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Attorneys for Plaintiffs SOPHIA ALVAREZ AND
 DONACIANO CASWELL AS GUARDIAN AD LITEM
 FOR SANTIAGO TORRES-ALVAREZ, A MINOR
 AND SEBASTIAN TORRES-ALVAREZ, A MINOR

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA
UNLIMITED JURISDICTION

SOPHIA ALVAREZ, INDIVIDUALLY
 AND AS THE SUCCESSOR IN INTEREST
 OF FRANCISCO GABRIEL TORRES
 SILVA, DECEASED, AND DONACIANO
 CASWELL AS GUARDIAN AD LITEM
 FOR SANTIAGO TORRES-ALVAREZ, A
 MINOR AND SEBASTIAN TORRES-
 ALVAREZ, A MINOR,

Plaintiffs,

v.

BAYROCK MULTIFAMILY, LLC;
 MICHAEL ROBERTS CONSTRUCTION,
 INC.; SHEEHAN CONSTRUCTION, INC.;
 JOSE OLIVARES; and DOES 1-40,

Defendants.

Case No. **RG18931581**

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

1. **WRONGFUL DEATH – GENERAL NEGLIGENCE**
2. **WRONGFUL DEATH - NEGLIGENCE PER SE**
3. **WRONGFUL DEATH - NEGLIGENT HIRING, TRAINING AND SUPERVISION**
4. **WRONGFUL DEATH - PREMISES LIABILITY**
5. **WRONGFUL DEATH – RES IPSA LOQUITUR**
6. **SURVIVAL ACTION**

1 **PARTIES**

2 1. Plaintiff SOPHIA ALVAREZ is an adult female. At the time of the incident which
3 forms the basis of this wrongful death action, she was the wife of decedent FRANCISCO
4 GABRIEL TORRES SILVA (hereinafter "DECEDENT").

5 2. Plaintiff SANTIAGO TORRES-ALVAREZ is a minor. He is the child of the Plaintiff
6 SOPHIA ALVAREZ and DECEDENT.

7 3. Plaintiff SEBASTIAN TORRES-ALVAREZ is a minor. He is the child of the Plaintiff
8 SOPHIA ALVAREZ and DECEDENT.

9 4. Plaintiff SANTIAGO TORRES-ALVAREZ and Plaintiff SEBASTIAN TORRES-
10 ALVAREZ bring this action by and through their cousin, DONACIANO CASWELL, who has
11 applied to be appointed as their guardian ad litem to bring this action.

12 5. SOPHIA ALVAREZ, SANTIAGO TORRES-ALVAREZ and SEBASTIAN TORRES-
13 ALVAREZ are collectively referred to as PLAINTIFFS in this action.

14 6. Defendant BAYROCK MULTIFAMILY, LLC (hereinafter "BAYROCK") is a
15 California Corporation and/or DOES 1-10 are corporations and/or business entities of a form
16 unknown, whose business includes real estate development and management, including but not
17 limited to, hiring general contractors for their real estate development projects. PLAINTIFFS
18 are informed and believe and thereon allege that at all times relevant, BAYROCK and/or DOES
19 1-10 were the developer and co-partner of the construction project located at 1950 Addison
20 Street, Berkeley, California. BAYROCK has its principal place of business in Oakland,
21 California.

22 7. Defendant MICHAEL ROBERTS CONSTRUCTION, INC. (hereinafter "MRC") is a
23 California Corporation and/or DOES 11-20 are corporations and/or business entities of a form
24 unknown, whose business includes, but is not limited to, conducting construction management,
25 safety management, quality control and subcontractor management. PLAINTIFFS are informed
26 and believe and thereon allege that at all times herein relevant, MRC and/or DOES 11-20 were
27 the general contractor on the subject jobsite at 1950 Addison Street, Berkeley, California. MRC
28 has its principal place of business in Campbell, California.

1 8. Defendant SHEEHAN CONSTRUCTION, INC. (hereinafter "SHEEHAN") is a
2 California Corporation and/or DOES 21-30 are corporations and/or business entities of a form
3 unknown, whose business, based upon information and belief and thereon allege that at all times
4 herein relevant, was the framing subcontractor on the subject jobsite located at 1950 Addison
5 Street, Berkeley, California. SHEEHAN has its principal place of business in Napa, California.

