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1 Thomas J. Samaha, Esq. SBN 130418
2 SAMAHA LAW FIRM, Professional Corporation
2550 Honolulu Avenue, Suite 104
Montrose, CA 91020
3 Mailing Address: P.O. Box 128, La Canada, CA 91012
Telephone: (818) 541-1101; Facsimile: (818) 541-1121

2008 MAY -3 PM 2:15

CLERK OF DISTRICT COURT

4 Brian Spitz, Esq. SBN 0068816
5 John M. Heffernan, Esq. SBN 0067354
6 THE SPITZ LAW FIRM
4568 Mayfield Road, Suite 102
Cleveland, OH 44121
7 Telephone: (216) 291-8744; Facsimile: (216) 291-5744

8 Attorneys for Defendant JOHN WAYNE LEWANDOWSKI

9 IN THE UNITED STATES DISTRICT COURT

10 CENTRAL DISTRICT OF CALIFORNIA

11 MARIO LAVANDEIRA, dba PEREZ HILTON,
an individual,)

CASE NO. CV08-03074
NOTICE OF REMOVAL

12 Plaintiff,)

13 vs.)

14 JONATHAN WAYNE LEWANDOWSKI, aka)
15 JONATHAN JAXSON, aka JONATHAN)
16 TAYLOR, an individual; and DOES 1 through)
25, Inclusive,)

17 Defendants.)

18
19 TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT
20 FOR THE CENTRAL DISTRICT OF CALIFORNIA:

21 Defendant Jonathan Wayne Lewandowski, aka Jonathan Jaxson, aka Jonathan
22 Taylor, by and through counsel, and pursuant to 28 U.S.C. §1441, as amended, hereby
23 gives notice of the removal of this action to the United States District Court for the Central
24 District of California. As grounds for this removal, Lewandowski states:

25 1. Plaintiff Mario Lavandeira, dba Perez Hilton, filed a Complaint against
26 Lewandowski on April 8, 2008 in the Superior Court of the State of California for the
27 County of Los Angeles entitled Mario Lavandeira, dba Perez Hilton vs. Jonathan Wayne
28 Lewandowski, et al., Case No. BC388760.

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1 2. Lewandowski was served with the Complaint on or about April 9, 2008.

2 3. True and correct copies of all process, pleadings, and orders on file with the
3 Superior Court are attached as Exhibit A, as required by 28 U.S.C. §1446(a).

4 4. This Notice of Removal has been filed by Lewandowski within 30 days after
5 the receipt by Lewandowski, through service or otherwise, of a copy of the initial pleading
6 setting forth the claims for relief upon which this action is based. See 28 U.S.C. §1446(b).
7 Further, this Notice of Removal is filed within one year from commencement of the
8 Superior Court action and, therefore, is timely under 28 U.S.C. §1446(b).

9 5. This case is removable under 28 U.S.C. §1441 because this United States
10 District Court has original jurisdiction of this case under 28 U.S.C. §1332(a) as amended.
11 Section 1332(a) provides, in pertinent part:

12 (a) The district courts shall have original jurisdiction of all civil actions where the
13 matter in controversy exceeds the sum or value of \$75,000, exclusive of
14 interest and costs, and is between

15 (1) citizens of different states

16 6. Upon information and belief, Plaintiff is a resident of the State of California.
17 Indeed, Plaintiff's Complaint states that he "is, and at all times herein mentioned was, an
18 individual residing in Los Angeles County, California." See Plaintiff's Complaint, ¶15.

19 7. Lewandowski is a resident of the State of Florida.

20 8. This lawsuit is a controversy between citizens of different states. See 28
21 U.S.C. §1332(a).

22 9. Upon information and belief, the amount in controversy in this matter exceeds
23 the \$75,000 sum or value sufficient to invoke the jurisdiction of this Court, exclusive of
24 interest and costs.

25 10. Thus, diversity principles bring this case properly before this Court.

26 11. Written notice of the removal of this action has been given simultaneously
27 herewith to Plaintiff.

28

1 WHEREFORE, Defendant John Lewandowski prays that the Superior Court of the
2 State of California for the County of Los Angeles proceed no further with Mario Lavandeira,
3 dba Perez Hilton vs. Jonathan Wayne Lewandowski, et al. and that said action be removed
4 from the Superior Court to the United States District Court for the Central District of
5 California.

6 DATED: May 9, 2008

SAMAHA LAW FIRM
Professional Corporation

7
8 By: 

9 THOMAS J. SAMAHA
Attorneys for Defendant
10 JOHN WAYNE LEWANDOWSKI

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A

1 FREEDMAN & TATTELMAN, LLP
2 Bryan J. Freedman, Esq. (SBN 151990)
3 Michael A. Taitelman, Esq. (SBN 156254)
4 David M. Marmorstein, Esq. (SBN 192993)
5 1901 Avenue of the Stars, Suite 500
6 Los Angeles, California 90067
7 Tel: (310) 201-0065
8 Fax: (310) 201-0045

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OF ORIGINAL FILED
Los Angeles Superior Court

APR 08 2008

Attorneys for Plaintiff Mario Lavandeira, dba Perez Hilton

John A. Clarke, Executive Officer/Clerk

BY MARY GARCIA, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

11 MARIO LAVANDEIRA, dba PEREZ
12 HILTON, an individual,

Plaintiff,

v.

