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 SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN Bakersfield Metropolitan Justice 1215 Truxtun Ave Bakersfield, CA 93301 Phone: (661) 610-6000	FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN September 3, 2026 /s/ Javen Silva, Deputy Clerk
Minor Doe 1, et al v. County of Kern, a public entity, et al	Case Number: 26CUB03433

By order of the presiding judge, the above-entitled case is assigned to the Honorable Gregory A. Pulskamp for all purposes. It will be managed in Department/Division J until its conclusion. Peremptory challenges, if any, must be made within the times set out in Code of Civil Procedure §170.6.

To Plaintiff(s) and Plaintiff(s) Counsel:

You are required to serve this Notice of Assignment and Notice of Order to Show Cause date and Notice of Case Management Conference date with the Summons, Complaint [Local Rule 3.7(a), Alternative Dispute Resolution (ADR) Information Packet, and ADR Stipulation and Order Form (California Rules of Court, Rule 3.221).

You are ordered to appear on December 14, 2026 at 8:30 A.M. in Division J at 1215 Truxtun Ave, Bakersfield, CA 93301 to give any legal reason why sanctions shall not be imposed for failure to serve the complaint on all named defendants and file proof(s) of service with the court within sixty (60) days after the filing of the complaint pursuant to California Rules of Court, Rule 3.110. All appearances are mandatory, unless the court receives the required proof(s) of service five (5) court days prior to the hearing date, and then no appearance is necessary.

To each party and their respective attorney(s) of record:

Your attention is directed to the California Rules of Court and the Code of Civil Procedure provisions regarding mandatory expedited jury trial procedures, specifically to California Rules of Court Rules 3.1546, et seq., and Code of Civil Procedure section 630.20, et seq.

This case is set for Case Management Conference on March 1, 2027 at 8:30 A.M. in Division J located at 1215 Truxtun Ave, Bakersfield, CA 93301. Parties shall comply with and file case management statements at least fifteen (15) days prior to the conference in accordance with California Rules of Court, Rules 3.720 – 3.730.

To Cross Complainant(s) and Cross Complainant(s) Counsel:

If you are bringing cross complaint against new parties, you are, likewise, required to serve this Notice of Assignment pursuant to California Rules of Court, Rule 3.110, Notice of Order to Show Cause date and Notice of Case Management Conference date on the new cross defendants.

Tara Leal
Clerk of the Superior Court

Date: September 3, 2026

By: /s/ Javen Silva
Javen Silva, Deputy Clerk

The Clerk of the Superior Court's office has received a civil complaint from you for filing. Pursuant to the Trial Court Delay Reduction Act, your case has been assigned to the Honorable Gregory A. Pulskamp as monitoring judge.

Judge Gregory A. Pulskamp has instituted a direct calendaring system for all cases assigned to him/her as the monitoring judge.

All law and motion, case management and trial setting conferences, ex parte matters and trials will be scheduled before him/her in Division J at 1215 Truxtun Ave, Bakersfield, CA 93301.

Law & Motion and Ex-Parte hearing dates must be pre-cleared by contacting the Direct Calendaring Clerk at 661-610-6460. Tentative rulings are not provided in advance of the hearing.

At the time of filing the complaint, plaintiff's counsel will be given a Notice of Case Management Conference which sets a conference approximately one hundred eighty (180) days after filing of the complaint. This notice must be served with the summons and complaint on all defendants. Defendants must serve the notice on all cross-defendants named. The notice must also be served on interveners and lien claimants.

Pursuant to Local Rule 3.2.1. a party wishing to appear remotely in any civil proceeding other than an evidentiary hearing or trial, including conferences and law and motion hearings, is permitted to appear without advance notice to the court or other parties. By appearing remotely those persons will be deemed to have requested a remote appearance. Instructions for accessing Remote Court Hearings can be found on the court's website. Each judicial officer retains the discretion to require a party to appear in person at a conference, hearing, or proceeding, as authorized by Code of Civil Procedure section 367.75. Remote proceedings for evidentiary hearings or trials in all divisions shall be noticed and conducted as authorized by Code of Civil Procedure section 367.75 and California Rules of Court, rule 3.672.

The Court does not provide court reporters for civil matters. Parties wishing to have a matter reported must provide their own reporter. The court maintains a list of pre-approved official reporters pro tem. Your preferred reporter can be added to this list. Information regarding the court's list is on the court's website.

Another judge will hear settlement conferences in cases assigned to Judge Gregory A. Pulskamp. However, those cases that do not settle will be set for trial before him/her.

BY ORDER OF THE BD/SUPV

Referred To _____

County Counsel

34 pages - Delivered - Served

Copies Furnished _____

Risk Management

Date 9/14/2020

Clerk of the Board of Supervisors

By T. Delancey, Deputy

Superior Court Of California County Of Kern Special Rules Relating To Case Management Conferences

At least fifteen (15) days prior to the case management conference, each party shall prepare, file and serve on each other party a case management conference statement providing the Court with the following information:

1. The "at-issue" status of the case including any new parties that may be contemplated;
2. A brief statement of the type of case and the general facts or contentions;
3. A description of the discovery done to date and that contemplated to be done;
4. Estimated time for trial and whether a jury is demanded;
5. Whether or not the case is entitled to priority in trial setting and if so, the legal authority thereof;
6. An evaluation of the case for alternative dispute resolution, including arbitration (judicial or binding), mediation or private judge handling;
7. If a person injury action, a description of the injuries sustained by each plaintiff and the elements of claimed damage;
8. A statement of any settlement negotiations undertaken thus far;
9. The name of the attorney primary responsible for the case on behalf of the party filing the statement.

More than one party may join in the filing of a single statement.

The case management conference shall be attended by the attorney primarily responsible for the case on behalf of each party or a member of his or her firm or counsel formally associated in the case. The attorney attending shall be thoroughly familiar with the case, and be able to engage in meaningful discussions with court and counsel, and to enter into agreements on behalf of his or her client on the following subjects:

1. The "at-issue" status of the case including the dismissal of the unnamed doe defendants or cross-defendants by agreement of all parties;
2. Discovery conducted and remaining to be done;
3. Amenability of the case to alternative dispute resolution including, but no limited to, arbitration (judicial or binding), mediation, and private judge handling.
4. Delineation of issues including stipulation of facts not in substantial controversy;
5. Settlement prospects;
6. Setting the matter for trial, pre-trial conferences, settlement conference or further case management conference;
7. Any other matters relevant to the processing of the case to a final resolution.

Any violation of these rules shall result in the imposition of substantial sanctions which may include monetary, issue, termination, or other appropriate sanctions.

Certificate of Service

The undersigned, of said Kern County, certify: That I am a Deputy Clerk of the Superior Court of the State of California, in and for the County of Kern, that I am a citizen of the United States, over 18 years of age, I reside in or am employed in the County of Kern, that I am not a party to the within action and that my business address is 1215 Truxtun Ave, Bakersfield, CA 93301, that I served the Notice of Assignment to Judicial Officer for All Purposes, Notice of Order to Show Cause Re: California Rules of Court, Rule 3.110, and Notice of Case Management Conference attached hereto on all interested parties and any respective counsel of record in the within action, following standard Court practices, by: (a) enclosing true copies thereof in a sealed envelope(s) with postage fully prepaid and depositing/placing for collection and delivery in the United States mail at Bakersfield, California; and/or (b) enclosing true copies thereof in a Kern County interoffice envelope(s) and placing for collection and delivery; and/or (c) electronically transmitting true copies thereof by electronic service or e-mail. Service address(es) are indicated on the attached service list.

