

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME & ADDRESS): GEORGE L. MALLORY, JR., ESQ. MALLORY & ASSOCIATES A Professional Law Corporation 1925 Century Park East, 10th Floor Los Angeles, CA 90067 ATTORNEY FOR (NAME): DELLA PATTON <small>Insert name of court, judicial district or branch court, if any, and post office and street address:</small> LOS ANGELES SUPERIOR COURT SOUTHWEST DISTRICT 825 MAPLE AVENUE TORRANCE, CA 90503-5058 SOUTHWEST DISTRICT PLAINTIFF: DELLA PATTON	PHONE: (310) 788-5555	FOR COURT USE ONLY
DEFENDANT: CONGRESSMAN PATRICK J. KENNEDY, an individual		
<input checked="" type="checkbox"/> DOES 1 TO <u>20</u>		
<b>COMPLAINT - Personal Injury, Property Damage, Wrongful Death</b> <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> Property Damage <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> OTHER (specify): Intentional Tort, <input type="checkbox"/> Wrongful Death General Negligence <input checked="" type="checkbox"/> Other Damages (specify): Exemplary <div style="text-align: center;">Damages</div>	CASE NUMBER: <div style="font-size: 1.5em; font-family: cursive;">YC 039866</div>	

1. This pleading, including attachments and exhibits, consists of the following number of pages: 9
2. a. Each plaintiff named above is a competent adult
- Except plaintiff (name):
- a corporation qualified to do business in California
  - an unincorporated entity (describe):
  - a public entity (describe)
  - a minor       an adult
    - for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
    - other (specify):
  - other (specify):
- Except plaintiff (name):
- a corporation qualified to do business in California
  - an unincorporated entity (describe):
  - a public entity (describe)
  - a minor       an adult
    - for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
    - other (specify):
  - other (specify):
- b.  Plaintiff (name):  
 is doing business under the fictitious name of (specify):  
  
 and has complied with the fictitious business name laws.
- c.  Information about additional plaintiffs who are not competent adults is shown in Complaint - Attachment 2c.

(Continued)

**COMPLAINT - Personal Injury, Property Damage, Wrongful Death**

Page two

3. a. Each defendant named above is a natural person

 Except defendant (*name*): Except defendant (*name*): a business organization, form unknown a business organization, form unknown a corporation a corporation an unincorporated entity (*describe*): an unincorporated entity (*describe*): a public entity (*describe*): a public entity (*describe*): other (*specify*): other (*specify*): Except defendant (*name*): Except defendant (*name*): a business organization, form unknown a business organization, form unknown a corporation a corporation an unincorporated entity (*describe*): an unincorporated entity (*describe*): a public entity (*describe*): a public entity (*describe*): other (*specify*): other (*specify*):

b. The true names and capacities of defendants sued as Does are unknown to plaintiff.

c.  Information about additional defendants who are not natural persons is contained in Complaint - Attachment 3c.d.  Defendants who are joined pursuant to Code of Civil Procedure section 382 are (*names*):4.  Plaintiff is required to comply with a claims statute, anda.  plaintiff has complied with applicable claims statutes, orb.  plaintiff is excused from complying because (*specify*):

5. This court is the proper court because

 at least one defendant now resides in its jurisdictional area. the principal place of business of a corporation or unincorporated association is in its jurisdictional area. injury to person or damage to personal property occurred in its jurisdictional area. other (*specify*):6.  The following paragraphs of this complaint are alleged on information and belief (specify paragraph numbers):

(Continued)

Page two

**COMPLAINT - Personal Injury, Property Damage, Wrongful Death (Continued)**

Page three

7.  The damages claimed for wrongful death and the relationships of plaintiff to the deceased are  
 listed in Complaint – Attachment 7  as follows:

8. Plaintiff has suffered and/or will suffer

- wage loss  loss of use of property  
 hospital and medical expenses  general damage  
 property damage  loss of earning capacity  
 other damage (specify): Emotional Distress

9. Relief sought in this complaint is within the jurisdiction of this court.

## 10. PLAINTIFF PRAYS

For judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- compensatory damages  
 (Superior Court) according to proof.  
 (Municipal and Justice Court) in the amount of \$  
 other (specify): Exemplary Damages (see attachment)

11. 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.)

- Motor Vehicle  
 General Negligence  
 Intentional Tort  
 Products Liability  
 Premises Liability  
 Other (specify):

MALLORY &amp; ASSOCIATES

GEORGE L. MALLORY, JR., ESQ.  
 (Type or print name)

  
 (Signature of plaintiff or attorney)

First \_\_\_\_\_ CAUSE OF ACTION—Intentional Tort (Assault)

Page 4

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

IT-1. Plaintiff (name): Della Patton

alleges that defendant (name): Patrick J. Kennedy

 Does 1 \_\_\_\_\_ to 20 \_\_\_\_\_

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): March 26, 2000

at (place): Los Angeles International Airport, Los Angeles, CA

*(description of reasons for liability):*

a. On said date, Defendant Kennedy intentionally lifted his hands and lunged at Plaintiff and attempted to force his way past Plaintiff while she was working in her official capacity as an airport security guard, causing Plaintiff to be placed in apprehension of a harmful or offensive contact with her person. Plaintiff did not consent to these acts and as a proximate result of said acts, Plaintiff suffered personal injury.

b. Plaintiff is informed and believes and thereon alleges that each of the fictiously named defendants is responsible in some manner for the occurrences alleged in this complaint, and that Plaintiff's damages alleged in this complaint were proximately caused by their conduct.