14 JONATHAN WAYNE LEWANDOWSKI, aka
15 JONATHAN JAXSON, aka JONATHAN
16 TAYLOR, an individual; and DOES 1 through
17 25, inclusive,

Defendants.

CASE NO.: BC388760

COMPLAINT FOR:

1. Libel;
2. Slander;
3. Invasion of Privacy - Intrusion;
4. Invasion of Privacy - Public Disclosure of Private Facts;
5. Harassment; and
6. Intentional Infliction of Emotional Distress

19
20 Plaintiff Mario Lavandeira, dba Perez Hilton ("Lavandeira"), an individual, hereby alleges as
21 follows:

22
23 INTRODUCTION

24 1. Hiding behind various aliases and intentional falsehoods, Defendant Jonathan Wayne
25 Lewandowski, aka Jonathan Jaxson, aka Jonathan Taylor ("Jaxson"), an Internet blogger, embarked
26 on a campaign to intentionally and maliciously interfere with Lavandeira's business by publishing a
27 continuous onslaught of defamatory statements and publishing Lavandeira's private cell phone

28
1
COMPLAINT

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1 number, while encouraging people to call that number to harass him. This conduct by Jaxson
2 defamed Lavandeira and caused him to suffer extreme business interruption and constant
3 harassment.

4 2. The defamatory statements, which Jaxson made with actual malice to the New York
5 Post, Page Six, and other media outlets, are concerning a purported agreement between Jaxson and
6 Lavandeira to help Jaxson publicize his blog, www.jonathanjaxson.blogspot.com (the "Blog").

7 3. Lavandeira is a world-renowned internet celebrity gossip "blogger" and the owner of
8 a web log or "blog" found on the internet at www.perezhilltop.com (the "Website"). Celebrities are
9 the focus of his blog, and when the sometimes newsworthy events of their lives unfold, the content
10 of his site transforms gossip into journalism. Lavandeira has developed a successful business
11 posting photos of celebrities, transforming them visually, and commenting on them using his own
12 brand of humor.

13 4. Jaxson is the former publicist of the group "Backstreet Boys" and has recently
14 attempted to cash in on the popularity of on-line blogging by creating the Blog in competition with
15 the Website.

16
17 PRELIMINARY ALLEGATIONS

18 5. Lavandeira is, and at all times herein mentioned was, an individual residing in
19 Los Angeles County, California.

20 6. Lavandeira is informed and believes, and thereon alleges, that Jaxson is, and at all
21 times herein mentioned was, an individual residing in Jacksonville, Florida.

22 7. The true names and capacities, whether individual, corporate, associate or
23 otherwise of the defendants named herein as DOES 1 through 25, inclusive, are unknown to
24 Lavandeira who therefore sues said defendants by such fictitious names. Lavandeira alleges on
25 information and belief that each of the defendants, including those designated as a DOE, are
26 responsible for the events alleged herein and the damages caused thereby as a principal, agent, co-
27

1 conspirator or aider and abettor. Lavandeira will seek leave of this Court to amend this Complaint to
2 allege the true names and capacities of such defendants when the same have been ascertained.

3 8. Lavandeira alleges on information and belief that defendants, at all times relative to
4 this action, were the agents, servants, partners, joint venturers and employees of each of the other
5 defendants and, in doing the acts alleged herein, were acting with the knowledge and consent of each
6 of the other defendants in this action.

7 9. Jaxson and DOES 1 through 25 are hereinafter collectively referred to as
8 "defendants."

9 10. This Court is the proper court for trial of this matter because the acts and occurrences
10 alleged herein were published on Internet websites accessible in Los Angeles County, California. In
11 particular, Lavandeira is informed and believes, and thereon alleges, that the defamatory statements,
12 and disclosure of facts, alleged herein, were made by defendants, and each of them, outside
13 California and published on Internet websites, accessible and read by people in California and
14 around the world, or re-published to residents of California, and the focal point of the defamatory
15 statements and factual disclosure, as well as the harm suffered, was Lavandeira, who resides in
16 California.

17
18 FIRST CAUSE OF ACTION

19 (For Libel, against all defendants)

20 11. Lavandeira re-alleges herein by this reference each and every allegation contained in
21 paragraphs 1 through 10, inclusive, of this Complaint as if set forth fully herein.

22 12. In or about February 2008, March 2008 and April 2008, Jaxson made the following
23 false and defamatory statements, which were published in writing, on the Internet, about Lavandeira:

24 a. "[Lavandeira] used [Jaxson]." (Published on-line by the New York Post, Page
25 Six, on February 28, 2008 and at www.poncrunch.com on February 28, 2008).

26 ///
27 ///

25. Within a few days after Lavandeira's private cell phone number had been published by Jaxson, Jaxson published the following statement on Jaxson's Blog: "Perez's number is now every where, so [no] need to keep it up. I served my purpose."

