

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

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ATTORNEY FOR (Name): Plaintiff, AMCO INSURANCE COMPANY

FOR COURT USE ONLY

FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WEST JUSTICE CENTER

NOV 30 2009

ALAN CARLSON, Clerk of the Court

DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

STREET ADDRESS: 8141 13th Street

MAILING ADDRESS:

CITY AND ZIP CODE: Westminster, CA 92683-4593

BRANCH NAME: WEST JUSTICE CENTER - LTD CIVIL

PLAINTIFF: AMCO INSURANCE COMPANY

DEFENDANT: SHARON LOGAN aka SHARON J LOGAN aka SHARON JEAN LOGAN AND

DOES 1 TO 25

COMPLAINT—Personal Injury, Property Damage, Wrongful Death

AMENDED (Number):

Type (check all that apply):

MOTOR VEHICLE

OTHER (specify): Insurance Subrogation

Property Damage

Wrongful Death

Personal Injury

Other Damages (specify): Indemnity

Jurisdiction (check all that apply):

ACTION IS A LIMITED CIVIL CASE

Amount demanded

does not exceed \$10,000

exceeds \$10,000, but does not exceed \$25,000

ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)

ACTION IS RECLASSIFIED by this amended complaint

from limited to unlimited

from unlimited to limited

CASE NUMBER:

30-2009

00324133

1. Plaintiff (name or names): AMCO INSURANCE COMPANY

alleges causes of action against defendant (name or names): SHARON LOGAN aka SHARON J LOGAN aka SHARON JEAN LOGAN

2. This pleading, including attachments and exhibits, consists of the following number of pages: 5

3. Each plaintiff named above is a competent adult

a. except plaintiff (name): AMCO INSURANCE COMPANY

(1) a corporation qualified to do business in California

(2) an unincorporated entity (describe):

(3) a public entity (describe):

(4) a minor an adult

(a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) other (specify):

(5) other (specify):

b. except plaintiff (name):

(1) a corporation qualified to do business in California

(2) an unincorporated entity (describe):

(3) a public entity (describe):

(4) a minor an adult

(a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) other (specify):

(5) other (specify):

Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE: AMCO v SHARON LOGAN, ET AL

CASE NUMBER:

4. Plaintiff (*name*):
 is doing business under the fictitious name (*specify*):

 and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. **except** defendant (*name*):

c. **except** defendant (*name*):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):

b. **except** defendant (*name*):

d. **except** defendant (*name*):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):

- (1) a business organization, form unknown
- (2) a corporation
- (3) an unincorporated entity (*describe*):
- (4) a public entity (*describe*):
- (5) other (*specify*):

Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. Doe defendants (*specify Doe numbers*): 1 to 25 were the agents or employees of other named defendants and acted within the scope of that agency or employment.

b. Doe defendants (*specify Doe numbers*): 1 to 25 are persons whose capacities are unknown to plaintiff.

7. Defendants who are joined under Code of Civil Procedure section 382 are (*names*):

8. This court is the proper court because

- a. at least one defendant now resides in its jurisdictional area.
- b. the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c. injury to person or damage to personal property occurred in its jurisdictional area.
- d. other (*specify*):

9. Plaintiff is required to comply with a claims statute, **and**

- a. has complied with applicable claims statutes, **or**
- b. is excused from complying because (*specify*):

SHORT TITLE: AMCO v SHARON LOGAN, ET AL

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (specify): Subrogation and Indemnity attachment

11. Plaintiff has suffered

- a. wage loss
- b. loss of use of property
- c. hospital and medical expenses
- d. general damage
- e. property damage
- f. loss of earning capacity
- g. other damage (specify): Plaintiff was obligated to pay, and did pay, property and related damages to, or on behalf of, its insured.

12. The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. listed in Attachment 12.
- b. as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

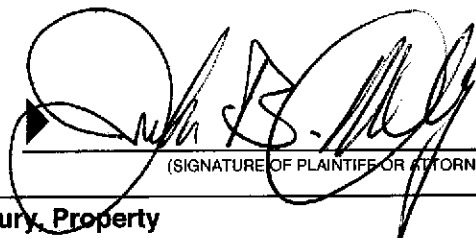
14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) compensatory damages
 - (2) punitive damages
- The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):
- (1) according to proof
 - (2) in the amount of: \$ Not to exceed \$10,000.00
- Plus legal costs and pre-judgment interest at 7%

15. The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: November 3, 2009

John B McCarthy, Jr.
(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE: AMCO v SHARON LOGAN, ET AL	CASE NUMBER:
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FIRST _____ **CAUSE OF ACTION—Motor Vehicle**
 (number)

ATTACHMENT TO Complaint Cross - Complaint
 (Use a separate cause of action form for each cause of action.)

Plaintiff (name): **AMCO INSURANCE COMPANY**

MV-1. Plaintiff alleges the acts of defendants were negligent; the acts were the legal (proximate) cause of injuries and damages to plaintiff; the acts occurred on (date): **June 2, 2009** at (place): **Bushard Street, at or near intersection with Ellis Avenue, City of Fountain Valley, Orange County California**

MV-2. DEFENDANTS

a. The defendants who operated a motor vehicle are (names): **SHARON LOGAN aka SHARON J LOGAN aka SHARON JEAN LOGAN**

Does 1 to 25

b. The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names):

Does 1 to 25

c. The defendants who owned the motor vehicle which was operated with their permission are (names): **SHARON LOGAN aka SHARON J LOGAN aka SHARON JEAN LOGAN**

Does 1 to 25

d. The defendants who entrusted the motor vehicle are (names): **SHARON LOGAN aka SHARON J LOGAN aka SHARON JEAN LOGAN**

Does 1 to 25

e. The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

Does 1 to 25

f. The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are listed in Attachment MV-2f as follows:

Does _____ to _____

ATTACHMENT TO COMPLAINT

PAGE 5

1. At the times mentioned, AMCO INSURANCE COMPANY was and is an insurance company organized under law and licensed to engage in business as such in the State of California

2. At all times herein mentioned, David Lysengen and Claudia Lysengen, were insured by Plaintiff, AMCO INSURANCE COMPANY, to pay benefits for damage to insured property, namely the insured's vehicle.

3. By reason of the legal obligation imposed on Plaintiff, AMCO INSURANCE COMPANY, by said insurance policy, plaintiff was obligated to pay and did pay the sum not to exceed \$10,000.00, to or on behalf of its insured for property and related damages to insured's vehicle.

4. Pursuant to the terms of the policy and the laws of the State of California, AMCO INSURANCE COMPANY, is legally, equitably and contractually subrogated to the rights and entitled to enforce the remedies of David Lysengen and Claudia Lysengen in the amount not to exceed \$10,000.00, plus legal costs and pre-judgment interest at 7%.

5. Pursuant to the laws of the State of California, AMCO INSURANCE COMPANY is entitled to legal, equitable, and implied indemnity from the defendants and each of them in the amount not to exceed \$10,000.00, plus legal costs and pre-judgment interest at 7%.