Second \_\_\_\_\_ CAUSE OF ACTION--Intentional Tort (Battery)  
(number)

Page 5

ATTACHMENT TO  Complaint  Cross-Complaint

*(Use a separate cause of action form for each cause of action.)*

IT-1. Plaintiff *(name)*: Della Patton

alleges that defendant *(name)*: Patrick J. Kennedy

Does 1 to 20

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff  
 on *(date)*: March 26, 2000  
 at *(place)*: Los Angeles International Airport, Los Angeles, CA

*(description of reasons for liability):*

The acts alleged in the first Cause of Action are incorporated herein. Immediately after physically assaulting Plaintiff, Defendant Kennedy intentionally battered Plaintiff with his hands and body forcing Plaintiff into the magnetometer at the airport security check point. Plaintiff did not consent to these acts. Defendant Kennedy acted willfully or with design to injure Plaintiff, and as a result of these acts, Plaintiff suffered personal injury.

Third

(number)

**CAUSE OF ACTION--Intentional Tort** (IntentionalPage 6Infliction of Emotional  
Distress)ATTACHMENT TO  Complaint  Cross-Complaint*(Use a separate cause of action form for each cause of action.)*IT-1. Plaintiff *(name)*: Della Pattonalleges that defendant *(name)*: Patrick J. Kennedy Does 1 to 20

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on *(date)*: March 26, 2000at *(place)*: Los Angeles International Airport, Los Angeles CA*(description of reasons for liability):*

The acts alleged in the first and second Causes of Action are incorporated herein. On said date, Defendant Kennedy, without Plaintiff's consent, intentionally assaulted and battered Plaintiff. Defendant Kennedy acted in a malicious, rude, extreme and outrageous manner intentionally causing Plaintiff to suffer severe emotional distress and bodily injury.

SHORT TITLE PATTON VS. KENNEDY	CASE NUMBER:
-----------------------------------	--------------

Fourth \_\_\_\_\_ CAUSE OF ACTION - General Negligence  
(number)

Page 7 \_\_\_\_\_

ATTACHMENT TO  Complaint  Cross-Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): DELLA PATTON

alleges that defendant (name): PATRICK J. KENNEDY

Does 1 \_\_\_\_\_ to 20 \_\_\_\_\_

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): March 26, 2000

at (place): Los Angeles International Airport, Los Angeles, CA

(description of reasons for liability):

The acts alleged in the first, second, and third causes of action are incorporated herein. On said date, Defendant Kennedy negligently and carelessly lifted his hands and lunged at Plaintiff and attempted to force his way past Plaintiff while she was working in her official capacity as an airport security guard. Defendant Kennedy further negligently pushed Plaintiff into the magnetometer at the airport security check point causing personal injury to Plaintiff.

SHORT TITLE PATTON VS. KENNEDY	CASE NUMBER:
-----------------------------------	--------------

Fifth \_\_\_\_\_ CAUSE OF ACTION - General Negligence (Emotional Distress) Page 8  
(number)

ATTACHMENT TO  Complaint  Cross-Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): DELLA PATTON

alleges that defendant (name): PATRICK J. KENNEDY

Does 1 \_\_\_\_\_ to 20 \_\_\_\_\_

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): March 26, 2000

at (place): Los Angeles International Airport, Los Angeles, CA

(description of reasons for liability):

The acts alleged in the first, second, third and fourth Causes of Action are incorporated herein. Defendant Kennedy negligently pushed Plaintiff into the magnetometer at the airport security check point greatly upsetting and disturbing Plaintiff and causing Plaintiff to suffer severe emotional distress and bodily injury.

## EXEMPLARY DAMAGES ATTACHMENT

Page 9ATTACHMENT TO  Complaint  Cross-Complaint

EX-1. As additional damages against defendant (name) Congressman Patrick J. Kennedy

Plaintiff alleges defendant was guilty of

 malice fraud oppression

as defined in Civil Code section 3294, and plaintiff should recover, in addition to actual damages, damages to make an example of and to punish defendant.

EX-2. The facts supporting plaintiff's claim are as follows:

The acts alleged in the first, second, and third Causes of Action are incorporated herein. On March 26, 2000, Defendant Kennedy willfully and maliciously assaulted and battered by raising his hands and lunging at Plaintiff pushing her with his hands and body with great force into the magnetometer at the airport security checkpoint. Further, Defendant Kennedy intended to oppress and to cause personal injury to Plaintiff, and in fact, did oppress and cause personal injury to Plaintiff.

EX-3. The amount of exemplary damages sought is

a.  not shown, pursuant to Code of Civil Procedure section 425.10.b.  \$