

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: STEVEN BRUCE VANWINKLE; ELWOOD (AVISO AL DEMANDADO): GENE ELLIOTT; ROSARIO C, ELLIOTT; CITY OF BAKERSFIELD; COUNTY OF KERN; THE PEOPLE OF THE STATE OF CALIFORNIA. ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION (CALTRANS); and DOES 1 to 100, Inclusive,

YOU ARE BEING SUED BY PLAINTIFF: JUNE ERZSEBET GUANCIALE (LO ESTÁ DEMANDANDO EL DEMANDANTE):

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

ELECTRONICALLY FILED
Superior Court of California,
County of Kern

By: Javen Silva
Deputy Clerk

09/11/2026

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):
Superior Court of California, County of Kern

CASE NUMBER:
(Número del Caso): **26CUB03559**

1115 Truxtun Ave.
Bakersfield, CA 93301

JS

1215

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: Charles E. Koro (SBN: 162436)
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

BROWN KORO & ROMAG LLP

4400 Coldwater Canyon Ave., Suite 200, Studio City, CA 91604

(818) 377-6280

DATE:

09/11/2026

Tara Leal

Clerk, by
(Secretario)

Javen Silva

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

- 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): Public entity

4. ☒ by personal delivery on (date):

ELECTRONICALLY FILED

Superior Court of California,
County of Kern

By: Javen Silva
Deputy Clerk

09/10/26 1:43 PM

BY ORDER OF THE BD/SUPV

Referred To county counsel
93 pages

hand delivered by process server
Copies Furnished Risk Management

Date 9-22-26
Clerk of the Board of Supervisors
Michelle [Signature], Deputy

Charles E. Koro, SBN: 162436
Shelby A. West, SBN: 249257
BROWN, KORO & ROMAG, LLP
4400 Coldwater Canyon Avenue, Suite 200
Studio City, California 91604
Telephone: (818) 377-6280
Facsimile: (818) 377-6290

Attorneys for Plaintiff, JUNE ERZSEBET GUANCIALE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN – METROPOLITAN DIVISION

JUNE ERZSEBET GUANCIALE,

Plaintiff,

v.

STEVEN BRUCE VANWINKLE; ELWOOD
GENE ELLIOTT; ROSARIO C, ELLIOTT;
CITY OF BAKERSFIELD; COUNTY OF
KERN; THE PEOPLE OF THE STATE OF
CALIFORNIA, ACTING BY AND THROUGH
THE DEPARTMENT OF
TRANSPORTATION (CALTRANS); and
DOES 1 to 100, Inclusive,

Defendants.

Case No.: 26CUB03559

[Action is An Unlimited Civil Case;
Amount Exceeds \$35,000]

**COMPLAINT FOR DAMAGES AND
REQUEST FOR TRIAL BY JURY**

1. Negligence – Motor Vehicle
2. Dangerous Condition of
Government Property

[Government Code Sections 815.2, 815.4,
815.6, 818.6, 820, 820.2, 820.8, 821.4, 830,
8.30.6, 830.8, 835, 835.2]

Plaintiff JUNE ERZSEBET GUANCIALE, alleges as follows:

PRELIMINARY ALLEGATIONS

1. At all relevant times herein, Defendant STEVEN BRUCE VANWINKLE, upon
information and belief, was and is a resident of the City of Bakersfield, County of Kern, State of
California.

1 2. At all relevant times herein, Defendants, ELWOOD GENE ELLIOTT; ROSARIO C,
2 ELLIOTT, upon information and belief, were and are residents of the City of Bakersfield, County of
3 Kern, State of California.

4 3. At all relevant times herein, Plaintiff, JUNE ERZSEBET GUANCIALE, was and is a
5 resident of the City of Bakersfield, County of Kern, State of California.

