

**SUMMONS  
(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

FLOYD JENNER, an individual; and DOES 1 through 10, inclusive.

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

PARVIZ AINPOUR, an individual.

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

**FILED**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

DEC 29 2006

ALAN SLATER, Clerk of the Court

BY: R. BOJORQUES, DEPUTY

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://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](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.

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

*Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.courtinfo.ca.gov/selfhelp/espanol/](http://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):

Superior Court of California, County of Orange, Central Justice Center  
700 Civic Center Drive West  
Santa Ana, CA 92701

CASE NUMBER: 06CC13385  
(Número del Caso):

**JUDGE CHARLES MARGINES  
DEPT. C14**

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):  
David V. Jafari, Jafari Law Group, Inc. 714-542-2265  
801 N. Parkcenter Drive, Suite 220, Santa Ana, CA 92705

DATE:  
(Fecha)

DEC 29 2006

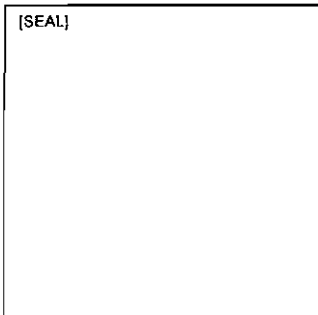
ALAN SLATER

Clerk, by  
(Secretario)

R. Bojorques

, Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



**NOTICE TO THE PERSON SERVED: You are served**

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

DEC 29 2006

ALAN SLATER, Clerk of the Court

BY: R. BOJORQUES, DEPUTY

1 David V. Jafari, SBN: 207881  
2 JAFARI LAW GROUP, P.C.  
3 801 N. Parkcenter Drive, Suite 220  
4 Santa Ana, California, 92705  
5 Telephone: (714) 542-2265  
6 Facsimile: (714) 542-2286

7 Attorneys for plaintiff,  
8 PARVIZ AINPOUR

9 SUPERIOR COURT OF CALIFORNIA  
10 COUNTY OF ORANGE

11 PARVIZ AINPOUR, an individual, )  
12 Plaintiffs, )

Case No.: 06CC13385

13 vs. )

COMPLAINT FOR DAMAGES  
(Negligence)

14 FLOYD JENNER, an individual; )  
15 and DOES 1 through 10, )  
16 inclusive, )  
17 Defendants. )

UNLIMITED CIVIL  
JUDGE CHARLES MARGINES  
DEPT. C14

18 Plaintiff alleges:

GENERAL ALLEGATIONS

- 19 1. Defendant Floyd Jenner is a natural person who is, and at all times mentioned in this  
20 complaint was, a resident of Orange County, California.
- 21 2. Plaintiff Parviz Ainpour is a natural person who is, and at all times mentioned in this  
22 complaint was, a resident of Orange County, California.
- 23 3. Plaintiff is ignorant of the true names and capacities of defendants sued herein as DOES  
24 1 through 10, inclusive, and therefore sues these defendants by such fictitious names. Plaintiff  
25

1 will amend this complaint to allege their true names and capacities when ascertained. (Plaintiff  
2 is informed and believes and thereon alleges that each of the fictitiously named defendants is  
3 negligently responsible in some manner for the occurrences alleged in this complaint, and  
4 plaintiff's injuries as alleged were proximately caused by defendants' negligence.)

5 4. At all times mentioned in this complaint, defendant FLOYD JENNER was the owner of a  
6 certain Grey 2002 BMW 330i automobile, California License No. 4VKB746.

7 5. Plaintiff is, and at all times mentioned in this complaint was, the owner of a certain 2002  
8 Dodge Intrepid automobile, California License No. 4UVZ536.

9 6. At all times mentioned in this complaint Seal Beach Blvd. and St. Cloud Drive were and  
10 are intersecting public streets and highways in the city of Seal Beach, Orange County, California  
11 and running in a north-south direction and east-west direction, respectively.  
12

13  
14 **NEGLIGENCE CAUSE OF ACTION**

15 **(Against All Defendants Including Does 1 through 10)**

16 7. Plaintiff repeats and re-alleges each and every allegation contained in paragraph 1  
17 through 6, inclusive, and incorporates the same by this reference as though set forth at length  
18 herein.

19 8. On April 12, 2006, at or about the hour of 4:40 PM, plaintiff was traveling southbound on  
20 Seal Beach Blvd and had slowed to a stop at the intersection of St. Cloud Drive and Seal Beach  
21 Blvd., as he was required to due to the red light, when his car was violently struck in the rear by  
22 defendant's car.  
23

24 9. Defendant had been traveling at excessive speeds in his BMW and therefore could not  
25 stop in time to avoid crashing into the rear of plaintiff's car. The force of the crash was such that

1 it catapulted plaintiff's vehicle into the vehicle in front of plaintiff, which was approximately 15  
2 feet away, completely demolishing plaintiff's car and causing it to be a total loss.

