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OF ORIGINAL FILED  
Los Angeles Superior Court

JUN 08 2011

John A. Clarke, Executive Officer/Clerk  
By Dorothy Swain, Deputy  
DOROTHY SWAIN

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF LOS ANGELES

BC463109

11 ANGELA CRICKMAN and LISA GREBE )

12 Plaintiffs, )

13 v. )

14 LAWRENCE RESNICK, an individual, )  
WOMAN'S BREAST CENTER, a )  
15 corporation or other business entity, PEAK )  
HEALTH MEDICAL GROUP, INC., a )  
16 corporation or other business entity, BAY )  
AREA COMMUNITY MEDICAL GROUP, )  
17 INC., a corporation or other business entity, )  
and DOES 1 through 50, inclusive, )

18 Defendants. )  
19

Case No.

**COMPLAINT FOR DAMAGES:**

- 13 (1) **SEXUAL HARASSMENT BY A PHYSICIAN**  
[Cal. Civ. Code §§ 51.9, 52]
- 14 (2) **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
- 15 (3) **NEGLIGENCE**
- 16 (4) **VIOLATION OF UNRUH CIVIL RIGHTS ACT**  
[Cal. Civ. Code §§ 51, 52]

20 **DEMAND FOR TRIAL BY JURY**

21  
22 Plaintiffs Angela Crickman and Lisa Grebe, as individuals, complain and allege as follows:

23 **INTRODUCTION**

24  
25  
26 1. In this case, Plaintiffs Angela Crickman and Lisa Grebe allege, *inter alia*, that  
27 their Health Maintenance Organization ("HMO") – Bay Area Community Medical Group, Inc.  
28

1 (which has been acquired by UCLA), – in disregard for their rights, safety and well-being, referred  
2 them to defendant Lawrence Resnick, M.D. of the Woman’s Breast Center for breast examinations,  
3 mammograms and ultrasounds. Plaintiff Angela Crickman alleges the same conduct against her  
4 primary care physicians, defendant Peak Health Medical Group, Inc. Defendants knew that  
5 defendant Resnick had a pattern and history of engaging in sexually inappropriate and offensive  
6 conduct toward his female patients and that he had been sanctioned by the State Medical Board for  
7 engaging in inappropriate conduct. Motivated by their own economic self-interest, however, they  
8 continued to refer their patients, including Ms. Crickman and Ms. Grebe, to defendant Resnick. As  
9 set forth herein, defendant Resnick engaged in inappropriate, unprofessional and offensive conduct  
10 toward both women while in the course of examining their breasts. Among other things, he engaged  
11 in flirtatious and suggestive conduct and, in the case of Ms. Grebe, he kissed her at the conclusion of  
12 the examination. As a result of defendants’ conduct, both women have sustained damages.

13  
14 **JURISDICTION AND VENUE**  
15

16 2. The Court has personal jurisdiction over the defendants because they are  
17 residents of and/or doing business in the State of California.  
18

19 3. Venue is proper in this county in accordance with Section 395(a) and 395.5 of  
20 the California Code of Civil Procedure because Defendants, or some of them, reside in this county,  
21 and the injuries alleged herein, or some of them, occurred in this county. Venue is further  
22 appropriate in this county in accordance with Section 395(a) Defendants and Plaintiffs contracted to  
23 perform their obligations in this county, because the contract was entered into in this county, because  
24 the liability, obligation and breach occurred within this county, and because the principal place of  
25 business of Defendants, or some of them, is situated in this county.

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**PARTIES**

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2           4.       Plaintiffs Angela Crickman (hereinafter “PLAINTIFF CRICKMAN” or “MS.  
3 CRICKMAN”) and Lisa GREBE (hereinafter “PLAINTIFF GREBE” or “MS. GREBE”)  
4 are individuals (sometimes collectively referred to as “PLAINTIFFS”) who, at all relevant times  
5 during the events alleged herein, resided in the County of Los Angeles, State of California.  
6