6 4. At all times relevant herein, Defendants CITY OF BAKERSFIELD; COUNTY OF
7 KERN; THE PEOPLE OF THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE
8 DEPARTMENT OF TRANSPORTATION (CALTRANS) and DOES 51 through 100, Inclusive,
9 were and are governmental entities.

10 5. Plaintiff has timely served said public entities with a statutory Claim for Damages
11 pursuant to Government Code §§ 910 and 911, *et seq.*, and said Claims have been denied, or will
12 have been denied by said public entities, or have been, or will be, deemed denied and rejected by
13 operation of law pursuant to Government Code § 912.4, or no such Claims were required.

14 6. The true names and capacities, whether individual, corporate, associate, governmental
15 or otherwise, of Defendants DOES 1 through 100, Inclusive, are unknown to Plaintiff at this time,
16 who therefore sues said Defendants by such fictitious names, and when the true names and capacities
17 of said Defendants are ascertained, leave of Court will be sought to amend this Complaint to allege
18 the true names and capacities of said Defendants.

19 7. Plaintiff is informed and believes, and thereupon alleges, that each of the Defendants
20 designated herein as a DOE is legally responsible in some manner or means for the events and
21 happenings herein referred to, and proximately caused damage to the Plaintiff, as herein alleged,
22 either through his/her/its conduct or through the conduct of his/her/its agents, servants or employees
23 or in some manner or means presently unknown to Plaintiff.

24 8. Based upon information and belief, at all times herein alleged, Defendants, and each
25 of them, were acting as the agents, servants and employees of the other Defendants herein, and of
26

1 each other, and were acting within the purpose and scope and authority of their said employment or
2 agency.

3 9. At all relevant times herein alleged, Defendants CITY OF BAKERSFIELD;
4 COUNTY OF KERN; THE PEOPLE OF THE STATE OF CALIFORNIA, ACTING BY AND
5 THROUGH THE DEPARTMENT OF TRANSPORTATION (CALTRANS) and DOES 51 through
6 100, and each of them, were and now are the owners, operators, managers, lessors, lessees, and/or
7 were otherwise responsible for or in exclusive possession and/or control of the grounds, fences and
8 roadway premises commonly known as 178 Highway approximately 796 feet east of Comanche
9 Drive, City of Bakersfield and County of Kern, State of California.
10

11
12 **FIRST CAUSE OF ACTION AGAINST DEFENDANTS**
13 **STEVEN BRUCE VANWINKLE, AND DOES 1 TO 25, INCLUSIVE**
14 **(Negligence—Motor Vehicle)**
15

16 10. Plaintiff refers to paragraphs 1 through 9 of the above allegations and incorporates the
17 same herein by reference.

18 11. On October 12, 2025, at approximately 9:38 a.m. on 178 Highway approximately 796
19 feet east of Comanche Drive, City of Bakersfield and County of Kern, State of California,
20 Defendant, STEVEN BRUCE VANWINKLE, and DOES 1 to 25, Inclusive, negligently and
21 carelessly entrusted, managed, maintained, supervised the operation of, drove and operated a 2013
22 Harley Davidson motorcycle being occupied by Plaintiff, JUNE ERZSEBET GUANCIALE, who
23 was a passenger on the motorcycle, so as to cause a collision with a 2018 Honda CRV motor vehicle
24 being driven and owned by Defendants, ELWOOD GENE ELLIOTT; ROSARIO C, ELLIOTT; and
25 DOES 26 to 50, Inclusive.
26

27 12. Defendants owed Plaintiff and the general public a duty to use reasonable care in
28 driving their vehicles. Defendants had a duty to keep a lookout for other vehicles and had a duty to

1 control the speed and movement of their vehicles. Defendants breached their duty by causing the
2 above-described incident.

3 13. As a legal result of the negligent and careless conduct of Defendants as herein
4 described, Plaintiff, JUNE ERZSEBET GUANCIALE, sustained personal injuries, which have
5 caused Plaintiff pain and suffering and emotional and mental damages, entitling Plaintiff to general
6 damages, as will be established at the time of trial.

