

1 PARKER A. SMITH, ESQ. (SBN 290311)
2 LORI A. TOYAMA, ESQ. (SBN 110021)
3 **SY AND SMITH, PC.**
4 11622 El Camino Real, Suite 100
5 San Diego, CA 92130
6 Telephone: (858) 746-9554
7 Facsimile: (858)746-5199

8 Attorneys for Plaintiff, Kingpun Cheng

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
11/07/2018 at 04:31:51 PM
Clerk of the Superior Court
By Marc David, Deputy Clerk

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SAN DIEGO**
11 **UNLIMITED CIVIL JURISDICTION**

12 KINGPUN CHENG,

13 Plaintiff,

14 vs.

15 SALSBUURY INDUSTRIES, HOME DEPOT,
16 INC., HOME DEPOT U.S.A., Inc. and DOES 1-
17 25,

18 Defendants.

CASE NO.: 37-2018-00056435-CU-PO-CTL

**COMPLAINT FOR CIVIL
PENALTIES AND INJUNCTIVE
RELIEF**

*(Cal. Health & Safety Code § 25249.6 et
seq.)*

19 **NATURE OF THE ACTION**

20
21 1. This Complaint is a representative action brought by plaintiff Kingpun Cheng, in
22 the public interest of the citizens of the State of California, to enforce the people's right to be
23 informed of the presence of lead and lead compounds found in Salsbury Industries Brass
24 Mailbox Slots.

25 2. By this Complaint, plaintiff seeks to remedy Defendants' failure to warn California
26 citizens about the risks of exposure to lead and lead compounds present in Defendants' Brass
27
28

COMPLAINT FOR CIVIL PENALTIES AND INJUNCTIVE RELIEF

1 Mailbox Slots that are manufactured, distributed and/or offered for sale to consumers throughout
2 the State of California.

3 3. Detectable levels of lead and/or lead compounds are found in Salsbury Industries
4 Brass Mailbox Slots that Defendant manufactures, distributes and/or offers for sale to consumers
5 throughout the State of California.

6 4. Under California's Safe Drinking Water and Toxic Enforcement Act of 1986,
7 California Health & Safety Code § 25249.5 et seq. (Proposition 65), "No person in the course of
8 doing business shall knowingly and intentionally expose any individual to a chemical known to
9 the state to cause cancer or reproductive toxicity without first giving clear and reasonable
10 warning to such individual..." (*Cal. Health & Safety Code § 25249.6.*)

11 5. Under Proposition 65, California identified and listed lead and lead compounds as
12 chemicals known to cause birth defects and other reproductive harm.

13 6. Lead and lead compounds shall hereinafter be referred to as the "LISTED
14 CHEMICALS."

15 7. Defendant manufactures, distributes and/or sells without a health hazard warning
16 in California Salsbury Industries Brass Mailbox Slots, including Salsbury Industries Brass
17 Mailbox Slot #4075B, UPC033923081467, containing the LISTED CHEMICALS, which shall
18 hereinafter be referred to as the "PRODUCTS."

19 8. Defendants' failure to warn consumers and/or other individuals in the State of
20 California about their exposure to the LISTED CHEMICALS in conjunction with Defendants'
21 sale of the PRODUCTS is a violation of Proposition 65 and subjects Defendant to enjoinder of
22 such conduct as well as civil penalties for each such violation.

23 9. For Defendants' violations of Proposition 65, plaintiff seeks preliminary
24 injunctive and permanent injunctive relief to compel Defendant to provide purchasers or users of
25 the PRODUCTS with the required warning regarding the health hazards of the LISTED
26 CHEMICAL. (*Cal. Health & Safety Code § 25249.7(a).*)

27 10. Plaintiff also seeks civil penalties against Defendant for its violations of
28 Proposition 65, as provided for by California Health & Safety Code § 25249.7(b).

1 **PARTIES**

2 11. Plaintiff Kingpun Cheng is a citizen of the City of Carlsbad, County of San Diego,
3 in the State of California, who is dedicated to protecting the health of California citizens through
4 the elimination or reduction of toxic exposures from consumer products, represented by and
5 through its counsel of record, Parker A. Smith and Sy and Smith, PC. Plaintiff brings this action
6 in the public interest pursuant to California Health & Safety Code § 25249.7.

7 12. Salsbury Industries, is a person doing business within the meaning of California
8 Health & Safety Code § 25249.11.

9 13. Home Depot, Inc., is a person doing business within the meaning of California
10 Health & Safety Code § 25249.11.

11 14. Home Depot U.S.A., Inc., is a person doing business within the meaning of
12 California Health & Safety Code § 25249.11.

13 15. The parties in paragraphs 12 through 14 of this Complaint shall be collectively
14 referred to as “Defendants”.

15 16. Defendants manufacture, distribute, and/or offer the PRODUCTS for sale or use
16 in the State of California or imply by their conduct that they manufacture, distribute and/or offer
17 the PRODUCTS for sale or use in the State of California.