7           5.       MS. CRICKMAN and MS. GREBE are informed and believe, and thereon  
8 allege, that defendants WOMAN’S BREAST CENTER, PEAK HEALTH MEDICAL GROUP,  
9 INC., BAY AREA COMMUNITY MEDICAL GROUP, INC., and DOES 1 through 25, and each of  
10 them, are and, at all times mentioned herein, were corporations, unincorporated associations,  
11 partnerships or other business entities, qualified to do business and/or are doing business in the State  
12 of California.  
13

14           6.       MS. CRICKMAN and MS. GREBE are informed and believe, and thereon  
15 allege, that defendant LAWRENCE RESNICK (hereinafter “RESNICK”) is an individual who is an  
16 owner, principal, officer, director and/or managing agent of defendant WOMAN’S BREAST  
17 CENTER. MS. CRICKMAN and MS. GREBE are further informed and believe, and thereon allege,  
18 that defendant RESNICK is and, at all relevant times alleged herein, was a resident of the County of  
19 Los Angeles, State of California.  
20

21           7.       MS. CRICKMAN and MS. GREBE are informed and believe, and thereon  
22 allege, that defendant RESNICK is, and at all relevant times was, the majority shareholder, member  
23 and/or owner of WOMAN’S BREAST CENTER. MS. CRICKMAN and MS. GREBE are informed  
24 and believe, and thereon allege, that there exists, and at all times herein mentioned, existed a unity of  
25 interest and ownership between defendants RESNICK and WOMAN’S BREAST CENTER. MS.  
26 CRICKMAN and MS. GREBE are further informed and believe, and thereon allege, that defendant  
27 RESNICK completely controls and dominates, and at all times mentioned herein, controlled and  
28 dominated the affairs of WOMAN’S BREAST CENTER such that any individuality and

1 separateness between them have ceased and that defendant RESNICK is the alter ego of WOMAN'S  
2 BREAST CENTER. Adherence to the fiction of the separate existence of WOMAN'S BREAST  
3 CENTER as an entity distinct from defendant RESNICK would permit an abuse of the corporate  
4 and/or LLC privilege and would sanction a fraud or promote injustice.

5  
6 8. The true names and capacities, whether corporate, associate, individual or  
7 otherwise of defendants DOES 1 through 50, inclusive, are unknown to MS. CRICKMAN and MS.  
8 GREBE, who therefore sue said defendants by such fictitious names. Each of the defendants  
9 designated herein as a DOE is negligently or otherwise legally responsible in some manner for the  
10 events and happenings herein referred to and caused injuries and damages proximately thereby to  
11 MS. CRICKMAN and MS. GREBE, as herein alleged. MS. CRICKMAN and MS. GREBE will  
12 seek leave of Court to amend this Complaint to show their names and capacities when the same have  
13 been ascertained.

14  
15 9. At all times mentioned herein, defendants, and each of them, were the  
16 agents, representatives, employees, successors and/or assigns, each of the other, and at all times  
17 pertinent hereto were acting within the course and scope of their authority as such agents,  
18 representatives, employees, successors and/or assigns.

19  
20 **FACTS COMMON TO ALL CAUSES OF ACTION**

21  
22 10. MS. CRICKMAN and MS. GREBE are both patients of the same primary  
23 health care provider, PEAK HEALTH MEDICAL GROUP, INC. – a medical group consisting of  
24 physicians specializing in the area of family practice.

25  
26 11. Physicians with defendant PEAK HEALTH MEDICAL GROUP, INC.  
27 referred both MS. CRICKMAN and MS. GREBE to defendant RESNICK for mammogram and  
28 ultrasound examinations of their breasts. PLAINTIFFS are informed and believe, and thereon allege,

1 that physicians with defendant PEAK HEALTH MEDICAL GROUP, INC. have a pattern, practice  
2 and history of referring all patients who need mammograms or ultrasounds of their breasts to  
3 defendant RESNICK and that they do so at the direction and/or recommendation of defendant BAY  
4 AREA COMMUNITY MEDICAL GROUP, INC. – the Health Maintenance Organization (“HMO”)  
5 to which PEAK HEALTH MEDICAL GROUP, INC. belongs. MS. CRICKMAN and MS. GREBE  
6 are informed and believe, and thereon allege, that UCLA Health System and the Regents of the  
7 University of California have acquired and/or will acquire defendant BAY AREA COMMUNITY  
8 MEDICAL GROUP, INC.