7
8 14. As a legal result of the negligent and careless conduct of Defendants as herein
9 described, Plaintiff, JUNE ERZSEBET GUANCIALE, incurred, and will continue to incur in the
10 future, medical expenses and obligations resulting from the treatment of the personal injuries
11 Plaintiff sustained, past and future loss of earnings and earning capacity and household services
12 damages and attendant care damages, and other economic damages as will be established at the time
13 of trial.
14

15
16 **SECOND CAUSE OF ACTION AGAINST DEFENDANTS**
17 **ELWOOD GENE ELLIOTT; ROSARIO C. ELLIOTT AND DOES 1 to 50, INCLUSIVE**
18 **(Negligence – Motor Vehicle)**

19 15. Plaintiff realleges and incorporates by this reference paragraphs 1 through 14 above.

20 21 16. On October 12, 2025, at approximately 9:38 a.m. at or near 178 Highway
22 approximately 796 feet east of Comanche Drive, City of Bakersfield and County of Kern, State of
23 California, Defendant, STEVEN BRUCE VANWINKLE, and DOES 1 to 25, Inclusive, was riding
24 his 2013 Harley Davidson motorcycle being occupied by Plaintiff, JUNE ERZSEBET
25 GUANCIALE, who was a passenger on the motorcycle, on the public highway commonly known
26 178 Highway approximately 796 feet east of Comanche Drive, City of Bakersfield and County of
27 Kern, State of California (the intersection and adjacent and surrounding vicinity is sometimes
28 referred to as the “Accident Site”) when Defendants ELWOOD GENE ELLIOTT; and DOES 26 to

1 35, Inclusive, traveling eastbound on 178 Highway in his 2018 Honda CRV made an illegal U-turn
2 into the path of STEVEN BRUCE VANWINKLE, who was riding his motorcycle being occupied
3 by Plaintiff, JUNE ERZSEBET GUANCIALE, who was a passenger on the motorcycle on 178
4 Highway approximately 796 feet east of Comanche Drive, City of Bakersfield and County of Kern,
5 State of California, resulting in a catastrophic collision, causing serious injuries to Defendant,
6 STEVEN BRUCE VANWINKLE, and Plaintiff, JUNE ERZSEBET GUANCIALE.

8 17. At the time of the above-described incident, Defendants, ELWOOD GENE
9 ELLIOTT, and DOES 26 to 35, Inclusive, negligently and carelessly owned, entrusted, managed,
10 maintained, supervised the operation of, drove and operated their 2018 Honda CRV motor vehicle,
11 so as to cause a collision with a 2013 Harley Davidson motorcycle being operated by the Defendant,
12 STEVEN BRUCE VANWINKLE, with Plaintiff, JUNE ERZSEBET GUANCIALE as a passenger
13 on the motorcycle.

15 18. At the time of the above-described incident, defendants, ROSARIO C, ELLIOTT,
16 and DOES 36 to 50, Inclusive, owned and/or insured the 2018 Honda CRV motor vehicle that
17 Defendants, ELWOOD GENE ELLIOTT, and DOES 26 to 30, Inclusive, were driving at the time of
18 this accident and gave their permission to defendants, ELWOOD GENE ELLIOTT, and DOES 26 to
19 35, Inclusive, to drive their 2018 Honda CRV motor vehicle and negligently and carelessly
20 maintained, supervised and entrusted the operation of said vehicle.

22 19. Defendants owed Plaintiff and the general public a duty to use reasonable care in
23 driving their vehicles. Defendants had a duty to keep a lookout for other vehicles and had a duty to
24 control the speed and movement of their vehicles. Defendants breached their duty by causing the
25 above-described incident.

26 20. As a legal result of the negligent and careless conduct of Defendants as herein
27 described, Plaintiff, JUNE ERZSEBET GUANCIALE, sustained personal injuries, which have
28

1 caused Plaintiff pain and suffering and emotional and mental damages, entitling Plaintiff to general
2 damages, as will be established at the time of trial.