6 9. Defendant JOSE OLIVARES (hereinafter "OLIVARES") is an adult male. On June 5,
7 2018, he and/or DOES 31-40, were the framers at the construction site and agent and/or
8 employee and/or partner of Defendant SHEEHAN and/or DOES 21-30, which caused injury to
9 PLAINTIFFS. Defendant OLIVARES resides in California and is subject to the jurisdiction of
10 California.

11 10. At all relevant times, each Defendant has committed the acts, caused others to commit
12 the acts, or permitted others to commit the acts referred to in this complaint.

13 11. Plaintiffs are ignorant of the names of the Defendants sued herein as DOES 1-40,
14 inclusive, and therefore sue these Defendants by such fictitious names. Plaintiff will amend this
15 complaint to allege their true names and capacities when ascertained. Plaintiff is informed and
16 believes and thereon alleges that each of said fictitiously named Defendants is responsible in
17 some manner for the occurrences herein alleged, and that Plaintiff's injuries herein alleged were
18 caused by the aforementioned Defendants.

19 12. Plaintiffs are informed and believe, and on the basis of said information and belief
20 alleges, that at all times herein material to this matters alleged in this Complaint, each of the
21 Defendants was the agent and/or employee and/or partner of each of the remaining Defendants
22 and, in doing the things herein alleged, was acting within the course and scope of such agency
23 and/or employment, and/or aided and/or abetted the others and/or ratified the acts of the others
24 so as to make them liable for the Plaintiffs' damages.

25 13. Plaintiffs are informed and believe, and on the basis of said information and belief
26 alleges, that there is a unity of interest and operation between BAYROCK and DOES 1-10 such
27 that their separate and independent classification is but a fiction and that each is the alter-ego of
28 the other.

1 14. Plaintiffs are informed and believes, and on the basis of said information and belief
2 alleges, that there is a unity of interest and operation between MRC and DOES 11-20 such that
3 their separate and independent classification is but a fiction and that each is the alter-ego of the
4 other.

5 15. Plaintiffs are informed and believes, and on the basis of said information and belief
6 alleges, that there is a unity of interest and operation between SHEEHAN and DOES 21-30
7 such that their separate and independent classification is but a fiction and that each is the alter-
8 ego of the other.

9 16. Defendants SHEEHAN, DOES 21-30 and OLIVARES are liable for the acts of each
10 other through principals of *respondeat superior*, agency, ostensible agency, partnership, alter-
11 ego and other forms of vicarious liability.

12 17. At all times mentioned herein, the Defendants SHEEHAN, DOES 21-30 and each of
13 them, hired, trained, retained, supervised and/or controlled the actions of OLIVARES.

14 **VENUE AND JURISDICTION**

15 18. Subject matter of this Complaint is properly heard by this Court, as the amount in
16 controversy as set forth in this Complaint exceeds the statutory minimum.

17 19. Venue is proper since at least one Defendant has its principal place of business and/or
18 resides within Alameda County.

19 20. Venue is proper since the acts and omissions giving rise to this litigation occurred in
20 Alameda County.

21 **FACTUAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

22 21. PLAINTIFFS are informed and believe and thereon allege that Defendant BAYROCK
23 and/or DOES 1-10 hired Defendant MRC and/or DOES 11-20 to conduct construction
24 management, safety management, quality control and subcontractor management at the
25 construction project located at 1950 Addison Street, Berkeley, California (hereinafter
26 "construction site").

27 22. On June 5, 2018, DECEDENT was in the course and scope of his employment with
28 Nueva Castilla Iron Works, Inc (hereinafter "Nueva"). DECEDENT was employed as an

1 ironworker. Nueva was hired by Defendant MRC to supply and install metal including but not
2 limited to structural steel, metal fabrication, metal stairs and railings, fences and gates as well as
3 other architectural metals at the construction site.

4 23. PLAINTIFFS are informed and believe and thereon allege that at all times herein
5 relevant, Defendant OLIVARES and/or DOES 31-40 was employed by Defendant SHEEHAN
6 and/or DOES 21-30 as a carpenter.

7 24. PLAINTIFFS are informed and believe and thereon allege that Defendant SHEEHAN
8 and/or DOES 21-30 was hired to perform framing work at the construction site by Defendant
9 MRC and/or DOES 11-20.