9  
10 12. At the time they referred and/or continued to refer MS. CRICKMAN and MS.  
11 GREBE to defendant RESNICK, defendants PEAK HEALTH MEDICAL GROUP, INC. and BAY  
12 AREA COMMUNITY MEDICAL GROUP, INC. knew that defendant RESNICK had a pattern,  
13 practice and/or history of engaging in sexually inappropriate, offensive and flirtatious conduct and of  
14 making unwelcome advances while performing ultrasound and/or mammogram examinations of his  
15 patients’ breasts. Among other things, in December 2007, defendant RESNICK had been sanctioned  
16 for and publicly reprimanded by the Medical Board of the State of California for engaging in  
17 unprofessional conduct arising from inappropriate comments he made to a patient during a breast  
18 examination. In addition, PLAINTIFFS are informed and believe, and thereon allege, that other  
19 complaints and/or accusations of improper conduct had been filed with the Medical Board against  
20 defendant RESNICK, and that defendants PEAK HEALTH MEDICAL GROUP, INC. and BAY  
21 AREA COMMUNITY MEDICAL GROUP, INC. had received complaints and concerns from their  
22 own patients and members about defendant RESNICK’s inappropriate conduct during breast  
23 examinations.

24  
25 13. Despite knowledge of defendant RESNICK’s inappropriate behavior,  
26 defendants PEAK HEALTH MEDICAL GROUP, INC. and BAY AREA COMMUNITY  
27 MEDICAL GROUP, INC. continued to refer their patients (including PLAINTIFFS) to him.

1                   14.     In or about late September 2010, MS. CRICKMAN was referred by  
2 defendants PEAK HEALTH MEDICAL GROUP, INC. and BAY AREA COMMUNITY  
3 MEDICAL GROUP, INC. to defendant RESNICK for a mammogram and an ultrasound of her  
4 breast.

5  
6                   15.     On or about October 6, 2010 at 9:15 a.m., MS. CRICKMAN arrived at  
7 defendant RESNICK's office. Pursuant to the instructions of the attending nurse, MS. CRICKMAN  
8 disrobed from her waist up and changed into a hospital gown. In the examination room, the nurse  
9 performed a mammogram.

10  
11                   16.     After performing the mammogram, the nurse advised MS. CRICKMAN that  
12 the doctor would be in to see her shortly. The nurse then left the room.

13  
14                   17.     Defendant RESNICK entered the room a few minutes later to perform an  
15 ultrasound. He instructed MS. CRICKMAN to lie down on her back and open her gown in front,  
16 thus exposing her breasts. He then applied gel to MS. CRICKMAN's breast and proceeded to move  
17 the ultrasound transducer around her breast area. After having MS. CRICKMAN in this vulnerable  
18 position – and while touching her breast with the transducer – defendant RESNICK engaged in  
19 sexually offensive, flirtatious and suggestive conduct and made unwanted advances to MS.  
20 CRICKMAN. Such conduct includes, among other things, the allegations contained herein.

21  
22                   18.     While touching MS. CRICKMAN's breast with the ultrasound transducer,  
23 defendant RESNICK told her, "You have really pretty eyes." MS. CRICKMAN, hoping to redirect  
24 his attention back to her medical concerns, thanked him and asked him about the results of her  
25 mammogram. But defendant RESNICK, not to be deterred, continued with his inappropriate  
26 comments. He told her, "They are such a beautiful color blue! Like a sky blue . . . but more gray."

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1           19.     MS. CRICKMAN, feeling extremely uncomfortable about the unsolicited  
2 compliments about her physical appearance, again attempted to redirect his attention back to her  
3 medical condition, this time asking about her ultrasound. Again, however, defendant RESNICK  
4 continued with his inappropriate conduct.

5  
6           20.     While touching MS. CRICKMAN's breast with the ultrasound transducer,  
7 defendant RESNICK told her, "You know . . . you are really pretty. I love your hair," and "Your  
8 breasts are perfect. Just perfect!"