3 21. As a legal result of the negligent and careless conduct of Defendants as herein
4 described, Plaintiff, JUNE ERZSEBET GUANCIALE, incurred, and will continue to incur in the
5 future, medical expenses and obligations resulting from the treatment of the personal injuries
6 Plaintiff sustained, past and future loss of earnings and earning capacity and household services
7 damages and attendant care damages, and other economic damages as will be established at the time
8 of trial.
9

10
11 **THIRD CAUSE OF ACTION AGAINST DEFENDANTS CITY OF BAKERSFIELD;
12 COUNTY OF KERN; THE PEOPLE OF THE STATE OF CALIFORNIA, ACTING BY AND
13 THROUGH THE DEPARTMENT OF TRANSPORTATION (CALTRANS);
14 AND DOES 51 TO 100, INCLUSIVE
15 (Dangerous Condition of Governmental Property)**
16

17 22. Plaintiff realleges and incorporates by this reference paragraphs 1 through 21 above.

18 23. On October 12, 2025, at approximately 9:38 a.m. at or near 178 Highway
19 approximately 796 feet east of Comanche Drive, City of Bakersfield and County of Kern, State of
20 California, Defendant, STEVEN BRUCE VANWINKLE, and DOES 1 to 25, Inclusive, was riding
21 his 2013 Harley Davidson motorcycle being occupied by Plaintiff, JUNE ERZSEBET
22 GUANCIALE, who was a passenger on the motorcycle, eastbound on the public highway commonly
23 known 178 Highway approximately 796 feet east of Comanche Drive, City of Bakersfield and
24 County of Kern, State of California (the intersection and adjacent and surrounding vicinity is
25 sometimes referred to as the "Accident Site") when defendants ELWOOD GENE ELLIOTT; and
26 DOES 26 to 35, Inclusive, traveling eastbound on 178 Highway in his 2018 Honda CRV made an
27 illegal U-turn into the path of STEVEN BRUCE VANWINKLE, who was riding his motorcycle
28

1 being occupied by Plaintiff, JUNE ERZSEBET GUANCIALE, who was a passenger on the
2 motorcycle, eastbound on 178 Highway approximately 796 feet east of Comanche Drive, City of
3 Bakersfield and County of Kern, State of California, resulting in a catastrophic collision, causing
4 serious injuries to Defendant, STEVEN BRUCE VANWINKLE, and Plaintiff, JUNE ERZSEBET
5 GUANCIALE.

6
7 24. Plaintiff is informed and believes, and thereon alleges, that, at all times relevant
8 hereto, Defendants CITY OF BAKERSFIELD; COUNTY OF KERN; THE PEOPLE OF THE
9 STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF
10 TRANSPORTATION (CALTRANS); and DOES 51 through 100, Inclusive, were public entities,
11 agencies and/or institutions existing pursuant to the laws of the State of California, and/or are
12 governmental entities created and existing pursuant to the laws of the State of California, or some
13 other state, or some other unknown governmental agency, entity or division of the State of
14 California, or some other state.

15 25. Plaintiff therefore brings this action against Defendants in their capacities as public
16 entities and/or employees of public entities, pursuant to Government Code §815.2, §815.4, §815.6,
17 §818.6, §820, §820.8, §821.4, §830.6, §830.8, §835, 835.2 and/or other applicable statutes,
18 regulations or legal basis, based on the negligent plan, design, construction of, maintenance of,
19 service of and/or improvement to public property, failing to act in response to changing conditions
20 and/or based on improper installation, maintenance and/or functioning and/or malfunctioning of
21 traffic signals/devices, and/or lack thereof, at and/or in the vicinity of the Accident Site, and based
22 on the negligent acts and omissions of the employees, agents and independent contractors of said
23 Defendants while said employees, agents and independent contractors were engaged in the course
24 and scope of their employment, authority and/or agency by and with said public entities, including
25 their failure to protect against the hazard of that particular risk as alleged herein which constituted a
26 mandatory duty imposed on said public entity, and/or against injury or death caused by a dangerous
27 condition of public property. Plaintiff reserves the right to amend, modify or expand the bases of
28 liability regarding said public entities based on further investigation and discovery.