10 25. PLAINTIFFS are also informed and believe and thereon allege that Defendant MRC
11 and/or DOES 11-20 scheduled subcontractors Defendant SHEEHAN and/or DOES 21-30 and
12 Nueva Castilla Iron Works, Inc. to perform work at the same time but at different levels of the
13 construction site, meaning Defendant SHEEHAN and/or DOES 21-30 was working on the
14 construction site above the stairwell where DECEDENT and Nueva Castilla Iron Works, Inc.,
15 were working.

16 26. PLAINTIFFS are informed and believe and thereon allege that Defendant MRC and/or
17 DOES 11-20 and Defendant SHEEHAN and/or DOES 21-30 failed to put in place, any safety
18 netting system to catch falling objects while workers performed work on the construction site at
19 different levels.

20 27. On June 5, 2018, at approximately 8:00 a.m., DECEDENT arrived at the construction
21 site and began taking measurements at stairwell #2 on the second level. DECEDENT was
22 wearing hard hat, high visibility clothing, and work boots.

23 28. On June 5, 2018, Defendant OLIVARES and/or DOES 31-40 was working at the
24 construction site on the fifth level of stairwell #2 using Hitachi pneumatic nail gun unit
25 (hereinafter "Nail Gun").

26 29. On June 5, 2018, at approximately 9:00 a.m., Defendant OLIVARES and/or DOES 31-
27 40 dropped the nail gun he was working with into the shaft of the stairwell #2 where
28 DECEDENT was taking measurements at the second level.

1 30. The nail gun fell three levels and hit DECEDENT on the head while he was wearing his
2 hard hat. After being struck with the nail gun, DECEDENT fell approximately 10 feet onto the
3 bottom level of the stairwell #2 shaft. DECEDENT was non-responsive and suffered severe
4 personal injuries. He was transported to the hospital where he later succumbed to his injuries.

5 **FIRST CAUSE OF ACTION**
6 **Wrongful Death – General Negligence**
7 **(Against all Defendants, and/or DOES 1-40)**

8 31. PLAINTIFFS incorporate by reference, as though fully set forth herein, the contents of
9 paragraphs 1 through 30.

10 32. Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
11 them, had a duty to act reasonably and to ensure a reasonably safe work environment for
12 construction workers on the construction site, including DECEDENT. Defendants and each of
13 them owed a duty of reasonable care toward DECEDENT based upon their management,
14 possession, maintenance, and/or operations of the construction site. This duty is based on
15 California Civil Code § 1714.

16 33. PLAINTIFFS are informed and believe, and on the basis of said information and belief
17 allege that Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
18 them, owed DECEDENT a duty to exercise the retained control over the construction site with
19 reasonable care. (*Hooker v. Department of Transportation*, (2002) 27 Cal.4th 198, 212.)

20 34. PLAINTIFFS are informed and believe, and on the basis of said information and belief
21 allege, that Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
22 them, among other negligent acts, selected, supplied, designed, constructed, supervised,
23 controlled, maintained, and directed the construction site in a negligent manner that allowed a
24 dangerous condition to exist at the construction site which caused or contributed to
25 DECEDENT's death. Furthermore, Defendants, and each of them, owned, controlled, leased,
26 occupied the property where the subject incident took place and failed to provide a safe work
27 environment, safe working equipment, tools and instrumentalities to DECEDENT and others to
28 work in safe manner. The dangerous conditions were caused by a negligent act or omission of a

1 BAYROCK's, MRC's or SHEEHAN's and/or DOES 1-30's employee or agent acting in the
2 course and scope of his or her employment.

3 35. PLAINTIFFS are informed and believe, and on the basis of said information and belief
4 allege that Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, and DOES 1-40, and each
5 of them, retained control over the construction site and failed to retain control with reasonable
6 care by failing to provide safe work environment, including but not limited to, scheduling
7 Defendant SHEEHAN and/or DOES 21-30 and Nueva Castilla Iron Works, Inc. to perform
8 work at the same time but at different levels of the construction site, so that Defendant
9 SHEEHAN, OLIVARES and/or DOES 21-40 were working on the construction site above the
10 stairwell where DECEDENT and Nueva Castilla Iron Works, Inc., was working, failing to
11 establish, implement and maintain an effective injury and illness Prevention Program, failing to
12 provide toeboards, screens, canopy structure to protect workers on the construction site from
13 falling objects, as well as failing to prevent entry into the area to which objects could fall.

