then terminated Mr. George's employment on the basis that Mr. George was no longer

1 physically able to satisfy the demands of his position.

2 Mr. George has since undergone wrist and back surgery and has accrued over a  
3 quarter of a million dollars in medical bills.

4 Plaintiff Adam George hereby alleges that the Defendant Lockwood Animal  
5 Rescue Center, PC, owned, kept, and controlled multiple wolves on November 15, 2017.

6 Plaintiff Adam George alleges that he was harmed by one of the wolves.

7 Plaintiff Adam George alleges that one of the Defendant Lockwood Animal  
8 Rescue Center, PC's wolves attacked him and therefore was a substantial factor in  
9 causing Plaintiff's harm.

10 Plaintiff Adam George alleges that based on Executive Director Matthew  
11 Simmons' admission and a search of Workers' Compensation Insurance Rating Bureau of  
12 California (WCIRB) online, that Defendant Lockwood Animal Rescue Center  
13 fraudulently concealed Plaintiff Adam George's injuries, which led to a delay in treatment  
14 and an exacerbation of his injuries.

15 Plaintiff Adam George alleges that the Defendant Lockwood Animal Rescue  
16 Center fraudulently concealed Plaintiff Adam George's injuries, which led to a delay in  
17 treatment and an associated exacerbation of his injuries.

18 Plaintiff Adam George seeks damages according to proof.

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1 THIRD CAUSE OF ACTION: NEGLIGENT HIRING, SUPERVISION, RETENTION

2 Page 8

3 ATTACHMENT TO COMPLAINT

4 AS TO DEFENDANT LOCKWOOD ANIMAL RESCUE CENTER, PC

5 (LARC, PC)

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7 Lockwood Animal Rescue Center, PC, which is operated on property located at 15660  
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12 Plaintiff Adam George's job was to provide maintenance support, safety checks  
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17 perimeter of the enclosure to make sure that it was secure. Usually, the wolves would be  
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21 and that the wolves would not attack him. Accordingly, Mr. George followed Mr.  
22 Thompson into the enclosure and began the safety check.

23 Without warning, Mr. Thompson exited the enclosure quickly to take a phone call  
24 and closed Mr. George in by himself with the wolves. One of the wolves immediately  
25 attacked Mr. George. Because Mr. Thompson was not facing the enclosure during the  
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28 awhile to enter the enclosure because of the way the access gate is configured.

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3 Before he arrived there, Matthew Simmons, the executive director of the  
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5 terminated if he did not lie to the medical provider at urgent care regarding the cause of  
6 his injuries. Mr. Simmons told him to tell the medical provider that he had run into a  
7 fence on a dirt bike. Not wanting to lose his job, Mr. George promised to comply with  
8 this request, and he did. Accordingly, Mr. Simmons, in his capacity as the executive  
9 director of the Lockwood Animal Rescue Center, fraudulently concealed Mr. George's  
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11 While being driven to the urgent care facility, Mr. George asked Mr. Simmons if  
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13 time, Mr. Simmons promised, on behalf of LARC, PC, to cover all of his medical costs.

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25 Mr. George returned to work at LARC, PC, and his injuries became exacerbated  
26 from nontreatment and he was in constant pain.

27 When Mr. George complained to Mr. Simmons about his injuries, Mr. Simmons  
28 then terminated Mr. George's employment on the stated basis that Mr. George was no

1 longer physically able to satisfy the demands of his position.

2 Mr. George has since undergone wrist and back surgery and has accrued over a  
3 quarter of a million dollars in medical bills.

4 Plaintiff Adam George hereby alleges that the Defendant Lockwood Animal  
5 Rescue Center, PC, hired (former) employee James Thompson.

6 Plaintiff Adam George alleges that James Thompson became unfit or incompetent  
7 to perform the work for which he was hired.

8 Plaintiff Adam George alleges that Defendant Lockwood Animal Rescue Center,  
9 PC, knew or should have known that Mr. Thompson had become unfit or incompetent  
10 and that this unfitness or incompetence created a particular risk to others.

11 Plaintiff Adam George alleges that Defendant Lockwood Animal Rescue Center,  
12 PC's negligence in hiring, supervising, or retaining Mr. Thompson was a factor in causing  
13 Plaintiff's harm.

14 Plaintiff Adam George alleges that based on Executive Director Matthew  
15 Simmons' admission and a search of Workers' Compensation Insurance Rating Bureau of  
16 California (WCIRB) online, that Defendant Lockwood Animal Rescue Center did not  
17 have workers compensation insurance coverage.

18 Plaintiff Adam George alleges that the Defendant Lockwood Animal Rescue  
19 Center fraudulently concealed Plaintiff Adam George's injuries, which led to a delay in  
20 treatment and an exacerbation of his injuries.

21 Plaintiff Adam George seeks damages according to proof.  
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