30. The intrusion was offensive and objectionable to Lavandeira and to a reasonable person of ordinary sensibilities in that it consisted of an intrusion into Lavandeira's personal affairs.

31. The intrusion was into a thing which was private and entitled to be private in that... defendants, and each of them, published Lavandeira's personal, private cell phone number without his permission.

32. Lavandeira relies on his cell phone to obtain tips from a plethora of sources in order to be the leader of his field in breaking entertainment-related news on-line. For most of those sources, the only number they have in order to contact Lavandeira to provide him with tips is his cell phone number. By Jaxson's publication of Lavandeira's private cell phone number, and the resulting flood of calls Lavandeira received on his cell phone after the publication, Lavandeira was unable to decipher which phone calls were from sources breaking entertainment-related news that Lavandeira could publish on his Website, and which were not. Additionally, Lavandeira receives a number of phone calls each day on his cell phone for appearances and other business-related opportunities.

33. As a proximate result of defendants' invasion of Lavandeira's privacy via intrusion into his personal affairs, Lavandeira received over one thousand calls on his private cell phone (which he also uses for business) during the course of one of two days, causing Lavandeira to sustain extreme interference with his business, including the Website, and suffer a loss of productivity by virtue of having his cell phone ringing non-stop since the publication was made. The deluge of phone calls that Lavandeira received over such a short period of time caused him to miss important calls about business trips, story leads and other information vital to his business and the Website. Lavandeira is informed and believes, and thereon alleges, that he will thereby be prevented from attending to his usual occupation for a period in the future which Lavandeira cannot ascertain, and will thereby sustain a further loss of earnings. Accordingly, Lavandeira has been damaged in an amount to be determined at the time of trial, but well in excess of this Court's general jurisdiction.

1 34. The above-described invasion of Lavandeira's privacy by defendants, and each of
2 them, was done with malice, oppression and fraud, and because of their feelings of hatred and ill-will
3 toward Lavandeira, and with willful and conscious disregard for Lavandeira's rights, thereby
4 justifying an award of punitive damages against defendants, and each of them.
5

6 REQUIRED CAUSE OF ACTION

7 (For Invasion of Privacy - Public Disclosure of Private Facts, against all defendants)

8 35. Lavandeira re-alleges herein by this reference each and every allegation contained in
9 paragraphs 1 through 34, inclusive, of this Complaint as if set forth fully herein.

10 36. The disclosure by defendants, and each of them, of Lavandeira's private cell phone
11 number was a public disclosure to a large number of people in that the disclosure was made on the
12 Blog, which is potentially accessible by millions of people world-wide.

13 37. The facts disclosed about Lavandeira (i.e., his cell phone number) were private facts
14 that Lavandeira desired to keep private. Lavandeira has never sought to publicize his private cell
15 phone number or any of his other contact information.

16 38. The disclosure by defendants, and each of them, of the above facts was offensive and
17 objectionable to Lavandeira and to a reasonable person of ordinary sensibilities in that it revealed
18 extremely private information about Lavandeira that he had attempted to keep private.

19 39. The private facts disclosed by defendants, and each of them, were not of legitimate
20 public concern, or newsworthy. The disclosed facts did not bear a logical relationship to the
21 newsworthy subject of the publication and were intrusive in great disproportion to their relevance in
22 that any potentially positive outcome to be achieved by publishing Lavandeira's cell phone number
23 to the public is clearly outweighed by the damage sustained by Lavandeira and his Website as a
24 result thereof.

25 ///

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1 44. The publication by defendants, and each of them, of Lavandeira's private cell
2 phone number, as alleged above, as well as the failure by defendants, and each of them, to
3 immediately remove Lavandeira's personal cell phone number from the Blog and further publication
4 of a statement that "Perez's number is now every where, so [no] need to keep it up. I served my
5 purpose," constitutes a knowing and willful course of conduct by defendants, and each of them,
6 entailing a pattern of a series of acts over a period of time, however short, evidencing a continuity of
7 purpose directed at Lavandeira which seriously alarmed, annoyed and harassed Lavandeira.

8 45. Defendants, and each of them, intentionally published Lavandeira's private cell
9 phone number on the Blog, without Lavandeira's permission, and said publication served no
10 legitimate purpose, other than to harass Lavandeira. Said publication also does not constitute
11 constitutionally-protected activity.

12 46. Defendants' publication of Lavandeira's private cell phone number would cause a
13 reasonable person to suffer substantial emotional distress, and actually caused substantial emotional
14 distress to Lavandeira.

15 47. By Jaxson's publication of Lavandeira's private cell phone number, and the resulting
16 flood of calls Lavandeira received on his cell phone after the publication, Lavandeira was unable to
17 decipher which phone calls were from sources breaking entertainment-related news that Lavandeira
18 could publish on his Website, and from people providing information about appearances and other
19 business-related opportunities, and which were not.