Date of service: September 3, 2026

Place of service: Bakersfield, California

Sent from electronic service address: donotreply@kern.courts.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Tara Leal
Clerk of the Superior Court

Date: September 3, 2026

By: /s/ Javen Silva
Javen Silva, Deputy Clerk

Service List

Ryan Lumm
18818 Teller Avenue Suite 250
Irvine, CA 92612
ryan@moetlaw.com

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Babak Robert Moghadam, Esq. (SBN 309864) Ryan E. Lumm, Esq. (SBN 286564) FIRM NAME: MOET LAW GROUP, APC STREET ADDRESS: 18818 Teller Ave, Suite 250 CITY: Irvine TELEPHONE NO.: 949 617 2101 EMAIL ADDRESS: ryan@moetlaw.com ATTORNEY FOR (name): MINOR DOE 2, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ	FOR COURT USE ONLY FILED Superior Court of California, County of Kern By: Vanesa Mata Deputy Clerk 09/04/2026
STATE BAR NUMBER: STATE: CA ZIP CODE: 92612 FAX NO.: 909 908 3788	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Ave MAILING ADDRESS: 1215 Truxtun Ave CITY AND ZIP CODE: Bakersfield, CA 93301 BRANCH NAME: Metro Division	
PLAINTIFF/PETITIONER: MINOR DOE 1, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ, et al. DEFENDANT/RESPONDENT: COUNTY OF KERN, et al. OTHER PARENT/PARTY:	
ORDER APPOINTING GUARDIAN AD LITEM—CIVIL AND FAMILY LAW ☐ EX PARTE	
CASE NUMBER: 26CUB03433	

1. Applicant (name): DIANA HERRERA as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ seeks appointment of a guardian ad litem of (name): MINOR DOE 2, a minor by and through her Guardian Ad Litem

2. ☐ The application came on regularly for a hearing as follows:

a. Judicial officer (name):

b. Hearing date: Time: ☐ Dept.: ☐ Room:

c. The following persons were present at the hearing:

- (1) ☐ Applicant (name):
- (2) ☐ Attorney for applicant (name):
- (3) ☐ Guardian ad litem named in item 6.
- (4) ☐ Attorney for guardian ad litem (name):
- (5) ☐ Plaintiff/Petitioner (name):
- (6) ☐ Attorney for Plaintiff/Petitioner (name):
- (7) ☐ Defendant/Respondent (name):
- (8) ☐ Attorney for Defendant/Respondent (name):
- (9) ☐ Other (names):

THE COURT FINDS

3. ☒ All notices required by law have been given.

4. The person for whom a guardian ad litem is to be appointed is a party who is

- a. ☒ a minor (date of birth): 10/28/2022
- b. ☐ a person who lacks legal capacity to make decisions.
- c. ☐ a person for whom a conservator has been appointed.

5. ☒ The person for whom a guardian ad litem is to be appointed

- a. ☐ is a minor who is a party to an action under the Uniform Parentage Act. (Family Code, §§ 7600–7730.)
- b. ☐ is a minor who is requesting or opposing a request for an injunction or restraining order described in Code of Civil Procedure sections 372(b) and 374(a).
- c. ☒ does not have a guardian or conservator of the estate.
- d. ☐ has a guardian or conservator of the estate, but the guardian or conservator is inadequate to represent the person's interest and appointment of a guardian ad litem is expedient.

PLAINTIFF/PETITIONER: MINOR DOE 1, as a minor by and through her GAL, et al.
DEFENDANT/RESPONDENT: CITY OF BAKERSFIELD, et al.
OTHER PARENT/PARTY:

CASE NUMBER:

26CUB03433

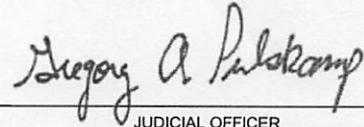
THE COURT ORDERS

6. (Name): DIANA HERRERA as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ
is appointed guardian ad litem of (name): MINOR DOE 2, a minor by and through her Guardian Ad Litem
7. The guardian ad litem ☒ is ☐ is **not** authorized to waive or disclaim any substantive rights of the represented party without further order of this court.
8. The guardian ad litem must promptly report to the court any potential conflict of interest with the represented person that becomes an actual conflict, as well as any new potential or actual conflict of interest that arises during the course of the representation.
9. ☐ Other (specify):

☐ Continued on Attachment 9.

10. Number of pages attached: _____

Date: **September 4, 2026**



JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Babak Robert Moghadam, Esq. (SBN 309864) Ryan E. Lum, Esq. (SBN 286564) FIRM NAME: MOET LAW GROUP, APC STREET ADDRESS: 18818 Teller Ave, Suite 250 CITY: Irvine STATE: CA ZIP CODE: 92612 TELEPHONE NO.: 949 617 2101 FAX NO.: 909 908 3788 EMAIL ADDRESS: ryan@moetlaw.com ATTORNEY FOR (name): MINOR DOE 1, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ	FOR COURT USE ONLY FILED Superior Court of California, County of Kern By: Vanesa Mata Deputy Clerk 09/04/2026
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Ave MAILING ADDRESS: 1215 Truxtun Ave CITY AND ZIP CODE: Bakersfield, CA 93301 BRANCH NAME: Metro Division	
PLAINTIFF/PETITIONER: MINOR DOE 1, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ, et al. DEFENDANT/RESPONDENT: COUNTY OF KERN, et al. OTHER PARENT/PARTY:	
ORDER APPOINTING GUARDIAN AD LITEM—CIVIL AND FAMILY LAW ☐ EX PARTE	CASE NUMBER: 26CUB03433

1. Applicant (name): GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ seeks appointment of a guardian ad litem of (name): Minor Doe 1 a minor by and through her Guardian Ad Litem
2. ☐ The application came on regularly for a hearing as follows:
 - a. Judicial officer (name):
 - b. Hearing date: Time: ☐ Dept.: ☐ Room:
 - c. The following persons were present at the hearing:
 - (1) ☐ Applicant (name):
 - (2) ☐ Attorney for applicant (name):
 - (3) ☐ Guardian ad litem named in item 6.
 - (4) ☐ Attorney for guardian ad litem (name):
 - (5) ☐ Plaintiff/Petitioner (name):
 - (6) ☐ Attorney for Plaintiff/Petitioner (name):
 - (7) ☐ Defendant/Respondent (name):
 - (8) ☐ Attorney for Defendant/Respondent (name):
 - (9) ☐ Other (names):

THE COURT FINDS

3. ☒ All notices required by law have been given.
4. The person for whom a guardian ad litem is to be appointed is a party who is
 - a. ☒ a minor (date of birth): 09/29/2014
 - b. ☐ a person who lacks legal capacity to make decisions.
 - c. ☐ a person for whom a conservator has been appointed.
5. ☒ The person for whom a guardian ad litem is to be appointed
 - a. ☐ is a minor who is a party to an action under the Uniform Parentage Act. (Family Code, §§ 7600–7730.)
 - b. ☐ is a minor who is requesting or opposing a request for an injunction or restraining order described in Code of Civil Procedure sections 372(b) and 374(a).
 - c. ☒ does not have a guardian or conservator of the estate.
 - d. ☐ has a guardian or conservator of the estate, but the guardian or conservator is inadequate to represent the person's interest and appointment of a guardian ad litem is expedient.