14 36. As a result of Defendants' BAYROCK, MRC, SHEEHAN, OLIVARES, and DOES 1-
15 40, and each of them, negligent exercise of the retained control over the construction site
16 DECEDENT was severely injured and subsequently died.

17 37. Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
18 them, are liable insofar as their exercise of retained control affirmatively contributed to
19 DECEDENT's death.

20 38. As a direct and proximate result of the unlawful conduct and/or omissions of
21 Defendants, and each of them, PLAINTIFFS suffered economic and non-economic damages,
22 including, but not limited to, loss of financial support, loss of gifts or benefit, funeral and burial
23 expenses, reasonable value of household services, loss of love, companionship, comfort, care,
24 assistance, protection, affection, society, moral support, as well as loss of training and guidance.
25 Plaintiff SOPHIA ALVAREZ also suffered loss of the enjoyment of sexual relations and/or the
26 ability to have children.

27 39. Defendant SHEEHAN and/or DOES 21-30 is liable for PLAINTIFFS' injuries under the
28 doctrine of *Respondeat Superior* as at the time of the subject incident, Defendant OLIVARES

1 and/or DOES 31-40 were an employee of Defendant SHEEHAN and/or DOES 21-40, and was
2 acting within the scope of his employment when he dropped the nail gun he was working with
3 into the shaft of the stairwell #2 where DECEDENT was taking measurements at the second
4 level.

5 40. Defendants' BAYROCK, MRC, SHEEHAN, and DOES 1-40 negligence was a
6 substantial factor in causing harm to PLAINTIFFS.

7 **SECOND CAUSE OF ACTION**
8 **Wrongful Death – Negligence *Per Se***
9 **(Against all Defendants, and/or DOES 1-40)**

10 41. PLAINTIFFS incorporate by reference, as though fully set forth herein, the contents of
11 paragraphs 1 through 40.

12 42. PLAINTIFFS are informed and believe, and on the basis of said information and belief
13 allege that Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
14 them, violated the following statutes and regulations, including but not limited to, California
15 Code of Regulations § 3273(e)(1)(A)-(C), which states: "where an employee exposure below an
16 elevated work area, one or more of the following safeguards shall be implemented: provide
17 toeboards, screens, or guardrail system ... to prevent objects from falling from higher levels; or
18 provide a canopy structure to protect employees from falling objects; or provide a physical
19 barrier such as, but not limited to, fencing, barricades or other equivalent means or methods, to
20 prevent entry into the area to which objects could fall."

21 43. PLAINTIFFS are informed and believe, and on the basis of said information and belief
22 allege that Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
23 them, violated the following statutes and regulations, including but not limited to California
24 Code of Regulations § 1509(a), which states: "every employer shall establish, implement and
25 maintain an effective injury and illness Prevention Program."

26 44. DECEDENT was in the class of persons California Code of Regulations Sections 3273
27 and 1509 were implemented to protect, and the type of harm DECEDENT suffered was the
28 harm sections 3273 and 1509 were designed to prevent.

1 45. Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
2 them, had a duty to comply with California Code of Regulations Sections 3273 and 1509.

3 46. Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
4 them, breached that duty in the following way, including but not limited to, by failing to provide
5 toeboards, screens, or guardrail system ... to prevent objects from falling from higher levels; or
6 to provide a canopy structure to protect employees from falling objects; or to provide a physical
7 barrier such as, but not limited to, fencing, barricades or other equivalent means or methods, to
8 prevent entry into the area to which objects could fall, and to establish, implement and maintain
9 an effective injury and illness Prevention Program.

10 47. As a direct and proximate result of the unlawful conduct and/or omissions of Defendants
11 BAYROCK, MRC, SHEEHAN, and DOES 1-40, and each of them, PLAINTIFFS suffered
12 economic and non-economic damages, including, but not limited to, loss of financial support,
13 loss of gifts or benefit, funeral and burial expenses, reasonable value of household services, loss
14 of love, companionship, comfort, care, assistance, protection, affection, society, moral support,
15 as well as loss of training and guidance. Plaintiff SOPHIA ALVAREZ also suffered loss of the
16 enjoyment of sexual relations and/or the ability to have children.