20 48. As a proximate result of the above-alleged disclosure, Lavandeira received over one
21 thousand calls on his private cell phone (which he also uses for business) during the course of one or
22 two days, causing Lavandeira to sustain extreme interference with his business, including the
23 Website, and suffer a loss of productivity by virtue of having his cell phone ringing non-stop since
24 the publication was made. The deluge of phone calls that Lavandeira received over such a short
25 period of time caused him to miss important calls about business trips, story leads and other
26 information vital to his business and the Website. Lavandeira is informed and believes, and thereon
27 alleges, that he will thereby be prevented from attending to his usual occupation for a period in the
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1 amount which Lavandeira cannot ascertain, and will thereby sustain a further loss of earnings.
2 Accordingly, Lavandeira has been damaged in an amount to be determined at the time of trial, but
3 well in excess of this Court's general jurisdiction.

4 49. In making the above-alleged disclosure, defendants, and each of them, were guilty of
5 oppression, fraud or malice in that defendants, and each of them, made the disclosure with the intent
6 to vex, injure, or annoy Lavandeira, or with a willful and conscious disregard of Lavandeira's rights.
7 Lavandeira therefore seeks an award of punitive damages against defendants, and each of them.

8
9 SIXTH CAUSE OF ACTION

10 (For Intentional Infliction of Emotional Distress, against all defendants)

11 50. Lavandeira re-alleges herein by this reference each and every allegation contained in
12 paragraphs 1 through 49, inclusive, of this Complaint as if set forth fully herein.

13 51. The acts of defendants, and each of them, of publishing Lavandeira's private cell
14 phone number, as alleged above, the failure by defendants, and each of them, to immediately remove
15 Lavandeira's personal cell phone number from the Blog and defendants' further publication of a
16 statement that "Perez's number is now every where, so [no] need to keep it up. I served my
17 purpose," constitutes extreme and outrageous conduct that is intolerable in a civilized society.

18 52. Defendants' conduct was intentional and malicious and done for the purpose of
19 causing Lavandeira to suffer humiliation, mental anguish, and emotional and physical distress.
20 Defendants' conduct was also done with knowledge that Lavandeira's emotional and physical
21 distress would increase over time as long as Lavandeira's private cell phone number was published
22 on the Blog and, hence, was done with a wanton and reckless disregard of the consequences to
23 Lavandeira.

24 53. By Jaxson's publication of Lavandeira's private cell phone number, and the resulting
25 flood of calls Lavandeira received on his cell phone after the publication, Lavandeira was unable to
26 decipher which phone calls were from sources breaking entertainment-related news that Lavandeira
27

1 could publish on his Website, and from people providing information about appearances and other
2 business-related opportunities, and which were not.

3 54. As the proximate result of defendants' publication of Lavandeira's private cell
4 phone number on the Blog, Lavandeira suffered humiliation, mental anguish, and emotional and
5 physical distress, and has been injured in mind and body in worrying about how many people saw his
6 cell-phone-number on the Blog and what an overload of calls on his cell phone would do to his
7 business and the Website given that Lavandeira uses that number to conduct business.

8 55. As a proximate result of the above-alleged disclosure, Lavandeira received over one
9 thousand calls on his private cell phone (which he also uses for business) during the course of one or
10 two days, causing Lavandeira to sustain extreme interference with his business, including the
11 Website, and suffer a loss of productivity by virtue of having his cell phone ringing non-stop since
12 the publication was made. The deluge of phone calls that Lavandeira received over such a short
13 period of time caused him to miss important calls about business trips, story leads and other
14 information vital to his business and the Website. Lavandeira is informed and believes, and thereon
15 alleges, that he will thereby be prevented from attending to his usual occupation for a period in the
16 future which Lavandeira cannot ascertain, and will thereby sustain a further loss of earnings.
17 Accordingly, Lavandeira has been damaged in an amount to be determined at the time of trial, but
18 well in excess of this Court's general jurisdiction.

19 56. The acts of defendants, and each of them, alleged above, were willful, wanton,
20 malicious, and oppressive, and justify the awarding of exemplary and punitive damages.

21
22 WHEREFORE, Lavandeira prays for judgment in his favor against defendants, and each of
23 them, as follows:

24
25 ON THE FIRST CAUSE OF ACTION

26 1. For general damages according to proof at the time of trial, but in an amount in excess
27 of the jurisdictional limits of this Court;

- 1 c. For attorneys' fees to the extent permitted by contract or statute; and
- 2 7. For such other and further relief as the Court may deem just and proper.

3
4 ON THE FOURTH CAUSE OF ACTION

- 5 1. For general damages according to proof at the time of trial, but in an amount in excess
- 6 of the jurisdictional limits of this Court;
- 7 2. For special damages according to proof at the time of trial, but in an amount in excess
- 8 of the jurisdictional limits of this Court;
- 9 3. For interest on any monetary award to Lavandeira at the legal rate;
- 10 4. For punitive damages;
- 11 5. For costs of suit incurred herein;
- 12 6. For attorneys' fees to the extent permitted by contract or statute; and
- 13 7. For such other and further relief as the Court may deem just and proper.