PLAINTIFF/PETITIONER: MINOR DOE 1, as a minor by and through her GAL, et al.
DEFENDANT/RESPONDENT: County of Kern, et al.
OTHER PARENT/PARTY:

CASE NUMBER:

26CUB03433

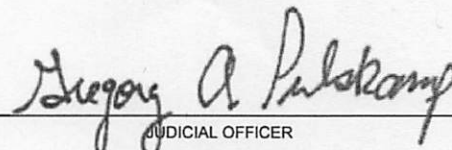
THE COURT ORDERS

6. (Name): GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ
is appointed guardian ad litem of (name): Minor Doe 1 a minor by and through her Guardian Ad Litem
7. The guardian ad litem ☒ is ☐ is **not** authorized to waive or disclaim any substantive rights of the represented party without further order of this court.
8. The guardian ad litem must promptly report to the court any potential conflict of interest with the represented person that becomes an actual conflict, as well as any new potential or actual conflict of interest that arises during the course of the representation.
9. ☐ Other (specify):

☐ Continued on Attachment 9.

10. Number of pages attached: _____

Date: **September 4, 2026**



JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

ORDER APPOINTING GUARDIAN AD LITEM—
CIVIL AND FAMILY LAW

For your protection and privacy, please press the Clear
This Form button after you have printed the form.

Print this form

Save this form

Clear this form

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Babak Robert Moghadam, Esq. (SBN 309864) Ryan E. Lumim, Esq. (SBN 286564) FIRM NAME: MOET LAW GROUP, APC STREET ADDRESS: 18818 Teller Ave, Suite 250 CITY: Irvine TELEPHONE NO.: 949 617 2101 EMAIL ADDRESS: ryan@moetlaw.com ATTORNEY FOR (name): Plaintiff MINOR DOE 1: SOFIA BRAVO GODINEZ	FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Kern By: Vanesa Mata Deputy Clerk 09/3/26 10:15 AM
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Ave MAILING ADDRESS: 1215 Truxtun Ave CITY AND ZIP CODE: Bakersfield, CA 93301 BRANCH NAME: Metro Division	
PLAINTIFF/PETITIONER: MINOR DOE 1, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ, et al. DEFENDANT/RESPONDENT: COUNTY OF KERN, et al. OTHER PARENT/PARTY:	
APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM—CIVIL AND FAMILY LAW ☐ EX PARTE	CASE NUMBER: 26CUB03433
<i>This form is for use in a civil or family law proceeding in which a party is a minor, a person who lacks legal capacity to make decisions, or a person for whom a conservator has been appointed. A person who seeks the appointment of a guardian ad litem in a proceeding under the Probate Code—other than a proceeding under Probate Code sections 3500–3613 for approval of a compromise, settlement, or disposition of judgment proceeds—should use form DE-350/GC-100. NOTE: A person may not act as a guardian ad litem unless the person is represented by an attorney, is an attorney, or, in an action under the Uniform Parentage Act (Family Code, §§ 7600–7730), is an adult relative of a minor party.</i>	

1. I (applicant's name): GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ am (check all that apply):
 - a. ☒ the parent of (name): MINOR DOE 1, a minor by and through her Guardian Ad Litem
 - b. ☐ the guardian of (name):
 - c. ☐ the conservator of (name):
 - d. ☐ a party to the suit.
 - e. ☐ the minor to be represented (if the minor is 14 years of age or older).
 - f. ☐ another interested person (specify capacity):
 2. I am asking the court to appoint the following person as guardian ad litem (name, address, phone number, and email address):
 GUADALUPE BRAVO
 3620 Seligman Dr, Bakersfield, CA 93309
 760.660.7563
 3. The guardian ad litem will represent the interest of (name, address, and, if applicable, phone number and email address):
 MINOR DOE 1
 4. The person named in item 3 is a party and is (check all that apply):
 - a. ☒ a minor (date of birth): 09/29/2014
 - b. ☐ a person who lacks legal capacity to make decisions (explain the basis for claiming lack of capacity):
- ☐ Continued on Attachment 4b.
- c. ☐ a person for whom a conservator has been appointed (provide the details of the appointment):

☐ Continued on Attachment 4c.

PLAINTIFF/PETITIONER: MINOR DOE 1, as a minor by and through her GAL, et al. DEFENDANT/RESPONDENT: County of Kern, et al. OTHER PARENT/PARTY:	CASE NUMBER: 26CUB03433
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5. ☒ The person named in item 3 is a minor and is (*check one*):
- a. ☒ a plaintiff or petitioner in this action and the summons has not been issued.
- b. ☐ a defendant or respondent in this action. More than 10 days have passed since service of the summons, and no one has applied for the appointment of a guardian ad litem.
6. I am asking the court to appoint a guardian ad litem because the person named in item 3 (*check all that apply*):
- a. ☐ is a minor who is a party to an action under the Uniform Parentage Act (Family Code, §§ 7600–7730).
- b. ☐ is a minor who is requesting or opposing a request for an injunction or restraining order described in Code of Civil Procedure sections 372(b)(1) and 374(a). (*If the minor is 12 years of age or older, check one of the following*):
 The minor ☐ does ☐ does not object to the appointment of the person named in item 2.
☐ I don't know whether the minor objects to the appointment of the person named in item 2.
- c. ☒ has no guardian or conservator of the estate.
- d. ☐ has a guardian or conservator of the estate, but the guardian or conservator is inadequate to represent the person's interest in this action or proceeding because (*explain*):

☐ Continued on Attachment 6d.

The guardian or conservator of the estate is (*name, address, telephone number, and email address*):

(*After filing this application, you must give notice and a copy of the application to the guardian or conservator above.*)

7. The proposed guardian ad litem is fully competent and qualified to understand and protect the rights of the person named in item 3.

Ryan E. Lumm, Esq.

(TYPE OR PRINT NAME)


 (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

GUADALUPE BRAVO

(TYPE OR PRINT NAME)


 (SIGNATURE OF APPLICANT)

DISCLOSURES AND CONSENT TO ACT AS GUARDIAN AD LITEM

8. I have the following relationship with the person named in item 3 (*check one*):
- a. ☐ No relationship
- b. ☒ A familial relationship (*specify*): Mother
- c. ☐ An affiliate (nonfamilial) relationship (*specify*):
9. I am (*check one*):
- a. ☒ not aware of any actual or potential conflicts of interest that would or might arise from the appointment.
- b. ☐ aware of the following actual or potential conflicts that would or might arise from the appointment (*describe the actual or potential conflicts of interest and explain why the proposed guardian should still be appointed*):

☐ Continued on Attachment 9b.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I consent to act as guardian ad litem in this action or proceeding. If I become aware that a potential conflict of interest has become an actual conflict, or that a new potential or actual conflict exists, I will promptly disclose the conflict of interest to the court.