26. At all times relevant hereto, the Accident Site and vicinity, including traffic

1 signals/devices/stop signs, were public property designed, built, installed, constructed, owned,
2 maintained, managed and/or controlled by Defendants CITY OF BAKERSFIELD; COUNTY OF
3 KERN; THE PEOPLE OF THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE
4 DEPARTMENT OF TRANSPORTATION (CALTRANS); and DOES 50 through 100, Inclusive.

5 27. At all times relevant to the events, incident and occurrences alleged herein, there
6 existed a dangerous, hazardous and defective condition at and/or in the vicinity of the Accident Site
7 caused by the negligent, defective and/or dangerous plan or design of, and/or construction of, and/or
8 improvement of, service of and/or maintenance of, the Accident Site, including the traffic control
9 signals/signs/devices, or lack thereof, failing to act in response to changing conditions at the
10 Accident Site, and/or the area(s) that were adjacent and appurtenant thereto, as alleged herein,
11 including, among other dangerous, hazardous and defective conditions, certain objects, things or
12 devices located within, near, at adjacent to or appurtenant to the Accident Site, including, among
13 other things, traffic control devices, which caused and/or substantially contributed to the subject
14 accident and to the injuries, damages and losses suffered by Plaintiff as alleged herein.

15 28. Plaintiff is informed and believes, and thereon alleges, that, to the extent that the
16 dangerous, hazardous and/or defective condition of the public property, including the Accident Site,
17 was approved by an employee or agent of Defendants CITY OF BAKERSFIELD; COUNTY OF
18 KERN; THE PEOPLE OF THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE
19 DEPARTMENT OF TRANSPORTATION (CALTRANS); and DOES 50 through 100, Inclusive,
20 and to the extent that such employee or agent was exercising discretionary authority to give approval
21 to the design, construction, maintenance of, service of the public property, including the Accident
22 Site, there existed changed physical conditions at the time of the Accident Site such that the
23 Accident Site was no longer in conformity with the approved plan or design which created or
24 produced the condition of the public property at the Accident Site, and said Defendants were aware
25 of said changed physical conditions at the Accident Site for a reasonable and sufficient period of
26 time to allow and permit said Defendants to apply for, and to obtain funds for, and to carry out
27 remedial work necessary to allow the Accident Site to be in conformity with a safe, non-hazardous
28 and non-defective plan or design approved by the appropriate legislative body of said Defendants, or

1 other body or employee.

2 29. At the time of the accident, The Property was in a dangerous and unsafe condition as
3 defined by Government Code Sections 818.6, 830, 830.6, 830.8, 835, 835.2, 840.2 and 840.4, for the
4 following reasons:

- 5 A. The roadway was dangerously deteriorated, in a defective condition and/or was
6 improperly constructed, installed, designed, maintained, serviced, repaired, including
7 traffic signals/devices/signs, or lack thereof, and dangerous visual obstructions to
8 motorists and/or otherwise was deficient to protect the public.
9
- 10 B. Defendants and/or their employees and/or agents had actual and/or constructive
11 knowledge of and/or knew or should have known of the dangerous condition of The
12 Property in sufficient time prior to the accident to have taken measures to protect
13 and/or prevent against the dangerous condition and/or negligently or wrongfully
14 caused the condition and had personal or constructive knowledge of the condition
15 and/or knew or should have known of its dangerous character.
16
- 17 C. At the time of the accident, and prior thereto, the roadway was in a dangerous
18 condition that created a substantial risk of the type of injury alleged herein that was
19 reasonably foreseeable in that the roadway was dangerously in a defective condition
20 and/or was improperly constructed, installed, designed, maintained, including traffic
21 signals/devices/signs, or lack thereof, visibility obstructions and/or, in some other
22 manner, and was deficient to protect the public and there was no warning sign of such
23 fact and such danger would not be reasonably apparent to, and would not have been
24 anticipated by a person using the roadway with due care.