14
15 ON THE FIFTH CAUSE OF ACTION

- 16 1. For general damages according to proof at the time of trial, but in an amount in excess
- 17 of the jurisdictional limits of this Court;
- 18 2. For special damages according to proof at the time of trial, but in an amount in excess
- 19 of the jurisdictional limits of this Court;
- 20 3. For interest on any monetary award to Lavandeira at the legal rate;
- 21 4. For punitive damages;
- 22 5. For costs of suit incurred herein;
- 23 6. For attorneys' fees to the extent permitted by contract or statute; and
- 24 7. For such other and further relief as the Court may deem just and proper.

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1. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;

3. For interest on any monetary award to Lavandeira at the legal rate;

4. For punitive damages;

5. For costs of suit incurred herein;

6. For attorneys' fees to the extent permitted by contract or statute; and

7. For such other and further relief as the Court may deem just and proper.

ON THE SECOND CAUSE OF ACTION

1. For general damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;

2. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;

3. For interest on any monetary award to Lavandeira at the legal rate;

4. For punitive damages;

5. For costs of suit incurred herein;

6. For attorneys' fees to the extent permitted by contract or statute; and

7. For such other and further relief as the Court may deem just and proper.

ON THE THIRD CAUSE OF ACTION

1. For general damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;

2. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;

3. For interest on any monetary award to Lavandeira at the legal rate;

4. For punitive damages;

5. For costs of suit incurred herein;

ON THE SIXTH CAUSE OF ACTION

1. For general damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
2. For special damages according to proof at the time of trial, but in an amount in excess of the jurisdictional limits of this Court;
3. For lost earnings, past and future, according to proof;
4. For interest on any monetary award to Lavandeira at the legal rate;
5. For punitive damages;
6. For costs of suit incurred herein;
7. For attorneys' fees to the extent permitted by contract or statute; and
8. For such other and further relief as the Court may deem just and proper.

Dated: April 8, 2008

FREEDMAN & TAITELMAN, LLP

By: 

Bryan J. Freedman, Esq.
Attorneys for Plaintiff Mario Lavandeira, dba
Perez Hilton

**SUMMONS
(CITACION JUDICIAL)**

SUM-100

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO):

JONATHAN WAYNE LEWANDOWSKI, aka JONATHAN JAMESON, aka JONATHAN TAYLOR, an individual; and DOES 1 through 25, inclusive

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

**CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court**

APR 08 2008

John A. Clarke, Executive Officer/Clerk
M. Garcia
BY MARY GARCIA, Deputy

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTA DEMANDANDO EL DEMANDANTE):

MARIO LAVANDEIRA, dba PEREZ KULTON, an individual

You have 60 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.

Tiene 60 DIAS 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 demandado. 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.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le queda 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.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:
(El nombre y dirección de la corte es):
LOS ANGELES SUPERIOR COURT
111 N. HILL STREET

CASE NUMBER:
(Número del Caso): **BC388760**

LOS ANGELES, CALIFORNIA 90012
CENTRAL DISTRICT

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
BRYAN J. FREEDMAN, ESQ. (SEN #151990) (310) 201-0005 (310) 201-0045
FREEDMAN & TAITLEMAN, LLP
1901 Avenue of the Stars, Suite 500
Los Angeles, CA. 90067

DATE: **APR 08 2008** **JOHN A. CLARKE, Clerk** **M. GARCIA**, Deputy
(Fecha) *(Secretario)* *(Adiunto)*

(For proof of service of this summons use the 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**
- as an individual defendant.
 - as the person sued under the fictitious name of (specify):
 - 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):

Served on Jonathan Lewandowski,
10:36 AM

000019

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
BRYAN J. FREEDMAN, ESQ. (SBN #151990)
FREEDMAN & TRITTELMAN, LLP
1901 Avenue of the Stars, Suite 500
Los Angeles, CA 90069
Telephone No. (310) 201-0001 FAX No. (310) 201-0048

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Los Angeles Superior Court
APR 6 2008

ATTORNEY FOR (Name): PLAINEE MARIO LAVANDEIRA, dba PEREZ HILTOP
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
DIRECT ADDRESS: 111 N. HILL STREET
MAILING ADDRESS:
CITY AND ZIP CODE: LOS ANGELES, CALIFORNIA 90012
JUDICIAL DISTRICT: CENTRAL DISTRICT

Judi A. Glancy, Executive Officer/Clerk
BY MARY BARCIA, Deputy

CASE NAME: MARIO LAVANDEIRA, dba PEREZ HILTOP, an individual vs.
JONATHAN WAYNE LEONARDSON, aka JONATHAN JOHNSON, aka JONATHAN TAYLOR

CASE NUMBER:

CIVIL CASE COVER SHEET
 Unintended (Amount demanded exceeds \$25,000) Limited (Amount demanded is \$25,000 or less)
 Counter Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

JUDGE: 00388760
OFFICE:

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:

<input type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PIP/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIP/D/W/D (23) Non-PIP/D/W/D (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (06) <input checked="" type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (18) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PIP/D/W/D tort (35) Employment: <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<input type="checkbox"/> Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (32) <input type="checkbox"/> Other judicial review (39)	<input type="checkbox"/> Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
a. Large number of separately represented parties d. Large number of witnesses
b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. Substantial amount of documentary evidence 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): Six (6)
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CA1-015.)