Date:

GUADALUPE BRAVO

(TYPE OR PRINT NAME)


 (SIGNATURE OF PROPOSED GUARDIAN AD LITEM)

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Babak Robert Moghadam, Esq. (SBN 309864) Ryan E. Lum, Esq. (SBN 286564) FIRM NAME: MOET LAW GROUP, APC STREET ADDRESS: 18818 Teller Ave, Suite 250 CITY: Irvine TELEPHONE NO.: 949 617 2101 EMAIL ADDRESS: ryan@moetlaw.com ATTORNEY FOR (name): Plaintiff MINOR DOE 2: DELILAH GODINEZ HERRERA STATE BAR NUMBER: STATE: CA ZIP CODE: 92612 FAX NO.: 909 908 3788	FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Kern By: Vanesa Mata Deputy Clerk 09/3/26 10:15 AM
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PLAINTIFF/PETITIONER: MINOR DOE 1, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ, et al. DEFENDANT/RESPONDENT: COUNTY OF KERN, et al. OTHER PARENT/PARTY:	
APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM—CIVIL AND FAMILY LAW ☐ EX PARTE	CASE NUMBER: 26CUB03433
<i>This form is for use in a civil or family law proceeding in which a party is a minor, a person who lacks legal capacity to make decisions, or a person for whom a conservator has been appointed. A person who seeks the appointment of a guardian ad litem in a proceeding under the Probate Code—other than a proceeding under Probate Code sections 3500–3613 for approval of a compromise, settlement, or disposition of judgment proceeds—should use form DE-350/GC-100. NOTE: A person may not act as a guardian ad litem unless the person is represented by an attorney, is an attorney, or, in an action under the Uniform Parentage Act (Family Code, §§ 7600–7730), is an adult relative of a minor party.</i>	

1. I (applicant's name): DIANA HERRERA as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ
 am (check all that apply):
 - a. ☒ the parent of (name): MINOR DOE 2, a minor by and through her Guardian Ad Litem
 - b. ☐ the guardian of (name):
 - c. ☐ the conservator of (name):
 - d. ☐ a party to the suit.
 - e. ☐ the minor to be represented (if the minor is 14 years of age or older).
 - f. ☐ another interested person (specify capacity):
2. I am asking the court to appoint the following person as guardian ad litem (name, address, phone number, and email address):
 DIANA HERRERA 602 Salazar Avenue Bakersfield Ca 93307
 missdianaherrera@gmail.com (661) 432-8772
3. The guardian ad litem will represent the interest of (name, address, and, if applicable, phone number and email address):
 MINOR DOE 2
4. The person named in item 3 is a party and is (check all that apply):
 - a. ☒ a minor (date of birth): 10/28/2022
 - b. ☐ a person who lacks legal capacity to make decisions (explain the basis for claiming lack of capacity):

☐ Continued on Attachment 4b.

c. ☐ a person for whom a conservator has been appointed (provide the details of the appointment):

☐ Continued on Attachment 4c.

PLAINTIFF/PETITIONER: MINOR DOE 2, as a minor by and through her GAL, et al.
 DEFENDANT/RESPONDENT: COUNTY OF KERN, et al.
 OTHER PARENT/PARTY:

CASE NUMBER:

26CUB03433

5. ☒ The person named in item 3 is a minor and is (*check one*):
- a. ☒ a plaintiff or petitioner in this action and the summons has not been issued.
- b. ☐ a defendant or respondent in this action. More than 10 days have passed since service of the summons, and no one has applied for the appointment of a guardian ad litem.
6. I am asking the court to appoint a guardian ad litem because the person named in item 3 (*check all that apply*):
- a. ☐ is a minor who is a party to an action under the Uniform Parentage Act (Family Code, §§ 7600–7730).
- b. ☐ is a minor who is requesting or opposing a request for an injunction or restraining order described in Code of Civil Procedure sections 372(b)(1) and 374(a). (*If the minor is 12 years of age or older, check one of the following*):
 The minor ☐ does ☐ does not object to the appointment of the person named in item 2.
☐ I don't know whether the minor objects to the appointment of the person named in item 2.
- c. ☒ has no guardian or conservator of the estate.
- d. ☐ has a guardian or conservator of the estate, but the guardian or conservator is inadequate to represent the person's interest in this action or proceeding because (*explain*):

☐ Continued on Attachment 6d.

The guardian or conservator of the estate is (*name, address, telephone number, and email address*):

(*After filing this application, you must give notice and a copy of the application to the guardian or conservator above.*)

7. The proposed guardian ad litem is fully competent and qualified to understand and protect the rights of the person named in item 3.

Ryan E. Lumm, Esq.

(TYPE OR PRINT NAME)

▶ 
 (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 8/7/2026

Diana Herrera

(TYPE OR PRINT NAME)

▶ 
 (SIGNATURE OF APPLICANT)

DISCLOSURES AND CONSENT TO ACT AS GUARDIAN AD LITEM

8. I have the following relationship with the person named in item 3 (*check one*):
- a. ☐ No relationship
- b. ☒ A familial relationship (*specify*): Mother
- c. ☐ An affiliate (nonfamilial) relationship (*specify*):
9. I am (*check one*):
- a. ☒ not aware of any actual or potential conflicts of interest that would or might arise from the appointment.
- b. ☐ aware of the following actual or potential conflicts that would or might arise from the appointment (*describe the actual or potential conflicts of interest and explain why the proposed guardian should still be appointed*):

☐ Continued on Attachment 9b.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I consent to act as guardian ad litem in this action or proceeding. If I become aware that a potential conflict of interest has become an actual conflict, or that a new potential or actual conflict exists, I will promptly disclose the conflict of interest to the court.

Date: 8/7/2026

Diana Herrera

(TYPE OR PRINT NAME)

▶ 
 (SIGNATURE OF PROPOSED GUARDIAN AD LITEM)

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

FILED
Superior Court of California,
County of Kern

By: Vanesa Mata
Deputy Clerk
09/09/2026

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO):

COUNTY OF KERN, a public entity; CITY OF BAKERSFIELD, a municipal corporation;
STATE OF CALIFORNIA, acting by and through the California Department of
Transportation; and DOES 1 to 50, inclusive

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE): MINOR DOE 1, a minor by and through her Guardian Ad Litem,

GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ; SEE ATTACHMENT SUM200A

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): California Superior Court County of
Kern - Metro Division 1215 Truxtun Ave, Bakersfield, CA 93301

CASE NUMBER:
(Número del Caso):

26CUB03433

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Ryan E. Lumm (SBN 286564) MOET LAW GROUP, APC 18818 Teller Ave., Suite 250 Irvine, CA 92612 (949) 617-2101

DATE:

(Fecha) **September 9, 2026**

Tara Leal

Clerk, by

(Secretario)

/s/ **Vanesa Mata**

, Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☒ on behalf of (specify): COUNTY OF KERN, a public entity
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☒ other (specify): 416.50 (public entity)
4. ☐ by personal delivery on (date):

SHORT TITLE:

MINOR DOE 1, et al. v. COUNTY OF KERN, et al.

