MF

26 OCT 28 AM 8:53

CIV-050

- DO NOT FILE WITH THE COURT -

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

FILE KERN CO. CLERK OF THE SUPERIOR COURT

TELEPHONE NO.: ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name and Address)*: NAME: Abel Fernandez, Esq. STATE BAR NUMBER: 358021 FIRM NAME: DOWNTOWN LA LAW GROUP STREET ADDRESS: 540 S. Santa Fe Ave. CITY: Los Angeles STATE: CA ZIP CODE: 90013 TELEPHONE NO.: (213) 389-3765 FAX NO. (877) 389-2775 EMAIL ADDRESS: Abel@downtownlalaw.com ATTORNEY FOR *(name)*: K.A. a minor, by and through his Guardian Ad Litem IRMA GIRON	FOR COURT USE ONLY BY _____ DEPUTY original on file w/ COB
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Avenue MAILING ADDRESS: 1215 Truxtun Avenue CITY AND ZIP CODE: Bakersfield, California 93301 BRANCH NAME: Metro Justice Building	
PLAINTIFF: K.A., a minor, by and through his Guardian Ad Litem DEFENDANT: IRMA GIRON. KERN HIGH SCHOOL DIRTRICT, a public entity., et al.	
STATEMENT OF DAMAGES **(Personal Injury or Wrongful Death)**	CASE NUMBER: 26CUB02878

To *(name of one defendant only)*: KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity.
Plaintiff *(name of one plaintiff only)*: K.A., a minor, by and through his Guardian Ad Litem IRMA GIRON seeks damages in the above-entitled action, as follows:

		AMOUNT
1. General damages		
a. [X]	Pain, suffering, and inconvenience	$ 1,000,000.00
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. [X]	Medical expenses *(to date)*	$ 1,000,000.00
b. [ ]	Future medical expenses *(present value)*	$
c. [ ]	Loss of earnings *(to date)*	$
d. [ ]	Loss of future earning capacity *(present value)*	$
e. [ ]	Property damage	$
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)*	$
j. [ ]	Other *(specify)*	$
k. [ ]	Continued on Attachment 2.k.	

3. [ ] **Punitive damages:** Plaintiff reserves the right to seek punitive damages in the amount of *(specify)* $ when pursuing a judgment in the suit filed against you.

Date: 10/26/2026

Abel Fernandez, Esq.
(TYPE OR PRINT NAME)

Abel Fernandez
(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

BY ORDER OF THE BD/SUPV
Referred To County Counsel
26 pgs
Process Server
Copies Furnished
Risk Manngment
Date 10-28-26
Clerk of the Board of Supervisors
By _____, Deputy

CIV-050

PLAINTIFF: K.A. , a minor, by and through his Guardian Ad Litem DEFENDANT: IRMA GIRON KERN HIGHSCHOOL DISTRICT, a public entity,. et al.	CASE NUMBER: 26CUB02878

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):*
   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.

Date:

▶ _____
(SIGNATURE)

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

Date:

▶ _____
(SIGNATURE)

Print Save Clear

SUM-100

SUMMONS
(CITACION JUDICIAL)

NOTICE TO DEFENDANT: KERN HIGH SCHOOL DISTRICT, a public entity; ***(AVISO AL DEMANDADO):*** CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive

YOU ARE BEING SUED BY PLAINTIFF: K.A. [redacted], a ***(LO ESTÁ DEMANDANDO EL DEMANDANTE):*** minor, by and through his Guardian Ad Litem IRMA GIRON

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

ELECTRONICALLY FILED
Superior Court of California,
County of Kern
By: Javen Silva
Deputy Clerk
10/16/2026

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
1215 Truxtun Avenue
Bakersfield, California 93301

CASE NUMBER:
(Número del Caso):
26CUB02878

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: Abel Fernandez, Esq.
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
DOWNTOWN LA LAW GROUP
540 S Santa Fe Ave., Los Angeles, CA 90013 (213) 389-3765

DATE: *(Fecha)* **10/16/2026** 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 citatión 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):*

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):*

4. ☐ by personal delivery on *(date):*

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 [Rev. July 1, 2009]

SUMMONS

Code of Civil Procedure §§ 412.20, 465
www.courtinfo.ca.gov
Westlaw Doc & Form Builder

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 July 27, 2026 /s/ Javen Silva, Deputy Clerk
K. A. , et al v. Kern High School District, a public entity, 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: 26CUB02878

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 November 6, 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 January 20, 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: July 27, 2026

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

K.A. et al v. Kern High School District, a public entity, et al
26CUB02878

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.