25 30. Due to the negligence, carelessness and recklessness of Defendants, and each of
26 them, Defendant, STEVEN BRUCE VANWINKLE, and DOES 1 to 25, Inclusive, was riding his
27 2013 Harley Davidson motorcycle being occupied by Plaintiff, JUNE ERZSEBET GUANCIALE,
28 who was a passenger on the motorcycle, unknowingly road his motorcycle eastbound on 178 Hwy

1 behind a third party traveling eastbound who suddenly and without warning made an unsafe U-turn
2 on 178 Highway colliding with Defendant's motorcycle being occupied by Plaintiff, JUNE
3 ERZSEBET GUANCIALE, who was a passenger on the motorcycle, resulting in substantial injuries.

4 31. At all times relevant hereto Defendants and each of them had the duty to act and
5 conduct themselves in a manner that would not cause injury/death and damage to others, including
6 Plaintiff, JUNE ERZSEBET GUANCIALE, in the design, construction, use, direction, supervision,
7 maintenance and service of the Accident Site and general vicinity, and the traffic control devices at
8 and in the vicinity of the Accident Site.

9 32. At all times relevant hereto Defendants, and each of them, breached their duty by
10 having negligently, recklessly, tortuously and unlawfully owned, entrusted, contracted for, joint
11 ventured, managed, supervised, directed, designed, constructed, operated, used, maintained,
12 inspected, repaired, serviced, controlled, failed to remedy visibility obstructions, used and/or
13 operated, installed or failed to install, maintain traffic signals/signs and/or other traffic control
14 devices at the Accident Site and the vicinity in a manner that it was reasonably foreseeable to cause
15 injury and damage to others, including Plaintiff, JUNE ERZSEBET GUANCIALE, and did so in a
16 manner that was known, or reasonably should have been known, by Defendants to be unsafe, illegal
17 and dangerous, and in violation of Plaintiff, JUNE ERZSEBET GUANCIALE's safety and
18 wellbeing, which negligence, carelessness and recklessness thereby proximately and legally caused
19 and/or contributed to the cause of the above-described accident and injuries as alleged herein.

20 33. As a legal result of the negligent and careless conduct of Defendants as herein
21 described, Plaintiff, JUNE ERZSEBET GUANCIALE, sustained personal injuries, which have
22 caused Plaintiff pain and suffering and emotional and mental damages, entitling Plaintiff to general
23 damages, as will be established at the time of trial.

24 34. As a legal result of the negligent and careless conduct of Defendants as herein
25 described, Plaintiff, JUNE ERZSEBET GUANCIALE, incurred, and will continue to incur in the
26 future, medical expenses and obligations resulting from the treatment of the personal injuries
27 Plaintiff sustained, past and future loss of earnings and earning capacity and household services
28 damages and attendant care damages, and other economic damages as will be established at the time

1 of trial.

2 **WHEREFORE**, plaintiff prays for damages against all Defendants, and each of them, as
3 follows:

4 **ALL CAUSES OF ACTION**

5 1. For general, non-economic damages in an amount in excess of the minimum
6 jurisdictional limits of this Court;

7 2. For past and future medical, surgical, therapeutic, rehabilitation, vocational and all other
8 related expenses, and incidental expenses, according to proof;

9 3. For past and future loss of earnings, employment benefits, loss of earning capacity and
10 loss of ability to provide household services, according to proof;

11 4 For costs and expenses related to the damage caused to Plaintiff property and the loss
12 of use of said property, according to proof;

13 5. For prejudgment interest according to Civil Code section 3291;

14 6. For costs of suit herein incurred; and

15 7. For such other and further relief as the Court deems just and proper.