CASE NUMBER:

26CUB03433

INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☒ Plaintiff ☐ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

MINOR DOE 2, a minor by and through her Guardian Ad Litem, DIANA HERRERA, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Babak Robert Moghadam, Esq. (SBN 309864) Ryan E. Lumm, Esq. (SBN 286564) FIRM NAME: MOET LAW GROUP, APC STREET ADDRESS: 18818 Teller Ave., Suite 250 CITY: Irvine TELEPHONE NO.: 949.617.2101 EMAIL ADDRESS: ryan@moetlaw.com ATTORNEY FOR (name): MINOR DOE 1, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ, et al.		STATE BAR NUMBER: STATE: CA ZIP CODE: 92612 FAX NO.: 909.906.3788		FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Kern By: Javen Silva Deputy Clerk 08/31/26 1:38 PM	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Ave MAILING ADDRESS: 1215 Truxtun Ave CITY AND ZIP CODE: Bakersfield, CA 93301 BRANCH NAME: Metro Division				CASE NUMBER: 26CUB03433	
CASE NAME: MINOR DOE 1, a minor by and through her Guardian Ad Litem, GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ v. COUNTY OF KERN, et al.					
CIVIL CASE COVER SHEET ☒ Unlimited (Amount demanded exceeds \$35,000)		☐ Limited (Amount demanded is \$35,000 or less)		Complex Case Designation ☐ Counter ☐ Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
JUDGE:		DEPT.:			

Items 1–6 below must be completed (see instructions on page 2 and examples on page 3).

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

Auto Tort

- ☐ Auto (22)
☐ Uninsured motorist (46)

Asbestos

- ☐ Asbestos (04)

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

- ☐ Product liability (24)
☐ Medical malpractice (45)
☒ Other PI/DP/WD (23)

Non-PI/DP/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/DP/WD tort (35)

Employment

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

Contract

- ☐ Breach of contract/warranty (06)
☐ Song-Beverly Act: Motor Vehicle Lemon Law (49)
☐ 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)

Employment Development Department (EDD)

- ☐ EDD decision review (48)

Provisionally Complex Civil Litigation
 (Cal. Rules of Court, rules 3.400–3.404)

- ☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Comprehensive groundwater adjudication (47)
☐ 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. Is this case complex under rule 3.400 of the California Rules of Court? ☐ Yes ☒ No

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*): 1) Dangerous Condition of Public Property (Wrongful Death); 2) Dangerous Condition of Public Property (Survivorship)

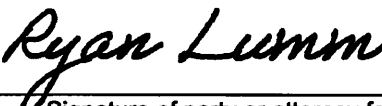
5. Is this case a class action suit? ☐ Yes ☒ No

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

Date: 08/07/2026

Ryan E. Lumm, Esq.

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, or a collections case under rule 3.740, you must serve a copy of this cover sheet on all other parties to the action or proceeding. (Cal. Rules of Court, rule 3.220.)
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on pages 1 and 2. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided on page 3 of this form. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 of the California Rules of Court is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$35,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

SEE PAGE 3 FOR INFORMATION PURPOSES ONLY.



CASE TYPES AND EXAMPLES

The list below provides explanations and examples for the case type checkboxes listed in item 1 on this form. The lists of examples below are not meant to be exhaustive, and some case types may have causes of action not listed here.

Auto Tort

Auto (22)—Personal Injury/Property Damage/
Wrongful Death
Uninsured Motorist (*if the case involves an
uninsured motorist claim subject to
arbitration, check this item instead of Auto*)
(46)

Asbestos

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death

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

Product Liability (*not asbestos or
environmental/toxic tort*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians &
Surgeons
Other Professional Health Care
Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g.,
assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest)
(*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (*other than contract*) (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice
(*not medical*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease Contract (*not
unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff
(*not fraud*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Song-Beverly Act: Motor Vehicle Lemon Law
(*check this item if the case involves a Song-
Beverly Act claim regarding a motor
vehicle*) (49)
Rule 3.740 Collections (*as defined in Cal.
Rules of Court, rule 3.740(a)*) (09)
Other Collections (e.g., money owed, open
book accounts, promissory note) (09)
Insurance Coverage (*not provisionally
complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not unlawful
detainer*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (*if the case involves illegal drugs, check
this item; otherwise, choose Commercial or
Residential*) (38)

Judicial Review

Asset Forfeiture (05)
Petition re Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case
Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner
Appeals

Employment Development Department (EDD)

EDD Decision Review (*if the case involves an
Employment Development Department
decision, check this item instead of
wrongful termination or other employment*)
(48)

**Provisionally Complex Civil Litigation (Cal.
Rules of Court, rules 3.400–3.404)**

Antitrust/Trade Regulation (03)
Construction Defect (10)
Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Comprehensive Groundwater Adjudication
(47)
Insurance Coverage Claims (*arising from
provisionally complex case type listed
above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic
relations*)
Sister-State Judgment
Administrative Agency Award
Petition/Certification of Entry of Judgment
on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanic's Lien
Other Commercial Complaint Case
(*non-tort/non-complex*)
Other Civil Complaint (*non-tort/
non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Government
Claim Requirement
Other Civil Petition

1 Babak Robert Moghadam (SBN 309864)

Ryan E. Lumm (SBN 286564)

2 **MOET LAW GROUP, APC**

18818 Teller Ave., Suite 250

3 Irvine, CA 92612

Phone No.: 949.617.2101

4 Fax No.: 909.906.3788

E-mail: ryan@moetlaw.com

6 Attorneys for Plaintiff, MINOR DOE 1, a minor by and through her Guardian Ad Litem,
GUADALUPE BRAVO, as Successor in Interest to Decedent EDUARDO GODINEZ

7 MARTINEZ; and MINOR DOE 2, a minor by and through her Guardian Ad Litem, DIANA
HERRERA, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ.

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF KERN**

12 MINOR DOE 1, a minor by and through her
Guardian Ad Litem, GUADALUPE BRAVO,
13 as Successor in Interest to Decedent
EDUARDO GODINEZ MARTINEZ; MINOR
14 DOE 2, a minor by and through her Guardian
Ad Litem, DIANA HERRERA, as Successor in
15 Interest to Decedent EDUARDO GODINEZ
MARTINEZ

17 Plaintiff(s),

18 vs.

19 COUNTY OF KERN, a public entity; CITY
OF BAKERSFIELD, a municipal corporation;
20 STATE OF CALIFORNIA, acting by and
through the California Department of
21 Transportation; and DOES 1 to 50, inclusive,

23 Defendant(s)

Case No.: 26CUB03433

COMPLAINT FOR DAMAGES

1. **DANGEROUS CONDITION OF
PUBLIC PROPERTY (WRONGFUL
DEATH) – GOVERNMENT CODE §
830 AND CALIFORNIA CODE OF
CIVIL PROCEDURE § 377.60 ET
SEQ.**
2. **DANGEROUS CONDITION OF
PUBLIC PROPERTY
(SURVIVORSHIP) –
GOVERNMENT CODE § 830 AND
CALIFORNIA CODE OF CIVIL
PROCEDURE §§ 377.30 ET SEQ.**

24 **JURISDICTION AND VENUE**

- 25 1. This Court has jurisdiction of this matter because all acts, omissions, and events related to the
26 incident occurred at or near the intersection of South Union Avenue and Radicchio Avenue, in
27 the unincorporated area of Kern County, the nature and extent of Plaintiff's injuries exceed
28 \$35,000.00, and Defendants reside within the jurisdictional and territorial limits of the Court.

1 Pursuant to California Code of Civil Procedure ("CCP") § 394, venue is proper because this
2 action is brought within the local county in which at least one of the government entity
3 Defendants is situated.