K. A. , et al v. Kern High School District, a public entity, et al
26CUB02878

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: July 27, 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: July 27, 2026

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

Service List

Abel Fernandez
540 S. Santa Fe Ave.
Los Angeles, CA 90013
Abel@downtownlalaw.com

ELECTRONICALLY FILED
Superior Court of California,
County of Kern
By: Javen Silva
Deputy Clerk
07/24/26 11:08 AM

Abel Fernandez, Esq. - State Bar No. 358021
DOWNTOWN L.A. LAW GROUP
540 S Santa Fe Ave.
Los Angeles, CA 90013
Tel: (213) 389-3765
Fax: (877) 389-2775
Email: Abel@downtownlalaw.com

Attorneys for Plaintiff,
KEVIN ARGUETA AGUILAR, a minor, by
and through his Guardian Ad Litem IRMA GIRON

SUPERIOR COURT OF CALIFORNIA

COUNTY OF KERN

K.A. , a minor, by and through his Guardian Ad Litem IRMA GIRON

Plaintiff,

v.

KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive

Defendants.

Case No.: 26CUB02878

COMPLAINT FOR DAMAGES

1. NEGLIGENT SUPERVISION

[JURY DEMANDED]

COMES NOW Plaintiff K.A. a minor, by and through his Guardian Ad Litem IRMA GIRON and alleges against Defendants, and each of them, as follows:

Downtown L.A. Law Group
540 S Santa Fe Avenue
Los Angeles, CA 90013

Downtown L.A. Law Group
540 S Santa Fe Avenue
Los Angeles, CA 90013

PARTIES

1. At all times relevant herein, Plaintiff K.A. , a minor, by and through his Guardian Ad Litem IRMA GIRON ("Plaintiff"), was and is a resident of the County of Kern, State of California.

2. Plaintiff is informed and believes and thereon alleges that Defendant KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive, are and at all times mentioned herein, were public entities, corporations, sole proprietors, shareholders, associations, partners and partnerships, joint ventures, and/or business entities unknown, primarily residing and doing business in the County of Kern, State of California.

3. As used herein the term "Defendant" means all Defendants, both jointly and severally, and references by name to any named Defendant shall include all Defendants, both jointly and severally.

4. At all times herein mentioned, said Defendants were the owners, lessors, sub lessors, managing agents, landlords, renters, managers, operators, marketers, inspectors, maintainers and controllers of the premises located at 5309 Baja Dr, Bakersfield, CA 93307, (hereinafter referred to as "THE SUBJECT PREMISES"), to which the general public walks through.

5. The true names and capacities, whether individual, corporate, associate or otherwise, of Defendants DOES 1 through 50, are unknown to Plaintiff, who therefore sues said Defendants by such fictitious names, and Plaintiff will seek leave of Court to amend this Complaint to show the true names and capacities thereof when the same have been ascertained.

6. Plaintiff is informed and believes and thereon alleges that each of the Defendants designated herein as a DOE is responsible, negligently or in some other manner, for the events and happenings herein referred to, and thereby proximately caused injuries and damages to the Plaintiff as hereinafter alleged.

///

7. Defendants at all times mentioned herein were the agents, servants, employees, partners, members, shareholders, officers, directors, joint venturers, and alter egos of each other, and in doing or failing to do the things hereinafter mentioned were acting within the purpose and scope of their agency and employment and with the knowledge and consent of each other.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

8. "Pursuant to the Government Code, any party with a claim against a public entity must first present the claim to the entity; only if the governmental claim is denied or rejected may the claimant then institute civil litigation. (Gov. Code § 945.4.)"

9. Defendants KERN HIGH SCHOOL DISTRICT and DOES 1 through 50, were served with a claim for damages pursuant to Government Code Section 911.2 on or about March 17, 2026 and has not been rejected by an agent for Defendants KERN HIGH SCHOOL DISTRICT.