17 48. Defendants' BAYROCK, MRC, SHEEHAN, and DOES 1-40 negligence was a
18 substantial factor in causing harm to PLAINTIFFS.

19 49. PLAINTIFFS reserve the right to identify more statutes and/or regulations that may have
20 been violated.

21 **THIRD CAUSE OF ACTION**

22 **Wrongful Death - Negligent Hiring, Retention and Supervision**
23 **(Against all Defendants, and/or DOES 1-40)**

24 50. PLAINTIFFS incorporate by reference, as though fully set forth herein, the contents of
25 paragraphs 1 through 49.

26 51. Defendants BAYROCK, MRC, SHEEHAN, and DOES 1-30, are responsible for
27 DECEDENT's death because they negligently hired/supervised and retained Defendant
28 OLIVARES and/or DOES 31-40 who dropped the nail gun he was working with into the shaft
of the stairwell #2 where DECEDENT was taking measurements at the second level.

1 52. Defendants BAYROCK, MRC, SHEEHAN, and DOES 1-30, knew or should have
2 known that Defendant OLIVARES and/or DOES 31-40 were unfit to operate the nail gun. This
3 unfitness created a particular risk to others including DECEDENT.

4 53. Defendant OLIVARES' and/or DOES 31-40 unfitness harmed PLAINTIFFS.

5 54. As a direct and proximate result of the unlawful conduct and/or omissions of Defendants
6 BAYROCK, MRC, SHEEHAN, and DOES 1-40, and each of them, PLAINTIFFS suffered
7 economic and non-economic damages, including, but not limited to, loss of financial support,
8 loss of gifts or benefit, funeral and burial expenses, reasonable value of household services, loss
9 of love, companionship, comfort, care, assistance, protection, affection, society, moral support,
10 as well as loss of training and guidance. Plaintiff SOPHIA ALVAREZ also suffered loss of the
11 enjoyment of sexual relations and/or the ability to have children.

12 55. Defendants' BAYROCK, MRC, SHEEHAN, and DOES 1-40 negligence was a
13 substantial factor in causing harm to PLAINTIFFS.

14 **FOURTH CAUSE OF ACTION**
15 **Wrongful Death – Premises Liability**
(Against all Defendants, and/or DOES 1-40)

16 56. PLAINTIFFS incorporate by reference, as though fully set forth herein, the contents of
17 paragraphs 1 through 55.

18 57. PLAINTIFFS are informed and believe, and on the basis of said information and belief
19 allege, that Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, DOES 1-40, and each of
20 them, among other negligent acts, selected, supplied, designed, constructed, supervised,
21 controlled, maintained, and directed the construction site in a negligent manner that allowed a
22 dangerous condition to exist at the construction site which caused or contributed to
23 DECEDENT's death. Furthermore, Defendants, and each of them, owned, controlled, leased,
24 occupied the property where the subject incident took place and failed to provide a safe work
25 environment, safe working equipment, tools and instrumentalities to DECEDENT and others to
26 work in safe manner. The dangerous conditions were caused by a negligent act or omission of a
27 BAYROCK's, MRC's or SHEEHAN's and/or DOES 1-30 employee or agent acting in the
28 course and scope of his or her employment.

1 58. As a direct and proximate result of the unlawful conduct and/or omissions of Defendants
2 BAYROCK, MRC, SHEEHAN, and DOES 1-40, and each of them, PLAINTIFFS suffered
3 economic and non-economic damages, including, but not limited to, loss of financial support,
4 loss of gifts or benefit, funeral and burial expenses, reasonable value of household services, loss
5 of love, companionship, comfort, care, assistance, protection, affection, society, moral support,
6 as well as loss of training and guidance. Plaintiff SOPHIA ALVAREZ also suffered loss of the
7 enjoyment of sexual relations and/or the ability to have children.

8 59. Defendants' BAYROCK, MRC, SHEEHAN, and DOES 1-40 negligence was a
9 substantial factor in causing harm to PLAINTIFFS.