9  
10          21.     Defendant RESNICK again told MS. CRICKMAN, "Your breasts are  
11 perfect," and added, "Do you have children?" MS. CRICKMAN responded that she had three  
12 children. Defendant RESNICK again complimented her physical appearance, telling her, "You don't  
13 look like you could be the mother of three."

14  
15          22.     Defendant RESNICK then approached MS. CRICKMAN with a towel to wipe  
16 the gel off her breast. MS. CRICKMAN sat up, grabbed the towel out of his hand, and told him she  
17 would wipe the gel off herself. Defendant RESNICK then stood over her, paused, and told her,  
18 "You really are a pretty girl. And I bet you're tall too." MS. CRICKMAN did not reply. She  
19 quickly got up and exited the examination room so she could change into her clothes and leave.

20  
21          23.     After dressing into her clothes, MS. CRICKMAN walked down the hallway  
22 toward the exit. As she walked by defendant RESNICK's office, she noticed him sitting at his desk.  
23 Seeing MS. CRICKMAN, defendant RESNICK got up and watched her as she walked down the  
24 hallway.

25  
26          24.     As they did with MS. CRICKMAN, defendants PEAK HEALTH MEDICAL  
27 GROUP, INC. and BAY AREA COMMUNITY MEDICAL GROUP, INC. referred MS. GREBE to  
28 defendant RESNICK for a mammogram and ultrasound of her breast.

1           25.     Consistent with his conduct toward MS. CRICKMAN, defendant RESNICK  
2 likewise engaged in sexually offensive, flirtatious and suggestive conduct, and made unwanted  
3 advances to, MS. GREBE while performing ultrasound and other physical examinations of MS.  
4 GREBE's breasts. Among other things, defendant RESNICK, while in physical contact with MS.  
5 GREBE's breasts, would tell her that she had beautiful eyes, that her breasts were beautiful, and  
6 would make comments about her body.

7  
8           26.     In or about January 2010, MS. GREBE attended an appointment for a  
9 mammogram and breast examination with defendant RESNICK. On that occasion, MS. GREBE  
10 requested that a nurse be present. When the examination was completed, defendant RESNICK and  
11 the nurse left the exam room. MS. GREBE began to put her clothes on. Before she was able to  
12 finish, however, defendant RESNICK reentered the room, shut the door, quickly approached MS.  
13 GREBE and kissed her on her cheek. He then abruptly exited the room. MS. GREBE was left in  
14 state of shock. She finished putting her clothes back on and quickly left the office. She reported  
15 defendant RESNICK's conduct to her physician at defendant PEAK HEALTH MEDICAL GROUP,  
16 INC.

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18           27.     MS. CRICKMAN and MS. GREBE have been generally damaged in an  
19 amount within the jurisdictional limits of this Court.

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1 **FIRST CAUSE OF ACTION**

2 **SEXUAL HARASSMENT BY A PHYSICIAN**

3 **(Cal. Civ. Code §§ 51.9, 52)**

4 (By MS. CRICKMAN against all Defendants)

5 (By MS. GREBE against Defendants RESNICK, WOMAN'S BREAST CENTER, BAY AREA  
6 COMMUNITY MEDICAL GROUP, INC., and DOES 1 through 50)

7  
8 28. MS. CRICKMAN and MS. GREBE reallege and incorporate by reference  
9 paragraphs 10 through 27, as though set forth in full.

10  
11 29. In perpetrating the above-described actions, the defendants, and each of them,  
12 including DOES 1 through 50 and/or their agents and employees, subjected MS. CRICKMAN and  
13 MS. GREBE to unlawful sexual harassment in violation of California Civil Code Sections 51.9 and  
14 52. At the time the unlawful conduct was perpetrated, the relationship between MS. CRICKMAN  
15 and MS. GREBE, on the one hand, and defendants, on the other hand, was one of Physician/Patient,  
16 HMO/Patient and or a substantially similar relationship. As set forth herein, defendant RESNICK  
17 made sexual advances and engaged in other verbal, visual and physical conduct of a sexual nature or  
18 of a hostile nature based on gender that were unwelcome and pervasive or severe. In addition,  
19 defendants PEAK MEDICAL HEALTH GROUP, INC. and/or BAY AREA COMMUNITY  
20 MEDICAL GROUP, INC., with reckless disregard for the rights and safety of MS. CRICKMAN and  
21 MS. GREBE, with advance knowledge of defendant RESNICK's propensity and pattern of engaging  
22 in inappropriate conduct, and in furtherance of their own economic best interest, referred and  
23 continued to refer their patients, including MS. CRICKMAN and MS. GREBE, to defendant  
24 RESNICK and otherwise aided, incited and/or conspired with the denial of MS. CRICKMAN's and  
25 MS. GREBE's rights pursuant to Section 51.9 of the California Civil Code.