Date: April 2, 2008
BRYAN J. FREEDMAN, ESQ. (SBN #151990)
(TYPE OR PRINT NAME) (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
• Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
• File this cover sheet in addition to any cover sheet required by local court rule.
• If this case is complex under rule 3.400 et seq. of the California Rules of Court, 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 or a complex case, this cover sheet will be used for statistical purposes only.

000020

SHIPPED TO: MARIO LAVANDEIRA, 608 PEREZ HILTON VE.
 JONATHAN WAYNE LEWANDOWSKI, aka JONATHAN JAYSON

CASE NUMBER: 80388760

**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION
 (CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to LASC Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 2-10 HOURS/ 1 DAYS

Item II. Select the correct district and courthouse location (4 steps - If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet Form, find the main civil case cover sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked.

For any exception to the court location, see Los Angeles Superior Court Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (See Column C below)

1. Class Actions must be filed in the County Courthouse - Central District.
2. May be filed in Central (Other county, or no Bodily Injury/Property Damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where plaintiff resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A	B	C
	Civil Case Cover Sheet Category No.	Type of Action (Check only one)	Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 2, 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1, 2, 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (64)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 2, 3, 4, 5.
Non-Personal Injury/Property Damage/Wrongful Death Tort	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 2, 4. 1, 2, 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1, 2, 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 2, 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 2, 3. 1, 2, 4.
Business Tort (07)	<input type="checkbox"/> A6020 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3.	
Civil Rights (05)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3.	
Defamation (13)	<input checked="" type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3.	
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3.	

ORDINARY MARIO LAVANDEIRA, d/b/a PERRE HILTON vs. CASE NUMBER
 JONATHAN WAYNE LEWANDOWSKI, aka JONATHAN JAMSON

Non-Personal Injury/Property Damage: Wrongful Death Tort (cont'd)
 Employment
 Contract
 Real Property
 Unlawful Detainer
 Judicial Review

A. Civil Case Cover Sheet Category No.	B. Type of Action (Check only one)	C. Applicable Reasons - See Step 3 Above
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	2., 3., 5.
	<input type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 5.
Other Employment (45)	<input type="checkbox"/> A6309 Labor Commissioner Appeals	10.
Breach of Contract/Warranty (05) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not Unlawful Detainer or wrongful eviction)	2., 5.
	<input type="checkbox"/> A6005 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 6.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (25)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2., 6.
	<input type="checkbox"/> A6050 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
Unlawful Detainer - Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer - Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.

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SHORT TITLE: **MARIO LAVANDETRA, JR. PEREZ HILTON VE. JONATHAN WAYNE LEWANDOWSKI, aka JONATHAN JAKSON** CASE NUMBER: _____

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2, 8.
	<input type="checkbox"/> A6152 Writ - Mandamus on United Court Case Matter	2.
	<input type="checkbox"/> A6153 Writ - Other United Court Case Review	2.
Other Judicial Review (35)	<input type="checkbox"/> A6150 Other Writ / Judicial Review	2, 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6008 Antitrust/Trade Regulation	1, 2, 8.
Construction Defect (16)	<input type="checkbox"/> A6007 Construction defect	1, 2, 5.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8.
Toxic Tort/ Environmental (30)	<input type="checkbox"/> A6038 Toxic Tort/Environmental	1, 2, 3, 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 9.
	<input type="checkbox"/> A6150 Abstract of Judgment	2, 6.
	<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9.
	<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 6.
	<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 6.
	<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 6, 9.
RICO (27)	<input type="checkbox"/> A6039 Racketeering (RICO) Case	1, 2, 8.
Miscellaneous Civil Complaints (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 6.
	<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 6.
	<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8.
	<input type="checkbox"/> A6050 Other Civil Complaint (non-tort/non-complex)	1, 2, 8.
Partnership/Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8.
Miscellaneous Civil Petitions (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9.
	<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9.
	<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9.
	<input type="checkbox"/> A6190 Election Contest	2.
	<input type="checkbox"/> A6110 Petition for Change of Name	2, 7.
	<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 3, 4, 6.
	<input type="checkbox"/> A6100 Other Civil Petition	2, 9.

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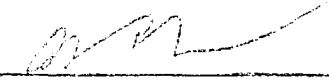
SHOWNAME: MARIO LAVANDEIRA, aka PERRE HILTON vs. JONATHAN WAYNE LEWANDOWSKI, aka JONATHAN JACKSON	CASE NUMBER:
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: CHECK THE NUMBER UNDER COLUMN C WHICH APPLIES IN THIS CASE:			ADDRESS:
<input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.	1901 Avenue of the Stars, Suite 500		
CITY:	STATE:	ZIP CODE:	
LOS Angeles	CA	50067	

Item IV. Declaration of Assignment: I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the LOS ANGELES SUPERIOR COURT courthouse in the CENTRAL DISTRICT District of the Los Angeles Superior Court (Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subps. (b), (c) and (d)).