10. Defendants CITY OF BAKERSFIELD and DOES 1 through 50, were served with a claim for damages pursuant to Government Code Section 911.2 on or about March 17, 2026 and was rejected on March 24, 2026.

11. Defendants COUNTY OF KERN and DOES 1 through 50, were served with a claim for damages pursuant to Government Code Section 911.2 on or about March 17, 2026 and has not been rejected by an agent for Defendants COUNTY OF KERN.

12. Defendants KERN COUNTY SUPERINTENDENT OF SCHOOLS and DOES 1 through 50, were served with a claim for damages pursuant to Government Code Section 911.2 on or about March 17, 2026, and was rejected on March 24, 2026.

GENERAL ALLEGATIONS

13. On or about March 17, 2026, and thereafter, Plaintiff was lawfully on the premises located at 1241 G St, Bakersfield, CA 93301.

///

///

Downtown L.A. Law Group
540 S Santa Fe Avenue
Los Angeles, CA 90013

14. On or about March 17, 2026, Plaintiff K. A. [redacted], a minor, and student at Mira Monte High School, was on the premises when he was unexpectedly verbally harassed and violently physically assaulted by multiple unidentified students while under the custody, control, and care of Defendants' KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive, school staff and/or employees who failed take appropriate action. This caused Plaintiff K. A. [redacted] to sustain injuries and damages.

FIRST CAUSE OF ACTION

15. The preceding paragraphs of this Complaint are incorporated by reference.

16. Defendants owed Plaintiff a duty of care, imposed by law, to at all times supervise Plaintiff and all other students' conduct on the school grounds and to enforce those rules and regulations necessary to his protection.

17. On or about March 17, 2026, Plaintiff K. A. [redacted], was a student at Mira Monte High School. While on the campus, Plaintiff K. A. [redacted], was in the custody, control, and care of Defendants KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive, and its employees and agents, including teachers, aides, administrators, and employees working at Mira Monte High School on the date of the subject incident.

18. On or about March 17, 2026, Defendants KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive, owned, operated, maintained, controlled, staffed, and supervised Mira Monte High School, including its employees and students.

///

///

Downtown L.A. Law Group
540 S Santa Fe Avenue
Los Angeles, CA 90013

19. Defendants stood in a special relationship with Plaintiff who was a student. As the result of this special relationship Defendants owed Plaintiff a heightened duty of care, imposed by law, to at all times supervise Plaintiff and all other students' conduct on the school grounds and to enforce those rules and regulations necessary to his protection.

20. Defendants KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive, had a duty to provide adequate and reasonable supervision of students engaged in educational and/or recreational activities on school property, including but not limited to:

a. Ensuring adequate adult supervision ratios;

b. Inspecting play and/or educational areas and/or recreational areas for hazardous conditions;

c. Prohibiting dangerous activities in unsafe conditions;

d. Providing proper instruction and safety guidelines;

e. Intervening to prevent foreseeable injuries

21. Pursuant to Government Code Section 815.2(a), Defendants KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive, and each of them, are vicariously liable for injuries to Plaintiff K.A. caused by the acts, omissions, and breach of the duty of care of its employees.

22. Defendants KERN HIGH SCHOOL DISTRICT, a public entity; CITY OF BAKERSFIELD, a public entity; COUNTY OF KERN, a public entity; KERN COUNTY SUPERINTENDENT OF SCHOOLS, a public entity; and DOES 1-50, inclusive, owed a mandatory duty of care to Plaintiff K.A. so as to provide him with supervision at all times while he was attending Mira Monte High School.

///

///

Downtown L.A. Law Group
540 S Santa Fe Avenue
Los Angeles, CA 90013

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against the Defendants, as follows:

1. General "non-economic" damages according to proof;

2. Special "economic" damages, according to proof;

3.Medical bills, according to proof;

4. Loss of earnings/earnings capacity, according to proof;

5. Such other and further relief as the court deems proper.

DATED: June 24, 2026

DOWNTOWN L.A. LAW GROUP

Abel Fernandez

Abel Fernandez, Esq.
Attorneys for Plaintiff,
K.A. , a
minor, by and through his Guardian Ad Litem IRMA GIRON

JURY TRIAL DEMANDED

Plaintiff demands trial by jury of all issues so triable.