18 17. The identities of DOES 1-25 are unknown to Plaintiff at this time. Plaintiff
19 suspects that they are business entities with at least ten or more employees that have sold,
20 authorized the distribution, or sale of the PRODUCTS under the name “Salsbury Industries Brass
21 Mailbox Slots” and other brand names, that contain and/or produce lead, for sale within the State
22 of California, without giving clear and reasonable warning.

23 **VENUE AND JURISDICTION**

24 18. Venue is proper in the San Diego County Superior Court, pursuant to Code of
25 Civil Procedure § § 394, 495, 395.5, because this Court is a court of competent jurisdiction,
26 because one or more instances of wrongful conduct occurred, and continues to occur, in the
27
28

1 County of San Diego and/or because Defendant conducted, and continues to conduct, business in
2 this County with respect to the PRODUCTS.

3 19. The California Superior Court has jurisdiction over this action pursuant to
4 California Constitution Article VI, § 10, which grants the Superior Court “original jurisdiction in
5 all causes except those given by statute to other trial courts.” The statute under which this action
6 is brought does not specify any other basis of subject matter jurisdiction.

7 20. The California Superior Court has jurisdiction over the Defendants based on
8 Plaintiff’s information and good faith belief that Defendants are a person, firm, corporation or
9 association that either are citizens of the State of California, has sufficient minimum contacts in
10 the State of California, or otherwise purposefully avail themselves of the California market.
11 Defendant’s purposeful availment renders the exercise of personal jurisdiction by California
12 courts consistent with traditional notions of fair play and substantial justice.

13
14 **FIRST CAUSE OF ACTION**

15 **(Violation of Proposition 65 – Against Defendant)**

16 21. Plaintiff alleges and incorporates by reference, as if full reference, as if full set
17 forth herein, Paragraphs 1 through 20, inclusive.

18 22. The citizens of the State of California have expressly stated in the Safe Drinking
19 Water and Toxic Enforcement Act of 1986, California Health & Safety Code § 25249.5, et seq.
20 (Proposition 65) that they must be informed “about exposures to chemicals that cause cancer,
21 birth defects and order reproductive harm.” (*Cal. Health & Safety Code § 25249.6.*)

22 23. Proposition 65 states, “No person in the course of doing business shall knowingly
23 and intentionally expose any individual to a chemical known to the state to cause cancer or
24 productive toxicity without first giving clear and reasonable warning to such individual (*Id.*)”

25 24. On December 27, 2017, a sixty-day notice of violation, together with the requisite
26 certificates of merit, was provided to the Defendants and various public enforcement agencies,
27 including the California Attorney General’s Office, stating that as a result of the Defendants’ sale
28 of the PRODUCTS, purchasers and users in the State of California were being exposed to the

1 LISTED CHEMICALS resulting from the reasonably foreseeable users of the PRODUCTS,
2 without the individual purchasers and users first having been provided with a “clear and
3 reasonable warning” regarding such toxic exposures.

4 25. Defendant manufactures, distributes and/or offers the PRODUCTS for sale or use
5 in violation of California Health & Safety Code § 25249.6 and Defendant’s manufacture,
6 distribution and/or offering of the PRODUCTS for sale or use in violation of California Health &
7 Safety Code § 25249.6 has continued to occur beyond Defendant’s receipt of plaintiff’s sixty-day
8 notices of violation. Plaintiff further alleges and believes that such violations will continue to
9 occur into the future.

10 26. After receipt of the claims asserted in the sixty-day notices of violation, the
11 appropriate public enforcement agencies have failed to commence and diligently prosecute a
12 cause of action against Defendant under Proposition 65.

13 27. The PRODUCTS manufactured, distributed, and/or offered for sale or use in
14 California by Defendant contained the LISTED CHEMICALS above the allowable state limits.

15 28. Defendant knew or should have known that the PRODUCTS manufactured,
16 distributed, and/or for sale or use by Defendant in California contained the LISTED
17 CHEMICALS.

18 29. The LISTED CHEMICALS were present in or on the PRODUCTS in such a way
19 as to expose individuals to the LISTED CHEMICALS through dermal contact and/or ingestion
20 during the reasonably foreseeable use of the PRODUCTS.

21 30. The normal and reasonably foreseeable use of the PRODUCTS have caused and
22 continue to cause consumer exposure to the LISTED CHEMICALS, as such exposure is defined
23 by 27 CCR§ 25602(b).

24 31. Defendants had knowledge that the normal and reasonably foreseeable use of the
25 PRODUCTS would expose individuals to the LISTED CHEMICALS through dermal contact
26 and/or ingestion.

27 32. Defendant intended that such exposures to the LISTED CHEMICAL from the
28 reasonably foreseeable use of the PRODUCTS would occur by its deliberate, non-accidental

1 participation in the manufacture, distribution and/or offer for sale or use of PRODUCTS to
2 individuals in the State of California.