10 **FOURTH CAUSE OF ACTION**
11 **Wrongful Death – Res Ipsa Loquitor**
12 **(Against all Defendants, and/or DOES 1-40)**

13 60. PLAINTIFFS incorporate by reference, as though fully set forth herein, the contents of
14 paragraphs 1 through 59.

15 61. Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, and/or DOES 1-40, and each
16 of them, by and through their agents and/or employees, owed Decedent a duty to exercise due
17 care in providing a safe place to work and failed to meet this duty, and said actions and
18 omissions as described above were a breach of the Defendants, and each of their duty of care.

19 62. Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, and/or DOES 1-40, and each
20 of them, by and through their agents and/or employees, were solely responsible for the use of
21 the nail gun that was dropped, striking decedent in the head.

22 63. The nail gun was under the exclusive management and control of Defendants
23 BAYROCK, MRC, SHEEHAN, OLIVARES, and/or DOES 1-40, each of them and their agents
24 and/or employees.

25 64. Getting struck in the head, by a nail gun that fell several stories, does not ordinarily
26 occur in the absence of negligence.

27 65. DECEDENT'S injuries would not have happened in the ordinary course of events if
28 Defendants BAYROCK, MRC, SHEEHAN, OLIVARES, and/or DOES 1-40, and each of
them, had used reasonable care in operating and maintaining the nail gun.

1 66. Neither DECEDENT, nor PLAINTIFFS, actions caused the nail gun to fall from the
2 fifth floor.

3 67. Neither DECEDENT, nor PLAINTIFFS, actions contribute to the injuries being
4 claimed.

5 68. As a direct and proximate result of the unlawful conduct and/or omissions of Defendants
6 BAYROCK, MRC, SHEEHAN, and DOES 1-40, and each of them, PLAINTIFFS suffered
7 economic and non-economic damages, including, but not limited to, loss of financial support,
8 loss of gifts or benefit, funeral and burial expenses, reasonable value of household services, loss
9 of love, companionship, comfort, care, assistance, protection, affection, society, moral support,
10 as well as loss of training and guidance. Plaintiff SOPHIA ALVAREZ also suffered loss of the
11 enjoyment of sexual relations and/or the ability to have children.

12 69. Defendants' BAYROCK, MRC, SHEEHAN, and DOES 1-40 negligence was a
13 substantial factor in causing harm to PLAINTIFFS.

14 **SIXTH CAUSE OF ACTION**

15 **Survival Action**

16 **(All Defendants By SOPHIA ALVAREZ AS THE SUCCESSOR IN INTEREST OF
FRANCISCO GABRIEL TORRES SILVA)**

17 70. PLAINTIFF SOPHIA ALVAREZ, AS THE SUCCESSOR IN INTEREST, on behalf of
18 the Estate of FRANCISCO GABRIEL TORRES SILVA, hereby incorporate by reference, as
19 though fully set forth herein, the contents of paragraphs 1 through 69.

20 71. Prior to his death, FRANCISCO GABRIEL TORRES SILVA suffered losses and
21 damages including but not limited to significant medical expense.

22 72. Pursuant to California Code of Civil Procedure § 377.30, PLAINTIFF SOPHIA
23 ALVAREZ, AS THE SUCCESSOR IN INTEREST, on behalf of the Estate of FRANCISCO
24 GABRIEL TORRES SILVA, seeks recovery of those damages provided for pursuant to
25 California Code of Civil Procedure § 377.34.

26 **PRAYER FOR RELIEF**

27 WHEREFORE, PLAINTIFFS pray for judgment against Defendants as follows:

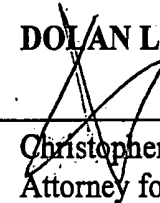
28 1. All General Damages shown according to proof;

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2. All Special Damages shown according to proof;
3. Those damages provided for in California Code of Civil Procedure Section 377.61 and CACI 3921;
4. All loss of consortium damages, including but not limited to the loss of love; companionship; affection; society; moral support; the loss of the enjoyment of sexual relations and/or the ability to have children; according to proof;
5. For costs of suit herein incurred;
6. Prejudgment interest; and
7. For such other and further relief as the court may deem proper.

Dated: November 15, 2018

DOLAN LAW FIRM, PC

By: 
Christopher B. Dolan
Attorney for Plaintiffs