DATED: June 24, 2026

DOWNTOWN L.A. LAW GROUP

Abel Fernandez

Abel Fernandez, Esq.
Attorneys for Plaintiff,
K.A. , a
minor, by and through his Guardian Ad Litem IRMA GIRON

Downtown L.A. Law Group
540 S Santa Fe Avenue
Los Angeles, CA 90013

ATTORNEY OR PARTY WITHOUT ATTORNEY
NAME: Abel Fernandez, Esq.
FIRM NAME: DOWNTOWN LA LAW GROUP
STREET ADDRESS: 540 S Santa Fe Ave.
CITY: Los Angeles
STATE: CA ZIP CODE: 90013
TELEPHONE NO.: (213) 389-3765
FAX NO.: (877) 389-2775
EMAIL ADDRESS: Abel@downtownlalaw.com
ATTORNEY FOR (name): K.A.
STATE BAR NUMBER: 358021

FOR COURT USE ONLY

ELECTRONICALLY FILED
Superior Court of California,
County of Kern
By: Javen Silva
Deputy Clerk
07/24/26 11:08 AM

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN
STREET ADDRESS: 1215 Truxtun Avenue
MAILING ADDRESS: 1215 Truxtun Avenue
CITY AND ZIP CODE: Bakersfield, CA 93301
BRANCH NAME: Metro Justice Building

CASE NAME: K.A. vs. KERN HIGH SCHOOL DISTRICT, et al.

CASE NUMBER: 26CUB02878

JUDGE:
DEPT.

CIVIL CASE COVER SHEET

[X] **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)

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

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

Auto Tort
- [ ] Auto (22)
- [ ] Uninsured motorist (46)

Asbestos
- [ ] Asbestos (04)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- [ ] Product liability (24)
- [ ] Medical malpractice (45)
- [X] Other PI/PD/WD (23)

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

Employment
- [ ] Wrongful termination (36)
- [ ] Other employment (15)

Contract
- [ ] Breach of contract/warranty (06)
- [ ] Rule 3.740 collections (09)
- [ ] Other collections (09)
- [ ] Insurance coverage (18)
- [ ] Other contract (37)

Real Property
- [ ] Eminent domain/Inverse condemnation (14)
- [ ] Wrongful eviction (33)
- [ ] Other real property (26)

Unlawful Detainer
- [ ] Commercial (31)
- [ ] Residential (32)
- [ ] Drugs (38)

Judicial Review
- [ ] Asset forfeiture (05)
- [ ] Petition re arbitration award (11)
- [ ] Writ of mandate (02)
- [ ] Other judicial review (39)

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)*: One
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: 06/24/2026

Abel Fernandez, Esq.
(TYPE OR PRINT NAME)

Abel Fernandez
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 of the California Rules of Court 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 below. 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

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

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 toxic/environmental)* (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 (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice *(not medical or legal)*
- 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 or negligence)*
  - Negligent Breach of Contract/Warranty
  - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collections Case–Seller Plaintiff
- Other Promissory Note/Collections Case
- 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 eminent domain, landlord-tenant, or foreclosure)*

Unlawful Detainer
- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

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 (48) *(if the case involves an Employment Development Department decision, check this item instead of Wrongful Termination or Other Employment)*

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)
- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving 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 *(not unpaid taxes)*
  - 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 Late Claim
  - Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY
NAME: Abel Fernandez, Esq.
FIRM NAME: DOWNTOWN LA LAW GROUP
STREET ADDRESS: 540 S Santa Fe Ave.
CITY: Los Angeles
STATE: CA ZIP CODE: 90013
TELEPHONE NO.: (213) 389-3765
FAX NO.: (877) 389-2775
EMAIL ADDRESS: Abel@downtownlalaw.com
ATTORNEY FOR (name): K.A.
STATE BAR NUMBER: 358021

FOR COURT USE ONLY

ELECTRONICALLY FILED
Superior Court of California,
County of Kern
By: Javen Silva
Deputy Clerk
07/24/26 11:08 AM

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN
STREET ADDRESS: 1215 Truxtun Avenue
MAILING ADDRESS: 1215 Truxtun Avenue
CITY AND ZIP CODE: Bakersfield, CA 93301
BRANCH NAME: Metro Justice Building