26  
27 30. MS. CRICKMAN and MS. GREBE had an inability to easily terminate their  
28 relationship with the defendants.

1           31.     As a result of such unlawful conduct, MS. CRICKMAN and MS. GREBE  
2 suffered and will suffer actual damages, including, without limitation, emotional distress and the  
3 violation of a statutory and/or constitutional right  
4

5           32.     By the aforesaid acts and omissions of defendants, and each of them, MS.  
6 CRICKMAN and MS. GREBE have been directly and legally caused to suffer actual damages  
7 including, but not limited to, loss of earnings and future earning capacity, attorneys' fees, costs of suit  
8 and other pecuniary loss not presently ascertained.  
9

10          33.     As a further direct and legal result of the acts and conduct of defendants, and  
11 each of them, as aforesaid, MS. CRICKMAN and MS. GREBE have been caused to and did suffer  
12 and continues to suffer severe emotional and mental distress, anguish, humiliation, embarrassment,  
13 fright, shock, pain, discomfort and anxiety. The exact nature and extent of said injuries is presently  
14 unknown to MS. CRICKMAN and MS. GREBE. MS. CRICKMAN and MS. GREBE do not know  
15 at this time the exact duration or permanence of said injuries, but are informed and believe and  
16 thereon allege that some if not all of the injuries are reasonably certain to be permanent in character.  
17

18          34.     MS. CRICKMAN and MS. GREBE are informed and believe, and thereon  
19 allege, that the defendants, and each of them, by engaging in the aforementioned acts and/or in  
20 authorizing and/or ratifying such acts, engaged in wilful, malicious, intentional, oppressive and  
21 despicable conduct, and acted with wilful and conscious disregard of the rights, welfare and safety of  
22 MS. CRICKMAN and MS. GREBE, thereby justifying the award of punitive and exemplary  
23 damages in an amount to be determined at trial.  
24

25          35.     As a result of defendants' acts and conduct, as alleged herein, MS.  
26 CRICKMAN and MS. GREBE are is entitled to actual damages as provided in Section 52(b) of the  
27 California Civil Code.  
28

1 36. As a result of defendant's acts and conduct, as alleged herein, MS.  
2 CRICKMAN and MS. GREBE are entitled to all applicable civil penalties and to exemplary  
3 damages as provided in Section 52(b)(1) of the California Civil Code.  
4

5 37. As a result of defendants' acts and conduct, as alleged herein, MS.  
6 CRICKMAN and MS. GREBE are entitled to reasonable attorneys' fees and costs of suit as provided  
7 in Section 52(b)(3) of the California Civil Code.  
8

9 **SECOND CAUSE OF ACTION**

10 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

11 (By MS. CRICKMAN against all Defendants)

12 (By MS. GREBE against Defendants RESNICK, WOMAN'S BREAST CENTER, BAY AREA  
13 COMMUNITY MEDICAL GROUP, INC., and DOES 1 through 50)  
14

15 38. MS. CRICKMAN and MS. GREBE reallege and incorporate by reference  
16 paragraphs 10 through 27, 29 and 30, as though set forth in full.  
17

18 39. Defendants' conduct as described above was extreme and outrageous and was  
19 done with the intent of causing MS. CRICKMAN and MS. GREBE to suffer emotional distress or  
20 with reckless disregard as to whether their conduct would cause them to suffer such distress.  
21

22 40. By the aforesaid acts and omissions of Defendants, and each of them,  
23 MS. CRICKMAN and MS. GREBE have been directly and legally caused to suffer actual damages  
24 including, but not limited to, loss of earnings, reliance damages, costs of suit and other pecuniary  
25 loss in an amount not presently ascertained, but to be proven at trial.  
26