16 **DATED: September 10, 2026**

BROWN, KORO & ROMAG, LLP

18 By: Charles E. Koro

19 Charles E. Koro

20 Shelby A. West

 Attorneys for Plaintiff

21 JUNE ERZSEBET GUANCIALE

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REQUEST FOR TRIAL BY JURY

Plaintiff, JUNE ERZSEBET GUANCIALE, hereby requests a jury trial.

DATED: September 10, 2026

BROWN, KORO & ROMAG, LLP

By: Charles E. Koro
Charles E. Koro
Shelby A. West
Attorneys for Plaintiff
JUNE ERZSEBET GUANCIALE

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Charles E. Koro (SBN: 162436) FIRM NAME: BROWN KORO & ROMAG LLP STREET ADDRESS: 4400 Coldwater Canyon Ave., Suite 200 CITY: Studio City STATE: CA ZIP CODE: 91604 TELEPHONE NO.: (818) 377-6280 FAX NO.: (818) 377-6290 EMAIL ADDRESS: _____ ATTORNEY FOR (name) Plaintiff		FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Kern By: Javen Silva Deputy Clerk 09/10/26 1:43 PM	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1415 Truxtun Ave. 1215 MAILING ADDRESS: _____ CITY AND ZIP CODE: Bakersfield, CA 93301 JS BRANCH NAME: Metro Division			
CASE NAME: GUANCIALE v. VANWINKLE, et al.,			
CIVIL CASE COVER SHEET ☒ Unlimited (Amount demanded exceeds \$35,000)		☐ Limited (Amount demanded is \$35,000 or less)	
☐ Counter		☐ Joinder	
☐ Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		CASE NUMBER: 26CUB03559 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/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

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

Non-PI/PD/WD (Other) Tort

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

Employment

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

Contract

- ☐ Breach of contract/warranty (06)
☐ 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*): Three

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: September 10, 2026

Charles E. Koro

Type or print name



Charles E. Koro

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

 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 11, 2026 /s/ Javen Silva, Deputy Clerk
June Erzsebet Guanciale v. Steven Bruce Vanwinkle, et al	
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	Case Number: 26CUB03559

By order of the presiding judge, the above-entitled case is assigned to the Honorable Bernard C. Barmann, Jr for all purposes. It will be managed in Department/Division H 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 24, 2026 at 8:30 A.M. in Division H 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 9, 2027 at 8:30 A.M. in Division H 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 11, 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 Bernard C. Barmann, Jr as monitoring judge.

Judge Bernard C. Barmann, Jr 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 H 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 Bernard C. Barmann, Jr. However, those cases that do not settle will be set for trial before him/her.

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 11, 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 11, 2026

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

Service List

Charles E. Koro
4400 Coldwater Canyon Ave., Ste. 200
Studio City, CA 91604
shelby@russbrown.com

- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

TELEPHONE NO.: ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Shelby A. West (SBN: 249257) (818) 377-6280 BROWN, KORO & ROMAG, LLP SBN: _ 4400 Coldwater Canyon Ave., Suite 200, Studio City, CA 91604 fax number: (818) 377-6290 email: _shelby@russbrown.com ATTORNEY FOR (name): Plaintiff JUNE ERZSEBET GUANCIALE		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1415 Truxtun Ave. MAILING ADDRESS: _ CITY AND ZIP CODE: Bakersfield, CA 93301 BRANCH NAME: Metro Division		
PLAINTIFF: THOMAS DEVRIES DEFENDANT: ANGELIKA ALEM; and		
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)		CASE NUMBER: 26CUB03559