PLAINTIFF/PETITIONER: K.A. , a minor, by and through his Guardian Ad Litem IRMA GIRON
DEFENDANT/RESPONDENT: KERN HIGH SCHOOL DISTRICT, et al.
OTHER PARENT/PARTY:

APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM—CIVIL AND FAMILY LAW

[X] EX PARTE

CASE NUMBER: 26CUB02878

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.*

1. I *(applicant's name)*: K.A.
   am *(check all that apply)*:
   a. [ ] the parent of *(name)*:
   b. [ ] the guardian of *(name)*:
   c. [ ] the conservator of *(name)*:
   d. [ ] a party to the suit.
   e. [X] 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)*:
   IRMA GIRON ph: (213) 389-3765
   c/o Downtown LA Law Group, 540 South Santa Fe Avenue, Los Angeles, CA 90013 Abel@downtownlalaw.com

3. The guardian ad litem will represent the interest of *(name, address, and, if applicable, phone number and email address)*:
   K.A. ph: (213) 389-3765
   c/o Downtown LA Law Group, 540 South Santa Fe Avenue, Los Angeles CA 90013 Abel@downtownlalaw.com

4. The person named in item 3 is a party and is *(check all that apply)*:
   a. [X] a minor *(date of birth)*: 07/10/2009
   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.

Form Adopted for Mandatory Use
Judicial Council of California
CIV-010/FL-935 [Rev. January 1, 2024]

Code of Civil Procedure, § 372 et seq.;
Family Code, §§ 6229, 7635
www.courts.ca.gov
Westlaw Doc & Form Builder™

PLAINTIFF/PETITIONER: K.A. a minor, by and through his Guardian Ad Litem IRMA GIRON DEFENDANT/RESPONDENT: KERN HIGH SCHOOL DISTRICT, et al. OTHER PARENT/PARTY:	CASE NUMBER: 26CUB02878

5. [X] The person named in item 3 is a minor and is *(check one)*:
   a. [X] 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. [X] 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.

Abel Fernandez, Esq. ▶ Abel Fernandez
(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: 06/24/2026

K.A. ▶ /s/ K.A.
(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. [X] A familial relationship *(specify)*: Parent
   c. [ ] An affiliate (nonfamilial) relationship *(specify)*:

9. I am *(check one)*:
   a. [X] 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: 06/24/2026

IRMA GIRON ▶ /s/ Irma Giron
(TYPE OR PRINT NAME) (SIGNATURE OF PROPOSED GUARDIAN AD LITEM)

Electronically Received 07/24/26 11:08 AM

CIV-011/FL-936

ATTORNEY OR PARTY WITHOUT ATTORNEY	STATE BAR NUMBER: 358021	FOR COURT USE ONLY
NAME: Abel Fernandez, Esq. FIRM NAME: DOWNTOWN LA LAW GROUP STREET ADDRESS: 540 S Santa Fe Ave. CITY: Los Angeles STATE: CA ZIP CODE: 90013 TELEPHONE NO.: (213) 389-3765 FAX NO.: (877) 389-2775 EMAIL ADDRESS: Abel@downtownlalaw.com ATTORNEY FOR (name): K.A.		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Avenue MAILING ADDRESS: 1215 Truxtun Avenue CITY AND ZIP CODE: Bakersfield, CA 93301 BRANCH NAME: Metro Justice Building		
PLAINTIFF/PETITIONER: K.A. a minor, by and through his Guardian Ad Litem IRMA GIRON DEFENDANT/RESPONDENT: KERN HIGH SCHOOL DISTRICT, et al. OTHER PARENT/PARTY:		
ORDER APPOINTING GUARDIAN AD LITEM—CIVIL AND FAMILY LAW ☐ **EX PARTE**	CASE NUMBER: 26CUB02878	

1. Applicant *(name)*: IRMA GIRON
   seeks appointment of a guardian ad litem of *(name)*: K.A.

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)*:07/10/2009
   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.

Form Adopted for Mandatory Use
Judicial Council of California
CIV-011/FL-936 [New January 1, 2024]

Code of Civil Procedure, § 372 et seq.;
Family Code, §§ 6229, 7635
www.courts.ca.gov

Westlaw Doc & Form Builder

PLAINTIFF/PETITIONER: K.A. , a minor, by and through his Guardian Ad Litem IRMA GIRON DEFENDANT/RESPONDENT: OTHER PARENT/PARTY: KERN HIGH SCHOOL DISTRICT, et al.	CASE NUMBER: 26CUB02878

THE COURT ORDERS

6. *(Name):* IRMA GIRON
   is appointed guardian ad litem of *(name):* K.A.