27 41. As a further direct and legal result of the acts and conduct of defendants, and  
28 each of them, as aforesaid, MS. CRICKMAN and MS. GREBE have been caused to and did suffer

1 and continues to suffer severe emotional and mental distress, anguish, humiliation, embarrassment,  
2 fright, shock, pain, discomfort and anxiety. The exact nature and extent of said injuries is presently  
3 unknown to MS. CRICKMAN and MS. GREBE. MS. CRICKMAN and MS. GREBE do not know  
4 at this time the exact duration or permanence of said injuries, but are informed and believe and  
5 thereon allege that some if not all of the injuries are reasonably certain to be permanent in character.  
6

7 42. MS. CRICKMAN and MS. GREBE are informed and believe, and thereon  
8 allege, that the defendants, and each of them, by engaging in the aforementioned acts and/or in  
9 authorizing and/or ratifying such acts, engaged in wilful, malicious, intentional, oppressive and  
10 despicable conduct, and acted with wilful and conscious disregard of the rights, welfare and safety of  
11 MS. CRICKMAN and MS. GREBE, thereby justifying the award of punitive and exemplary  
12 damages in an amount to be determined at trial.  
13

14 **THIRD CAUSE OF ACTION**

15 **NEGLIGENCE**

16 (By MS. CRICKMAN against all Defendants)

17 (By MS. GREBE against Defendants RESNICK, WOMAN'S BREAST CENTER, BAY AREA  
18 COMMUNITY MEDICAL GROUP, INC., and DOES 1 through 50)  
19

20 43. MS. CRICKMAN and MS. GREBE reallege and incorporate by reference  
21 paragraphs 10 through 27, 29, 30 and 39, as though set forth in full.  
22

23 44. Defendants, and each of them, owed Plaintiffs a duty of care to refer them and  
24 their other patients to a to physicians who they were confident would observe strict and professional  
25 standards of care in conducting in highly personal examinations of a woman's breasts, including  
26 ultrasounds, mammograms and physical examinations, and to refrain from referring them to a  
27 physician who they knew, or should have knows, had a propensity to engage in the kind of  
28 inappropriate, offensive and harmful conduct as alleged herein.

1                   45. Defendants, and each of them, breached their duty of care by referring MS.  
2 CRICKMAN and MS. GREBE to defendant RESNICK.

3  
4                   46. By the aforesaid acts and omissions of Defendants, and each of them,  
5 MS. CRICKMAN and MS. GREBE have been directly and legally caused to suffer actual damages  
6 including, but not limited to, loss of earnings, reliance damages, costs of suit and other pecuniary  
7 loss in an amount not presently ascertained, but to be proven at trial.

8  
9                   47. As a further direct and legal result of the acts and conduct of defendants, and  
10 each of them, as aforesaid, MS. CRICKMAN and MS. GREBE have been caused to and did suffer  
11 and continues to suffer emotional and mental distress, anguish, humiliation, embarrassment, fright,  
12 shock, pain, discomfort and anxiety. The exact nature and extent of said injuries is presently  
13 unknown to MS. CRICKMAN and MS. GREBE. MS. CRICKMAN and MS. GREBE do not know  
14 at this time the exact duration or permanence of said injuries, but are informed and believe and  
15 thereon allege that some if not all of the injuries are reasonably certain to be permanent in character.

16  
17                   **FOURTH CAUSE OF ACTION**

18                   **VIOLATION OF UNRUH CIVIL RIGHTS ACT**

19                   **(Cal. Civil Code §§51, 52)**

20                   (By MS. CRICKMAN against Defendants PEAK HEALTH MEDICAL GROUP, INC.,

21                   BAY AREA COMMUNITY MEDICAL GROUP, INC., and DOES 1 through 50)

22                   (By MS. GREBE against BAY AREA COMMUNITY MEDICAL GROUP, INC., and DOES 1  
23                   through 50)

24  
25                   48. MS. CRICKMAN and MS. GREBE reallege and incorporate by reference  
26 paragraphs 10 through 27, 29, 30, 39, 44 and 45, as though set forth in full.