3 10. Defendant had a duty as a motorist to drive his vehicle within the posted speed limits and  
4 maintain sufficient space between his car and plaintiff's car so as to allow sufficient braking  
5 distance in the event of an emergency.

6 11. Defendant breached his duties to plaintiff by driving at excessive speeds well over the  
7 posted speed limit and following too closely to plaintiff's car.

8 12. As a direct and proximate result of this breach, Defendant was unable to stop his car from  
9 plowing into the rear of plaintiff's vehicle, thereby causing the total loss of plaintiff's vehicle as  
10 well as the accompanying injuries to plaintiff's person.

11 13. Plaintiff suffered severe shock and trauma to his person as a result of defendant's  
12 negligent acts and his initial injuries included: severe stiffness and pain in his neck, back and  
13 upper torso; bruising to his arms, shoulder area and face; and minor lacerations to his face, arms  
14 and hands.

15 14. However, plaintiff may have also suffered from latent injuries to his persons as a result of  
16 defendant's negligent acts that may not have surfaced or been diagnosed as yet. These latent  
17 injuries include cervical whiplash, cervical segmental dysfunction or somatic dysfunction and  
18 may not surface for an extended period of time after the initial injury but are consequential  
19 injuries suffered as a result of the initial trauma.

20 15. As a direct and proximate result of the negligence and carelessness of defendant, plaintiff  
21 had to necessarily employ physicians and surgeons for medical examination, treatment, and care  
22 of the injuries suffered, resulting in the following medical and incidental expenses:  
23

24  
25 AMBULANCE SERVICES \$ 643.50

1	MEDICAL SERVICES (BLUE CROSS)	\$ 340.00
2	HEALTH SERVICES (BLUE CROSS)	\$ 765.00
3	MEDICAL VISIT (BLUE CROSS)	\$ 90.00
4	OTHER MEDICAL	<u>\$ 630.00</u>
5		<b>\$ 2,468.50</b>

6 This amount is but an initial estimate of the medical damages suffered by plaintiff and  
7 does not take into account the substantial costs associated with the latent injuries that may have  
8 been suffered by plaintiff as a result of defendant's negligence. Plaintiff, therefore, reserves the  
9 right to supplement his medical damages estimate at a later date.

10  
11 16. Plaintiff holds a doctorate degree in chemistry and has over 30 years of experience in his  
12 occupation as a consultant. As a proximate result of the negligence and carelessness of the  
13 defendant, plaintiff, 60 years old, was disabled and may be disabled in the future and thereby be  
14 prevented from attending to the duties of plaintiff's usual occupation. Plaintiff has therefore lost  
15 earnings in the amount of \$4,000, or according to proof.

16 17. Immediately prior to and at the time of the collision, plaintiff's Dodge automobile was in  
17 good mechanical condition. As a proximate result of the negligence and carelessness of the  
18 defendant, plaintiff's vehicle was damaged and declared a total loss, resulting in the loss of the  
19 use of the vehicle to plaintiff for about two months and requiring plaintiff to rent another vehicle  
20 during that time period, the cost of which amounts to \$3,168.00.

21  
22 18. Plaintiff also respectfully requests that the Court grant him damages for pain and  
23 suffering in the amount of \$72,000.00 as a result of the injuries suffered by plaintiff due to  
24 defendant's negligent acts.

1 19. Although plaintiff has attempted to collect from defendant's insurance carrier, Allstate  
2 Property and Casualty Insurance Company ("Allstate"), plaintiff's efforts have been to no avail.  
3 Allstate's denial of full reimbursement for plaintiff's substitute transportation expense and undue  
4 delay in processing this claim has compelled plaintiff to come to this Court for relief.

5 **WHEREFORE, plaintiff prays judgment against defendant and Does 1 through 10, and**  
6 **each of them, as follows:**

- 7
- 8 1. For general damages according to proof;
  - 9 2. For medical and related expenses according to proof;
  - 10 3. For loss of earnings in the amount of \$4,000 or according to proof;
  - 11 4. For \$72,000.00 in pain and suffering endured as a result of injuries suffered by plaintiff;
  - 12 5. For rental car reimbursement \$3,168 or according to proof;
  - 13 6. For costs of suit herein incurred; and
  - 14 7. For such other and further relief as the court may deem proper.

15 **DEMAND FOR JURY TRIAL**

16 Plaintiff, Parviz Ainpour, hereby demands a Trial by Jury in the above-entitled matter.

17 DATE: Dec. 29, 2006

18 JAFARI LAW GROUP, INC.

19 BY 

20 DAVID V. JAFARI,  
21 Attorney for Plaintiff PARVIZ AINPOUR

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24 //  
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