7. The guardian ad litem [X] 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: _____

JUDICIAL OFFICER

[ ] SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, state bar number, and address)*:	FOR COURT USE ONLY
Abel Fernandez, Esq. DOWNTOWN L.A LAW GROUP 540 S Santa Fe Ave. Los Angeles, CA 90013 TELEPHONE NO.: (213) 389-3765 FAX NO *(Optional)*.: (877) 389-2775 E-MAIL ADDRESS *(Optional)*: ABEL@DOWNTOWNLALAW.COM ATTORNEY FOR *(Name)*: K.A. , a minor, by and through his Guardian Ad Litem, IRMA GIRON	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 Truxtun Avenue MAILING ADDRESS: 1215 Truxtun Avenue CITY AND ZIP CODE: Bakersfield, California 93301 BRANCH NAME: Metro Justice Building	
PLAINTIFF: K. A. , a minor, by and through his Guardian Ad Litem IRMA GIRON. DEFENDANT: KERN HIGH SCHOOL DISTRICT, a public entity,. et al	
ADR STIPULATION AND ORDER FORM	CASE NUMBER: 26CUB02878

1. Pursuant to California Rule of Court 3.221(a)(4), the parties and their attorneys stipulate that all claims in this action will be submitted to the following alternative dispute resolution (ADR) process:

   a. ☐ Private Mediation.

   b. ☐ Neutral Evaluation.

   c. ☐ Binding Arbitration.

   d. ☐ Referee/Special Master.

   e. ☐ Settlement Conference with Private Neutral.

   f. ☐ Non-binding Judicial Arbitration pursuant to CCP§1141.10 et seq., and applicable Rules of Court.

   g. ☐ Discovery will remain open until 30 days before trial.

   h. ☐ Other:

2. It is also stipulated that

   a. _____ (name of individual neutral, not organization)

   has consented to and will serve as

   b. _____ (neutral function/process) and that the session will take place on

   c. _____ (enter a FIRM date) and that all persons necessary to effect a settlement and having full authority to resolve the dispute will appear at such session.

CEB ceb.com Essential Forms

PLAINTIFF: K.A. ., a minor, by and through his Guardian Ad Litem IRMA GIRON.	CASE NUMBER: 26CUB02878
DEFENDANT: KERN HIGH SCHOOL DISTRICT, a public entity,. et al	

3. Date:

a. On behalf of Plaintiff/s

Abel Fernandez, Esq

(TYPE OR PRINT NAME) — (SIGNATURE OF PLAINTIFF OR ATTORNEY)

(TYPE OR PRINT NAME) — (SIGNATURE OF PLAINTIFF OR ATTORNEY)

☐ Continued on *Attachment 3a* (form MC-025).

b. On behalf of Defendant/s

(TYPE OR PRINT NAME) — (SIGNATURE OF DEFENDANT OR ATTORNEY)

(TYPE OR PRINT NAME) — (SIGNATURE OF DEFENDANT OR ATTORNEY)

☐ Continued on *Attachment 3a* (form MC-025).

4. ORDER:

a. ☐ The ADR process is to be completed by .

b. ☐ The Case Management Conference currently set for , at ☐ a.m. ☐ p.m. in Department :

i. ☐ Remains on calendar.

ii. ☐ Is hereby vacated.

c. ☐ Mediation Status Review.

d. ☐ Case Status Review re:

e. ☐ Final Case Management Conference is set for , at ☐ a.m. ☐ p.m. in Department .

f. ☐ Judicial Arbitration Order Review Hearing will be set by notice upon assignment of arbitrator.

IT SO ORDERED.

Date:

JUDICIAL OFFICER

CEB ceb.com Essential Forms

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN
ALTERNATIVE DISPUTE RESOLUTION (ADR)
INFORMATION PACKET

Kern County Superior Court encourages, and under certain circumstances, may require parties to try ADR before trial. Courts have also found ADR to be beneficial when used early in the case process. The courts, community organizations and private providers offer a variety of ADR processes to help people resolve disputes without a trial. Below is information about the potential advantages and disadvantages of ADR, the most common types of ADR, and how to find a local arbitrator, mediator or neutral evaluator. You may find more information about these ADR processes at www.courts.ca.gov/programs/adr.