27 //

28 //

1           49.     MS. CRICKMAN and MS. GREBE are informed and believe, and thereon  
2 allege, that defendants, in violation of Section 51 of the California Civil Code, failed to provide or  
3 apply the same level of scrutiny to physicians to whom they referred their female patients as they did  
4 to those to whom they referred their male patients. MS. CRICKMAN and MS. GREBE are informed  
5 and believe, and thereon allege, that defendants would not have referred male patients to a physician  
6 who had been sanctioned by the State Medical Board for inappropriate conduct, but that they readily  
7 and repeatedly did so with their female patients.

8  
9           50.     By the aforesaid acts and omissions of defendants, and each of them, MS.  
10 CRICKMAN and MS. GREBE have been directly and legally caused to suffer actual damages  
11 including, but not limited to, loss of earnings and future earning capacity, attorneys' fees, costs of suit  
12 and other pecuniary loss not presently ascertained.

13  
14           51.     As a further direct and legal result of the acts and conduct of defendants, and  
15 each of them, as aforesaid, MS. CRICKMAN and MS. GREBE have been caused to and did suffer  
16 and continues to suffer severe emotional and mental distress, anguish, humiliation, embarrassment,  
17 fright, shock, pain, discomfort and anxiety. The exact nature and extent of said injuries is presently  
18 unknown to MS. CRICKMAN and MS. GREBE. MS. CRICKMAN and MS. GREBE do not know  
19 at this time the exact duration or permanence of said injuries, but are informed and believe and  
20 thereon allege that some if not all of the injuries are reasonably certain to be permanent in character.

21  
22           52.     MS. CRICKMAN and MS. GREBE are informed and believe, and thereon  
23 allege, that the defendants, and each of them, by engaging in the aforementioned acts and/or in  
24 authorizing and/or ratifying such acts, engaged in wilful, malicious, intentional, oppressive and  
25 despicable conduct, and acted with wilful and conscious disregard of the rights, welfare and safety of  
26 MS. CRICKMAN and MS. GREBE, thereby justifying the award of punitive and exemplary  
27 damages in an amount to be determined at trial.

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53. As a result of defendants' acts and conduct, as alleged herein, MS.

CRICKMAN and MS. GREBE are is entitled to actual damages for each and every offense and are further entitled to three times the amount of those actual damages, as provided in Section 52(a) of the California Civil Code.

54. As a result of defendants' acts and conduct, as alleged herein, MS.

CRICKMAN and MS. GREBE are entitled to reasonable attorneys' fees and costs of suit as provided in Section 52(a) of the California Civil Code.

**PRAYER FOR RELIEF**

WHEREFORE, MS. CRICKMAN and MS. GREBE pray for judgment against defendants, and each of them, as follows:

- 1. General damages in an amount to be proved at trial;
- 2. Special damages in an amount to be proved at trial;
- 3. Punitive and exemplary damages in an amount appropriate to punish defendants and to make an example of them to the community;
- 4. Trebling of their actual damages and in no case less than \$4,000 pursuant to Section 52 of the Civil Code;
- 5. All applicable civil penalties pursuant to Section 52 of the Civil Code;
- 6. Attorneys' fees;
- 7. Costs of suit;
- 8. Interest;

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9. For such other relief as the Court deems proper.

DATED: June 7, 2011

HELMER • FRIEDMAN, LLP  
Gregory D. Helmer, P.C.  
Andrew H. Friedman, P.C.  
Kenneth A. Helmer

By:   
Gregory D. Helmer, P.C.

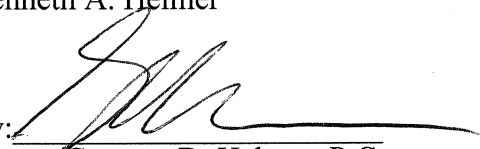
Attorneys for Plaintiffs  
ANGELA CRICKMAN and LISA GREBE

**PLAINTIFFS' DEMAND FOR JURY TRIAL**

Plaintiffs ANGELA CRICKMAN and LISA GREBE hereby demands a trial by jury.

DATED: June 7, 2011

HELMER • FRIEDMAN, LLP  
Gregory D. Helmer, P.C.  
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