4 **THE PARTIES**

- 5 2. Decedent, EDUARDO GODINEZ MARTINEZ ("MARTINEZ"), was at all times relevant to
6 the Complaint, a United States Citizen and a resident of the County of Kern. On October 25,
7 2025, the date of incident, MARTINEZ was struck and killed by a vehicle while riding his
8 bicycle southbound on South Union Avenue at or near its intersection with Radicchio Avenue,
9 in the Unincorporated Area of Kern County, State of California. (Decl. of Guadalupe Bravo ¶
10 8; **Exhibit A: Certificate of Death**)
- 11 3. Plaintiff and Successor-in-Interest, MINOR DOE 1 is, and at all relevant times was, a minor
12 residing in the State of California. Pursuant to CCP § 372, MINOR DOE 1 appears in this
13 action by and through her Guardian Ad Litem, GUADALUPE BRAVO. MINOR DOE 1 is the
14 biological daughter and statutory heir of Decedent MARTINEZ, is the proper person
15 withstanding to bring this action, and has a superior right to commence the current action or
16 proceeding or to be substituted for Decedent MARTINEZ in the pending action or proceeding.
17 MINOR DOE 1 hereby asserts claims for wrongful death pursuant to CCP § 377.60 and
18 survivorship pursuant to CCP §§ 377.30-377.34 as the lawful successor in interest to Decedent
19 MARTINEZ. (Decl. of Guadalupe Bravo ¶¶ 8-9; **Exhibit A: Certificate of Death**)
- 20 4. Plaintiff and Successor-in-Interest, MINOR DOE 2 is, and at all relevant times was, a minor
21 residing in the State of California. Pursuant to CCP § 372, MINOR DOE 2 appears in this
22 action by and through her Guardian Ad Litem, DIANA HERERRA. MINOR DOE 2 is the
23 biological daughter and statutory heir of Decedent MARTINEZ, is the proper person
24 withstanding to bring this action, and has a superior right to commence the current action or
25 proceeding or to be substituted for Decedent MARTINEZ in the pending action or proceeding.
26 MINOR DOE 2 hereby asserts claims for wrongful death pursuant to CCP § 377.60 and
27 survivorship pursuant to CCP §§ 377.30-377.34 as the lawful successor in interest to Decedent
28 MARTINEZ. (Decl. of Diana Herrera ¶¶ 8-9; **Exhibit A: Certificate of Death**)

- 1 5. Defendant COUNTY OF KERN ("COUNTY") is, and at all relevant times was, a public entity
2 duly organized and existing under the law of the State of California, and a public entity within
3 the meaning of California Government Code ("GC") § 811.2.
- 4 6. Defendant CITY OF BAKERSFIELD ("CITY") is, and at all relevant times was, a municipal
5 corporation duly organized and existing under the law of the State of California, and a public
6 entity within the meaning of GC § 811.2.
- 7 7. Defendant STATE OF CALIFORNIA ("STATE") is, and at all relevant times was, a public
8 entity duly organized and existing under the law of the State of California, and a public entity
9 within the meaning of GC § 811.2. On the date of the incident, and at all times relevant to the
10 Complaint, STATE was acting by and through the California Department of Transportation.
- 11 8. Plaintiffs are presently unaware of the true names and capacities of the Defendants sued herein
12 as DOES 1 to 50, inclusive, and therefore sues said Defendants by such fictitious names; and
13 when the true names and capacities of said Defendants are ascertained, Plaintiff will amend
14 this complaint accordingly. Plaintiff is informed and believes and thereon alleges that said
15 fictitiously named Defendants, and each of them, engaged in the same or similar conduct as
16 the named Defendants, thereby legally causing Plaintiffs' injuries and damages as hereinafter
17 set forth, either through the said fictitious Defendants' own negligent conduct or through the
18 conduct of agents, servants or employees, or due to their ownership, rental, use, repair,
19 maintenance and/or leasing of the subject premises described herein, or in some other manner.
- 20 9. Plaintiff is informed and believes and thereon alleges, that at all times relevant herein,
21 Defendants, and each of them, were and are the agents, servants, employees, joint venturers
22 and partners, each of the other, and were, at all such times, acting within the course and scope
23 of said relationship; furthermore, that each said Defendant, while acting as a principal
24 expressly directed, consented to, approved, affirmed and ratified each and every action taken
25 by his Co-Defendants, as hereinafter alleged.

26 ///

27 ///

28 ///

ADMINISTRATIVE PREREQUISITES

10. Each Plaintiff has complied with all conditions precedent to filing this action, including the timely submission and service of their government tort claims as required by GC §§ 910 and 911.2.
11. On April 17, 2026, each Plaintiff submitted/served their respective government tort claims with Defendant COUNTY, both of which were subsequently rejected on June 1, 2026. This Complaint is filed within six months of the rejection of Plaintiffs' claims in accordance with GC § 945.6.
12. On April 17, 2026, each Plaintiff submitted/served their respective government tort claims with Defendant CITY, both of which were subsequently rejected on April 24, 2026. This Complaint is filed within six months of the rejection of Plaintiffs' claims in accordance with GC § 945.6.
13. On April 17, 2026, each Plaintiff submitted/served their respective government tort claims with Defendant STATE, both of which were subsequently rejected on June 16, 2026. This Complaint is filed within six months of the rejection of Plaintiffs' claims in accordance with GC § 945.6.

GENERAL ALLEGATIONS

14. On October 25, 2025, at approximately 3:40am, Decedent MARTINEZ was riding his bicycle southbound on South Union Avenue, at or near its intersection with Radicchio Avenue, in the Unincorporated Area of Kern County, State of California. At the time of the incident, MARTINEZ was travelling in the far-right southbound lane of South Union Avenue.
15. The asphalt roadway where the incident occurred consisted of two southbound lanes and two northbound lanes separated by a raised concrete median and a painted solid yellow divider line ("ROADWAY"). The posted speed limit of the ROADWAY at the time of the incident was fifty-five (55) miles per hour. The far-right southbound lane of South Union Avenue has a dedicated bicycle lane until it intersects with Fairview Rd., wherein the bicycle lane terminates, forcing cyclists travelling southbound toward Radicchio to occupy the traffic lanes dedicated to motor vehicles. At the time of the incident, there were no signs, traffic lights,

1 lane markings, or other signaling devices warning of the termination of the dedicated bicycle
2 lane.

3 16. At the time of the incident, the ROADWAY lacked a dedicated bicycle lane, and nighttime
4 visibility was non-existent due to a lack of overhead street lighting and/or ambient lighting.
5 In addition, the asphalt of the ROADWAY was in complete disrepair, replete with potholes,
6 cracks, and deviations that created a hazardous and dangerous travelling surface for both
7 cyclists and motorists alike. Further, there were no signs, traffic lights, lane markings, or other
8 signaling devices present that warned of these dangerous conditions and/or provided sufficient notice
9 of their existence and dangerous character.

10 17. Due to these conditions of the ROADWAY, cyclists travelling southbound on South Union
11 Street, including MARTINEZ, were forced to ride their bicycles directly into the
12 ROADWAY, in complete darkness, while utilizing a lane shared with motor vehicles
13 travelling at speeds of fifty-five (55) mile per hour or more.

14 18. Pursuant to GC §§ 830 and 835, these conditions of the ROADWAY amounted to a dangerous
15 condition of public property because they created a substantial risk of injury to both cyclists
16 and motorists alike.