Dated: April 11, 2008


 (SIGNATURE OF ATTORNEY/FILING PARTY)
 BRYAN J. FREEDMAN

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet form CM-010.
4. Complete Addendum to Civil Case Cover Sheet form LACIV 109 (Rev 01/07), LASC Approved 03-04.
5. Payment in full of the filing fee, unless fees have been waived.
6. Signed order appointing the Guardian ad Litem, JS form FL-936, if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
7. Additional copies of documents to be conforming by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
NOTICE OF CASE ASSIGNMENT - UNLIMITED CIVIL CASE**

Case Number _____

BC 198760

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

Your case is assigned for all purposes to the judicial officer indicated below. There is additional information on the reverse side of this form.

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
Hon. Gregory Alarcon	36	410	Hon. Mary H. Strobel	32	406
Hon. Conrado Aragon	49	509	Hon. Ernest M. Hiroshige	54	512
Hon. Helen I. Bordin	18	305	Hon. Jean L. Johnson	56	514
Hon. Elina M. Brels	42	416	Hon. Ann L. Jones	48	414
Hon. Trish Ann Bigelow	23	315	Hon. Ruth Ann Kwan	72	731
Hon. Kevin C. Brazile	20	310	Hon. Charles C. Lee	33	409
Hon. Susann C. Broguera	71	725	Hon. Malcolm H. Mackey	55	515
Hon. Susan Bryant-Deason	52	510	Hon. Rita Miller	16	306
Hon. Luis A. Levin	15	630	Hon. David L. Manning	61	632
Hon. Victoria Churey*	324	CCW	Hon. Aurelio Munoz	47	507
Hon. Judith C. Cudina	19	311	Hon. Mary Ann Murphy	25	317
Hon. Ralph W. Dau	57	517	Hon. Joanne O'Donnell	37	413
Hon. Maureen Duffy-Lewis	38	412	Hon. Yvette M. Pajazuelos	28	318
Hon. James R. Dunn	26	316	Hon. Mei Red Recana	45	529
Hon. Mark Mooney	68	617	Hon. Alan S. Rosefield	31	407
Hon. William F. Fahey	78	730	Hon. Teresa Sanchez-Gordon	74	735
Hon. Irving S. Feller	51	511	Hon. John P. Shook	53	513
Hon. Edward A. Ferns	69	621	Hon. Ronald M. Songjian	41	417
Hon. Kenneth R. Freeman	64	601	Hon. Michael C. Solner	39	415
Hon. Richard Fruta	15	307	Hon. Michael L. Stern	62	600
Hon. Terry A. Green	14	300	Hon. Rolf M. Treu	58	516
Hon. Elizabeth A. Grimes	30	400	Hon. Elizabeth Allen White	48	506
Hon. Paul Gutman	34	408	Hon. John Shepard Wiley Jr.	50	508
Hon. Robert L. Hess	24	314	Hon. Mary Thornton-House	17	309
			Other		

*Class Actions

Given to the Plaintiff/Cross-Complainant/Attorney of Record on _____ JOHN A. CLARKE, Executive Officer/Clerk

By _____, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the Chapter Seven Rules, as applicable in the Central District, are summarized for your assistance.

APPLICATION

The Chapter Seven Rules were effective January 1, 1994. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Chapter Seven Rules shall have priority over all other local rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Individual Calendar Court will be subject to processing under the following time standards:

COMPLAINTS: All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days of filing.

CROSS-COMPLAINTS: Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

A Status Conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties at a status conference not more than 10 days before the trial to have timely filed and served all motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested jury instructions, and special jury instructions and special jury verdicts. These matters may be heard and resolved at this conference. At least 5 days before this conference, counsel must also have exchanged lists of exhibits and witnesses and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Eight of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Seven Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Seven Rules. Such sanctions may be on a party or if appropriate on counsel for the party.

This is not a complete definition of the Chapter Seven Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is absolutely imperative.

*Class Actions

All class actions are initially assigned to Judge Victoria Chaney in Department 324 of the Central Civil West courthouse (600 S. Commonwealth Ave., Los Angeles 90005). This assignment is for pretrial purposes and for the purpose of assessing whether or not the case is complex within the meaning of California Rules of Court, rule 3.400. Depending on the outcome of that assessment, the class action case may be reassigned to one of the judges of the Complex Litigation Program or reassigned randomly to a court in the Central District.

1 **PROOF OF SERVICE BY MAIL - 1013, 2015.5 CODE OF CIVIL PROCEDURE**
2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles, State of California. I am over the age
4 of eighteen years and not a party to the within-entitled action. My business address is:
5 Samaha Law Firm, Professional Corporation, 2550 Honolulu Avenue, Suite 104, Montrose,
6 California 91020 (mailing address: P.O. Box 128, La Canada, California 91012).

7 X **Service by Mail (CCP § 1013(a)(3))**. I am readily familiar with this firm's business practice
8 for the collection and processing of correspondence for mailing with the United States
9 Postal Service. Correspondence so collected and processed is deposited with the United
10 States Postal Service that same day with postage thereon fully prepaid at La Canada,
11 California. On **May 4, 2008**, at my place of business at La Canada, California, a copy
12 of the attached **NOTICE OF REMOVAL** was placed for deposit in the United States Postal
13 Service in a sealed envelope, with postage fully prepaid, addressed to those listed on the
14 attached Service List. Each sealed envelope was placed for collection and mailing on that
15 date following ordinary business practices.