Possible Advantages and Disadvantages of ADR

ADR may have a variety of advantages or disadvantages over a trial depending on the type of ADR process used as well as the particular type of case involved.

Possible Advantages: Saves time; saves money; gives the parties more control over the dispute resolution process and outcome; helps to preserve and/or improve party relationships.

Possible Disadvantages: May add additional time and costs to the litigation if ADR does not resolve the dispute; procedures such as discovery, jury trial, appeals, and other legal protections may be limited or unavailable.

Most Common Types of ADR

Mediation: A neutral person or "mediator" helps the parties communicate in an effective and constructive manner so the parties can try to resolve their dispute. The mediator does not decide the outcome, but helps the parties to do so. Mediation is generally confidential and may be particularly useful where ongoing relationships are involved, such as between family members, neighbors, employers/employees or business partners.

Settlement Conferences: A judge or another neutral person assigned by the court helps the parties to understand the strengths and weaknesses of their case and to discuss settlement. The judge or settlement conference neutral does not make a decision in the case but helps the parties to negotiate a settlement. Settlement conferences may be particularly helpful when the parties have very different views about the likely outcome of a trial in their case.

Neutral Evaluation: The parties briefly and informally present their facts and arguments to a neutral person who is often an expert in the subject matter of the dispute. The neutral does not decide the outcome of the dispute, but helps the parties to do so by providing them with a non-binding opinion about the strengths, weaknesses and likely outcome of their case. Depending on the neutral evaluation process, and with the parties' consent, the neutral may then help the parties try to negotiate a settlement. Neutral evaluation may be appropriate when the parties desire a neutral's opinion about how the case might be resolved at trial; and, if the primary dispute is about the amount of damages or technical issues, the parties would like a neutral expert to resolve those disputes.

Arbitration: The parties present evidence and arguments to a neutral person or "arbitrator" who then decides the outcome of the dispute. Arbitration is less formal than a trial, and the rules of evidence are generally more relaxed. If the parties agree to *binding* arbitration, they waive their right to a jury trial and agree to accept the arbitrator's decision. With *nonbinding* arbitration, any party may reject the arbitrator's decision and request a trial. Arbitration may be appropriate when the parties want another person to decide the outcome of their dispute but would like to avoid the formality, time and expense of a trial, or desire an expert in the subject matter of their dispute to make a decision.

Local Court ADR Programs

The Superior Court, County of Kern offers two types of ADR: Arbitration in cases in which the amount in controversy as to each plaintiff is $50,000 or less; and DRPA mediation services on the day of the hearing, settlement conference or trial.

Arbitration: The Superior Court of California, County of Kern does use Arbitrators in civil cases where the amount in controversy as to each individual plaintiff is $50,000 or less. The Court may order the parties to Arbitration or the parties may agree to Arbitration any time before the first case management conference statement is filed. See Local Rule 3.14 at https://www.kern.courts.ca.gov/system/files/local_rules_of_court.pdf

Dispute Resolution Program Act (DRPA): The Superior Court of California, County of Kern also offers mediation services in small claims and unlawful detainer, civil harassment, family law and probate matters. The Court has contracted with the Better Business Bureau (BBB) under the Dispute Resolution Programs Act (DRPA) to provide these mediation services. For more information about BBB Mediation Services go to https://www.bbb.org/local-bbb/bbb-serving-central-california-and-inland-empire-counties.

ADR Coordinator:

Although complaints about arbitrators and mediators are rare, the Superior Court of California, County of Kern does provide a complaint procedure in our Local Rules, Rule 3.14.7. If you have a complaint or a concern with any of this Court's ADR programs, or simply have a question about ADR, please contact the ADR Administrator at ADRAdministrator@kern.courts.ca.gov or 661-868-5695.

Resources:

California Department of Consumer Affairs: https://www.dca.ca.gov/consumers/mediation_guides.shtml

Judicial Branch California Courts – ADR: www.courts.ca.gov/selfhelp-adr.htm .

ADR Stipulation Form: https://www.kern.courts.ca.gov/system/files/adr_stipulation_and_order_form.pdf