17 19. At the time of the incident, a Nissan Altima was also travelling southbound on the
18 ROADWAY in the same lane as MARTINEZ. As she approached, the driver of the Nissan
19 ("DRIVER") was unable to observe MARTINEZ due to the design of the roadway, lack of a
20 dedicated bicycle lane, lack of overhead street lighting and/or ambient lighting, and lack of
21 signs, traffic lights, lane markings, or other signaling devices that warned of these dangerous
22 conditions and/or provided sufficient notice of their existence and dangerous character.

23 20. Due to these dangerous conditions of the ROADWAY, the DRIVER did not have an adequate
24 sight line of MARTINEZ, and as a result, struck MARTINEZ with her vehicle, launching him
25 from his bicycle, and ultimately killing him.

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1 21. Based on information and belief, at least two other individuals were previously killed and/or
2 seriously injured in substantially similar bicycle v. vehicle incidents at the same location due
3 to the very same dangerous conditions of the ROADWAY that were also present on the date
4 of the incident.

5 **FIRST CAUSE OF ACTION**

6 **DANGEROUS CONDITION OF PUBLIC PROPERTY**

7 **(Wrongful Death) - GC § 830 and CCP § 377.30 et seq.**

8 **(Against All Defendants)**

9 22. Plaintiffs MINOR DOE 1 and MINOR DOE 2 incorporate by reference the preceding
10 paragraphs of this Complaint as if fully set forth herein and with the same force and effect.

11 23. At times relevant to the Complaint, Defendants COUNTY, CITY, STATE, and DOES 1 to
12 50, inclusive ("Defendants") owned, operated, controlled, maintained, managed, and were
13 otherwise responsible for the ROADWAY, and the conditions existing thereon, at all times
14 leading up to and including the time of the incident.

15 24. At all times relevant to the Complaint, Defendants had a duty to all foreseeable users of the
16 ROADWAY, including MARTINEZ, to exercise reasonable care to ensure that the
17 ROADWAY was free and clear of dangerous conditions existing thereon.

18 25. At all times relevant to the Complaint, Defendants breached their duty through the negligent
19 acts and/or omissions of their agents and/or employees, including but not limited to:

- 20 a. Negligently designing the ROADWAY in such a manner that forces cyclists to share
21 a lane with motorists travelling at a high rate of speed;
- 22 b. Negligently failing to install a dedicated bike lane to allow cyclists to safely travel on
23 the ROADWAY within a dedicated lane of travel;
- 24 c. Negligently failing to conduct reasonable and periodic inspections of the ROADWAY
25 to determine the presence of dangerous conditions existing thereon;
- 26 d. Negligently failing to repair the asphalt hazards and defects present on the
27 ROADWAY, including but not limited to potholes, cracks, and deviations, that posed
28 a substantial risk of injury to foreseeable users of the ROADWAY;

- e. Negligently failing to install signs, warnings, traffic signals, lane markings, or traffic control devices that sufficiently warned foreseeable users of the dangerous conditions of the ROADWAY; and
- f. Negligently failing to reduce the posted limit to a reasonably safe speed that would allow motorists sufficient time to observe and appreciate the conditions of the ROADWAY, including but not limited to the presence of cyclists within the lanes of travel, which in turn, would allow them to take reasonable evasive action in order to avoid a collision.

26. Defendants had actual knowledge of the dangerous conditions of the ROADWAY at all times prior to the incident. Based on information and belief, Defendants were aware that at least two other individuals were previously killed and/or seriously injured in substantially similar bicycle v. vehicle incidents at the same location due to the same dangerous conditions of the ROADWAY that were also present on the date of the incident. Despite this knowledge, Defendants made no attempt to modify the ROADWAY in any appreciable way that would make it safe for both cyclists and motorists alike.

27. Defendants also had constructive notice of the dangerous conditions of the ROADWAY because through a reasonable inspection system, Defendants knew or should have known of the conditions of the ROADWAY and the substantial danger it posed to both cyclists and motorists travelling southbound on South Union Avenue. Despite this knowledge, Defendants made no attempt to modify the ROADWAY in any appreciable way that would make it safe for both cyclists and motorists alike.

28. Due to Defendants' negligent breach of their duties, the dangerous conditions of the ROADWAY were allowed to exist, persist, and remain throughout all times leading up to the incident. As a direct and proximate result of Defendants' negligence, MARTINEZ was struck by a vehicle and killed, leaving both MINOR DOE 1 and MINOR DOE 2 to live the rest of their young lives without their father.

29. Plaintiffs now bring this action, by and through their respective Guardian Ad Litem, as the true successors in interest to MARTINEZ, to recover all damages available under CCP §

1 377.60 that were actually and proximately caused by Defendants' negligent conduct,
2 including the loss of love, companionship, comfort, care, assistance, protection, affection,
3 society, moral support, funeral expenses, and medical expenses, in an amount according to
4 proof.

5 **SECOND CAUSE OF ACTION**

6 **DANGEROUS CONDITION OF PUBLIC PROPERTY (SURVIVORSHIP) - GC § 830 and**

7 **CCP § 377.30 et seq**

8 **(Against All Defendants)**

- 9 1. Plaintiffs MINOR DOE 1 and MINOR DOE 2 incorporate by reference the preceding
10 paragraphs of this Complaint as if fully set forth herein and with the same force and effect.
- 11 2. Plaintiff MINOR DOE 1, appearing by and through her duly appointed Guardian ad Litem,
12 GUADALUPE BRAVO, is the duly qualified successor in interest to Decedent MARTINEZ
13 and hereby brings a survival cause of action pursuant to CCP § 377.30. MINOR DOE 1 has
14 executed and will file, or has filed concurrently with this Complaint, the declaration required
15 by CCP section 377.32 establishing her status as the successor in interest to Decedent
16 MARTINEZ.
- 17 3. Plaintiff MINOR DOE 2, appearing by and through her duly appointed Guardian ad Litem,
18 DIANA HERERRA, is the duly qualified successor in interest to Decedent MARTINEZ and
19 hereby brings a survival cause of action pursuant to CCP § 377.30. MINOR DOE 2 has
20 executed and will file, or has filed concurrently with this Complaint, the declaration required
21 by CCP section 377.32 establishing her status as the successor in interest to Decedent
22 MARTINEZ.
- 23 4. Decedent MARTINEZ sustained damages as a direct and proximate result of Defendants'
24 negligent acts and/or omissions that caused and/or contributed to the dangerous conditions of
25 the ROADWAY that actually and proximately caused the death of MARTINEZ on the date
26 of the incident.
- 27 5. Plaintiffs now pray for all damages recoverable under CCP § 377.30 et seq., including but not
28 limited to medical expenses, economic damages, penalties, and all damages that Decedent

1 MARTINEZ would have been entitled to recover had he lived, in an amount according to
2 proof.

3 **PRAYER FOR RELIEF**

4 Based on the foregoing, Plaintiffs MINOR DOE 1 and MINOR DOE 2, through their
5 respective Guardian ad litem, pray for judgment against Defendants, and each of them, as follows:

- 6 1. For general damages according to proof;
- 7 2. For special damages according to proof;
- 8 3. For prejudgment interest according to proof;
- 9 4. For compensable damages commensurate with the loss of love, companionship,
10 comfort, care, assistance, protection, affection, society, and moral support;
- 11 5. For funeral and burial expenses according to proof;
- 12 6. For medical expenses incurred before death;
- 13 7. For property damage;
- 14 8. For all damages recoverable under CCP § 377.60 et seq.;
- 15 9. For all damages recoverable under CCP § 377.30 et seq.
- 16 10. For pre- and post-judgment interest;
- 17 11. For costs of suit herein incurred; and
- 18 12. For such other and further relief, the Court deems just and proper.

