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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JAN 30 2019

BY 
RAFAEL HERNANDEZ, DEPUTY

[EXEMPT FROM FILING FEES
PURSUANT TO GOVERNMENT
CODE SECTION 6103]

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF SAN BERNARDINO

11
12 **THE PEOPLE OF THE STATE OF CALIFORNIA,**
13
14 Plaintiff,

15 v.

16 **AETNA INC.,**

17 Defendant.
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Case No. CIVDS1903012

**COMPLAINT FOR INJUNCTION, CIVIL
PENALTIES, AND OTHER EQUITABLE
RELIEF**

(CIVIL CODE § 56.101; BUS. & PROF.
CODE, § 17200, *et seq.*)

1 Plaintiff, the People of the State of California (“Plaintiff” or the “People”), by and through
2 Xavier Becerra, Attorney General of the State of California, alleges the following on information
3 and belief:

4 INTRODUCTION

5 1. Plaintiff brings this action against Aetna Inc. (“Aetna” or “Defendant”) for
6 violations of California state law, including the Confidentiality of Medical Information Act
7 (“CMIA”), Health and Safety Code section 120980, the State Constitution, and the Unfair
8 Competition Law (“UCL”), after 1,991 Californians were mailed letters revealing through an
9 enlarged, clear window of the envelope that they were taking HIV-related medication.

10 PLAINTIFF

11 2. Plaintiff is the People of the State of California. Plaintiff brings this action by and
12 through Xavier Becerra, Attorney General. The Attorney General is authorized by Civil Code
13 section 53.36(f)(1)(A) to bring actions to enforce the CMIA, and by Business and Professions
14 Code sections 17204, 17206, and 17207 to bring actions to enforce the UCL.

15 DEFENDANT

16 3. Defendant Aetna is a health care insurance company. Its principal place of
17 business is located at 151 Farmington Avenue, Hartford, CT 06156-3475.

18 4. The defendant identified in Paragraph 1 above is referred to in this Complaint as
19 “Aetna” or “Defendant.” Whenever reference is made in this Complaint to any act of or by
20 Aetna, the allegation shall mean that Aetna did the acts alleged in this Complaint through Aetna’s
21 officers, directors, employees, agents and/or representatives acting within the actual or ostensible
22 scope of their authority.

23 JURISDICTION AND VENUE

24 5. This Court has jurisdiction over Defendant because Aetna, by providing health
25 care insurance in California, intentionally availed itself of the California market so as to render
26 the exercise of jurisdiction over Aetna by the California courts consistent with traditional notions
27 of fair play and substantial justice.

28 6. The violations of law alleged in this Complaint occurred throughout California.