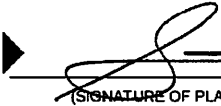
To (name of one defendant only): COUNTY OF KERN
Plaintiff (name of one plaintiff only): JUNE ERZSEBET GUANCIALE
seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|---|-----------------------|
| 1. General damages | |
| a. ☒ Pain, suffering, and inconvenience | \$ 10,000,000.00 |
| b. ☐ Emotional distress. | \$ |
| c. ☐ Loss of consortium | \$ |
| d. ☐ Loss of society and companionship (wrongful death actions only) | \$ |
| e. ☐ Other (specify) | \$ |
| f. ☐ Other (specify) | \$ |
| g. ☐ Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. ☒ Medical expenses (to date) | \$ 249,200.30 |
| b. ☒ Future medical expenses (present value) | \$ according to proof |
| c. ☒ Loss of earnings (to date) | \$ according to proof |
| d. ☒ Loss of future earning capacity (present value) | \$ according to proof |
| e. ☒ Property damage | \$ according to proof |
| f. ☐ Funeral expenses (wrongful death actions only) | \$ |
| g. ☐ Future contributions (present value) (wrongful death actions only) | \$ |
| h. ☐ Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. ☒ Other (specify) Personal property damages; loss of use, deductible | \$ |
| j. ☒ Other (specify) Family care services for attendant care/loss of household services | \$ |
| k. ☐ Continued on Attachment 2.k. | |
| 3. ☒ Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify).. | \$ according to proof |
| when pursuing a judgment in the suit filed against you. | |

Date: September 16, 2026

Shelby A. West (SBN: 249257)

(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

PLAINTIFF: THOMAS DEVRIES DEFENDANT: ANGELIKA ALEM; and	CASE NUMBER: 26CUB03559
--	-------------------------

PROOF OF SERVICE

(After having the other party served as described below, with any of the documents identified in item 1, have the person who served the documents complete this Proof of Service. Plaintiff cannot serve these papers.)

1. I served the
 - a. ☐ Statement of Damages ☐ Other (specify):
 - b. on (name): STEVEN BRUCE VANWINKLE
 - c. by serving ☐ defendant ☐ other (name and title or relationship to person served):
 - d. ☐ by delivery ☐ at home ☐ at business
 - (1) date:
 - (2) time:
 - (3) address:
 - e. ☐ by mailing
 - (1) date:
 - (2) place:
2. Manner of service (check proper box):
 - a. ☐ **Personal service.** By personally delivering copies. (Code Civ. Proc., § 415.10.)
 - b. ☐ **Substituted service on corporation, unincorporated association (including partnership), or public entity.** By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (Code Civ. Proc., § 415.20(a).)
 - c. ☐ **Substituted service on natural person, minor, conservatee, or candidate.** By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (Code Civ. Proc., § 415.20(b).) **(Attach separate declaration or affidavit stating acts relied on to establish reasonable diligence in first attempting personal service.)**
 - d. ☐ **Mail and acknowledgment service.** By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, together with two copies of the form of notice and acknowledgment and a return envelope, postage prepaid, addressed to the sender. (Code Civ. Proc., § 415.30.) **(Attach completed acknowledgment of receipt.)**
 - e. ☐ **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (Code Civ. Proc., § 415.40.) **(Attach signed return receipt or other evidence of actual delivery to the person served.)**
 - f. ☐ Other (specify code section):
☐ additional page is attached.
3. At the time of service I was at least 18 years of age and not a party to this action.
4. Fee for service: \$
5. Person serving:
 - a. ☐ California sheriff, marshal, or constable
 - b. ☐ Registered California process server
 - c. ☐ Employee or independent contractor of a registered California process server
 - d. ☐ Not a registered California process server
 - e. ☐ Exempt from registration under Business and Professions Code section 22350(b)
 - f. Name, address, and telephone number and, if applicable, county of registration and number:

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

(For California sheriff, marshal, or constable use only)
 I certify that the foregoing is true and correct.

Date:

Date:



(SIGNATURE)



(SIGNATURE)