19
20 DATED: August 17, 2026

MOET LAW GROUP, APC

21
22 BY: Ryan Lumm

23 Ryan E. Lumm, Esq.
24 Babak Robert Moghadam, Esq.
25 Attorneys for Plaintiff
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DEMAND FOR JURY TRIAL

PLAINTIFF hereby demands a trial by jury on all claims so triable.

DATED: August 17, 2026

MOET LAW GROUP, APC

BY: *Ryan Lumm*
Ryan E. Lumm, Esq.
Babak Robert Moghadam, Esq.
Attorneys for Plaintiff

Declaration of DIANA HERRERA, Gurdian ad Litem for Plaintiff MINOR DOE 2, as Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ Pursuant to California Code of Civil

Procedure section 377.32

I, Diana Herrera hereby declare:

1. I am the Guardian ad Litem for MINOR DOE 2, a minor.

2. MINOR DOE 2 is the daughter of Decedent EDUARDO GODINEZ MARTINEZ and is a successor in interest to the estate of EDUARDO GODINEZ MARTINEZ.

3. If called as a witness, I would and could competently testify to the following facts and information.

4. I make this declaration on behalf of MINOR DOE 2, through me as her Guardian ad Litem.

5. I seek to commence survival, and wrongful death causes of action on behalf of Decedent EDUARDO GODINEZ MARTINEZ through MINOR DOE 2, as successor in interest to EDUARDO GODINEZ MARTINEZ.

6. The name of the decedent is EDUARDO GODINEZ MARTINEZ.

7. On or about October 25, 2025, EDUARDO GODINEZ MARTINEZ died in Bakersfield, California.

8. A true and correct copy of EDUARDO GODINEZ MARTINEZ's Certificate of Death is attached hereto as **Exhibit A**.

9. No proceeding is now pending in California for administration of EDUARDO GODINEZ MARTINEZ's estate.

10. As successor in interest to EDUARDO GODINEZ MARTINEZ's estate, MINOR DOE 2, through her Guardian ad Litem, succeeds to EDUARDO GODINEZ MARTINEZ's interest in the survival and wrongful death causes of action.

11. No other person has a superior right to commence the survival and wrongful death causes of action or to be substituted for MINOR DOES 2 in this matter.

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1 13. I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this 10th day of August 2026, in Bakersfield, California.

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6 DIANA HERRERA

7 Declarant
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**Declaration of GUADALUPE BRAVO, Gurdian ad Litem for Plaintiff MINOR DOE 1, as
Successor in Interest to Decedent EDUARDO GODINEZ MARTINEZ Pursuant to California**

Code of Civil Procedure section 377.32

I, Guadalupe Bravo hereby declare:

1. I am the Guardian ad Litem for MINOR DOE 1, a minor.

2. MINOR DOE 1 is the daughter of Decedent EDUARDO GODINEZ MARTINEZ and is
a successor in interest to the estate of EDUARDO GODINEZ MARTINEZ.

3. If called as a witness, I would and could competently testify to the following facts and
information.

4. I make this declaration on behalf of MINOR DOE 1, through me as her Guardian ad Litem.

5. I seek to commence survival, and wrongful death causes of action on behalf of Decedent
EDUARDO GODINEZ MARTINEZ through MINOR DOE 1, as successor in interest to EDUARDO
GODINEZ MARTINEZ.

6. The name of the decedent is EDUARDO GODINEZ MARTINEZ.

7. On or about October 25, 2025, EDUARDO GODINEZ MARTINEZ died in Bakersfield,
California.

8. A true and correct copy of EDUARDO GODINEZ MARTINEZ's Certificate of Death is
attached hereto as **Exhibit A**.

9. No proceeding is now pending in California for administration of EDUARDO GODINEZ
MARTINEZ's estate.

10. As successor in interest to EDUARDO GODINEZ MARTINEZ's estate, MINOR DOE
1, through her Guardian ad Litem, succeeds to EDUARDO GODINEZ MARTINEZ's interest in the
survival and wrongful death causes of action.

11. No other person has a superior right to commence the survival, and wrongful death causes
of action or to be substituted for EDUARDO GODINEZ MARTINEZ in this matter.

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1 13. I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this 13th day of August 2026, in Bakersfield, California.
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GUADALUPE BRAVO

Declarant

EXHIBIT A

CERTIFICATION OF VITAL RECORD

PUBLIC HEALTH SERVICES DEPARTMENT

PUBLIC HEALTH SERVICES DEPARTMENT
1800 MT. VERNON AVE., BAKERSFIELD, CALIFORNIA 93306-3302

3052025236562

CERTIFICATE OF DEATH

3202515005363

305225236562		CERTIFICATE OF DEATH		LOCAL REGISTRATION NUMBER	
3. NAME OF DECEASED FIRST NAME EDUARDO		4. LAST NAME GODINEZ		5. SEX M	
6. DATE OF BIRTH 06/08/1994		7. AGE IN YEARS 31		8. PLACE OF BIRTH MEXICO	
9. MARITAL STATUS NEVER MARRIED		10. DATE OF DEATH 10/25/2025		11. HOUR OF DEATH 0342	
12. OCCUPATION LABORER		13. EDUCATION HIS GRADUATE		14. ETHNICITY MEXICAN AMERICAN	
15. PLACE OF DEATH CONSTRUCTION		16. YEARS IN OCCUPATION 7			
17. ADDRESS 6640 LOWRY STREET		18. CITY BAKERSFIELD		19. STATE KERN	
20. DECEASED'S NAME, RELATIONSHIP ISMAEL GODINEZ PALAFOX, FATHER		21. LAST FIRST NAME GODINEZ PALAFOX		22. BIRTH DATE JAL MX	
23. NAME OF SURVIVING SPOUSE ANGELICA		24. LAST FIRST NAME MARTINEZ CRUZ		25. BIRTH DATE JAL MX	
26. PLACE OF BURIAL GREENLAWN MEMORIAL PARK SOUTHWEST		27. DATE OF BURIAL 11/13/2025		28. TIME OF BURIAL DAVID ADAM PRINCE	
29. NAME OF FUNERAL HOME BASHAM FUNERAL CARE		30. LICENSE NUMBER FD1708		31. NAME OF LOCAL AGENT KRIS LYON, MD	
32. COUNTY KERN		33. ADDRESS 5800 BLOCK SOUTH UNION AVENUE		34. CITY BAKERSFIELD	
35. CAUSE OF DEATH MULTIPLE BLUNT FORCE TRAUMA		36. MANNER OF DEATH RAPID		37. DATE OF DEATH 2025-02-26	
38. TYPE OF DEATH NO		39. PLACE OF DEATH STREET AND/OR HIGHWAY		40. TYPE OF DEATH BICYCLIST THAT WAS STRUCK BY A VEHICLE	
41. SIGNATURE OF DECEASED BRYANN ORTIZ		42. SIGNATURE OF DECEASED BRYANN ORTIZ		43. SIGNATURE OF DECEASED BRYANN ORTIZ	

	A	B	C	D	E
NAME					
ADDRESS					
CITY					
STATE					
ZIP					
DATE					
TIME					
REMARKS					

CERTIFIED

STATE OF CALIFORNIA
COUNTY OF KERN