16 **Service by Express Service Carrier (CCP § 1013(c))**. On (), 2008, at La Canada,
17 California, I deposited in a box or other facility regularly maintained by (), an express
18 service carrier, or delivered to a courier or driver authorized by said express service carrier
19 to receive documents, a copy of the attached () and an unsigned copy of this declaration,
20 in an envelope designated by the said express service carrier, with delivery fees paid or
21 provided for, addressed to those listed on the attached Service List.

22 **Service by FAX Transmission (CCP § 1013(e))**. On (), 2008, at ____ a.m./p.m., at
23 La Canada, California, I transmitted from a facsimile transmission machine whose
24 telephone number is (818) 541-1121 the following documents: (), together with an
25 unsigned copy of this declaration, to those persons and facsimile transmission telephone
26 numbers listed on the attached Service List. The above-described transmission was
27 reported as complete without error by a transmission report issued by the facsimile
28 transmission machine upon which the said transmission was made immediately following
the transmission. A true and correct copy of the said transmission report is attached
hereto and incorporated herein by this reference.

 Personal Service On (), 2008, I delivered the following documents: () in a sealed
envelope, by hand, to the offices of the addressee(s) listed on the attached Service List.

() **(STATE)** I declare under penalty of perjury that the foregoing is true and correct.

(XX) (FEDERAL) I declare that I am employed in the office of a member of the bar of this
court at whose direction this service was made.

Executed on **May 4, 2008** at La Canada, California.

Allison Samaha

SERVICE LIST

MARIO LAVANDEIRA vs. JONATHAN WAYNE LEWANDOWSKI et al.
LASC Case No.: BC388760

Bryan J. Freedman, Esq.
FREEDMAN & TAITELMAN, LLP
1901 Avenue of the Stars, Suite 500
Los Angeles, CA 90067
Telephone: (310) 201-0005
Facsimile: (310) 201-0045

Attorneys for Plaintiff
MARIO LAVANDEIRA,
dba PEREZ HILTON

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge George King and the assigned discovery Magistrate Judge is Fernando M. Olguin.

The case number on all documents filed with the Court should read as follows:

CV08- 3074 GHK (FMOx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) MARIO LAVANDEIRA, dba PEREZ HILTON	DEFENDANTS JONATHAN WAYNE LEWANDOWSKI, aka JONATHAN JAXSON, aka JONATHAN TAYLOR
(b) County of Residence of First Listed Plaintiff (Except in U.S. Plaintiff Cases): LOS ANGELES	County of Residence of First Listed Defendant (In U.S. Plaintiff Cases Only): JACKSONVILLE, FLORIDA
(c) Attorneys (Firm Name, Address and Telephone Number, If you are representing yourself, provide same.) BRYAN J. FREEDMAN, Esq., PHONE: 310-201-9005 FREEDMAN & TAFFI MAN, LLP 1901 AVENUE OF THE STARS, STE. 500 LOS ANGELES, CA 90067	Attorneys (If Known) THOMAS J. SAMAHIA, Esq. PHONE: 818-541-1101 SAMAHIA LAW FIRM, P.C. 2550 HONOLULU AVE., STE. 104 MONTROSE, CA 91020

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:33%;">PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:33%;">PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5 <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6 <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State	PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4										
Citizen of Another State	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5										
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6										

IV. ORIGIN (Place an X in one box only.)

<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
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V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT: \$** IN EXCESS OF \$75,000

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 1400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury- Med Malpractice <input type="checkbox"/> 365 Personal Injury- Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related <input type="checkbox"/> 625 Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSDI Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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VIII(a). IDENTICAL CASES: Has this action been previously filed and dismissed, remanded or closed? No Yes
 If yes, list case number(s):

FOR OFFICE USE ONLY: Case Number: _____

* CV08-03074

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed that are related to the present case? No Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

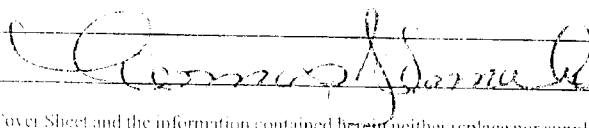
IX. VENUE: List the California County, or State if other than California, in which **EACH** named plaintiff resides (Use an additional sheet if necessary)
 Check here if the U.S. government, its agencies or employees is a named plaintiff.
 LOS ANGELES COUNTY, STATE OF CALIFORNIA

List the California County, or State if other than California, in which **EACH** named defendant resides. (Use an additional sheet if necessary).
 Check here if the U.S. government, its agencies or employees is a named defendant.
 JACKSONSVILLE, FLORIDA

List the California County, or State if other than California, in which **EACH** claim arose (Use an additional sheet if necessary)

Note: In land condemnation cases, use the location of the tract of land involved.
 UPON INFORMATION AND BELIEF, LOS ANGELES COUNTY, CALIFORNIA AND JACKSONVILLE, FLORIDA

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____

 Date 3-7-08

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HBA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935f(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DWIC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))