3 33. Defendant failed to provide a “clear and reasonable warning” to those consumers
4 and/or other individuals in the State of California who were or who could become exposed to the
5 LISTED CHEMICALS through dermal contact and/or ingestion during the reasonably
6 foreseeable use of the PRODUCTS.

7 34. Contrary to the express policy and statutory prohibition of Proposition 65, enacted
8 directly by California voters, individuals exposed to the LISTED CHEMICALS through dermal
9 contact and/or ingestion resulting from the reasonably foreseeable use of the PRODUCTS, sold
10 by Defendant without a “clear and reasonable warning,” have suffered, and continue to suffer,
11 irreparable harm, for which harm they have no plain, speedy or adequate remedy at law.

12 35. As a consequence of the above-described acts, each Defendant is liable for a
13 maximum civil penal of \$2,500 per day for each violation pursuant to California Health & Safety
14 Code § 25249.7(b).

15 36. As a consequence of the above-described acts, California Health & Safety Code §
16 25249.7(a) also specifically authorizes the Court to grant injunctive relief against Defendant.

17 37. Wherefore, plaintiff prays for judgment against Defendant as set forth hereinafter.

18
19 **PRAYER FOR RELIEF**

20 Wherefore, plaintiff prays for judgment against Defendant as follows:

21 1. That the Court, pursuant to California Health & Safety Code § 25249.7(b), assess
22 civil penalties against Defendant, in the amount of \$2,500 per day for each violation alleged
23 herein;

24 2. That the Court, pursuant to California Health & Safety Code § 25249.7(a),
25 preliminarily and permanently enjoin Defendant from manufacturing, distributing or offering the
26 PRODUCTS for sale or use in California, without providing “clear and reasonable warnings” as
27 detailed by 27 CCR § 25601, as to the harms associated with exposures to the LISTED
28 CHEMICALS;

1 3. That the Court grant Plaintiff his reasonable attorneys' fees and cost of suit; and
2 that the Court grant such other and further relief as may be just and proper.

3
4
5 Dated: Nov. 7, 2018

Respectfully Submitted,

6 By: 
7 _____
8 Parker A. Smith
9 Attorney for Plaintiff
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**SUMMONS
(CITACION JUDICIAL)**

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

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
11/07/2018 at 04:31:51 PM
Clerk of the Superior Court
By Marc David, Deputy Clerk

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

SALSBURY INDUSTRIES, HOME DEPOT, INC., HOME DEPOT
U.S.A., INC. and DOES 1-25

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

KINGPUN CHENG

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

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), 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), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

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.sucorte.ca.gov), 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), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desecher el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Superior Court of California,
County of San Diego, Hall of Justice
330 West Broadway, San Diego, CA 92101

CASE NUMBER:
(Número del Caso): 37-2018-00056435-CU-PO-CTL

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):
Parker A. Smith and Lori Toyama, SY & SMITH, PC., 11622 El Camino Real, S100, San Diego, CA 92130

DATE: 11/08/2018
(Fecha)

Clerk, by  , Deputy
(Secretario) M. David (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

- as an individual defendant.
- as the person sued under the fictitious name of (specify):
- on behalf of (specify):

| | |
|--|---|
| under: <input type="checkbox"/> CCP 416.10 (corporation) | <input type="checkbox"/> CCP 416.60 (minor) |
| <input type="checkbox"/> CCP 416.20 (defunct corporation) | <input type="checkbox"/> CCP 416.70 (conservatee) |
| <input type="checkbox"/> CCP 416.40 (association or partnership) | <input type="checkbox"/> CCP 416.90 (authorized person) |
| <input type="checkbox"/> other (specify): | |
- by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Parker A. Smith (#290311) and Lori A. Toyama (#110021)
Sy and Smith, PC.
11622 El Camino Real, Suite 100
San Diego, CA 92130
TELEPHONE NO.: (858) 746-9554 FAX NO.: (858) 746-5199
ATTORNEY FOR (Name): Plaintiff, Kingpun Cheng

FOR COURT USE ONLY
ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
11/07/2018 at 04:31:51 PM
Clerk of the Superior Court
By Marc David, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS:
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Hall of Justice

CASE NAME:
KINGPUN CHENG v. SALSBURY INDUSTRIES, et al.

CIVIL CASE COVER SHEET
[Checked] Unlimited (Amount demanded exceeds \$25,000)
[] Limited (Amount demanded is \$25,000 or less)

Complex Case Designation
[] Counter [] Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:
37-2018-00056435-CU-PO-CTL

JUDGE: Judge Ronald L. Styn
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

- 1. Check one box below for the case type that best describes this case:
Auto Tort: [] Auto (22), [] Uninsured motorist (46)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort: [] Asbestos (04), [] Product liability (24), [] Medical malpractice (45), [] Other PI/PD/WD (23)
Non-PI/PD/WD (Other) Tort: [] Business tort/unfair business practice (07), [] Civil rights (08), [] Defamation (13), [] Fraud (16), [] Intellectual property (19), [] Professional negligence (25), [X] Other non-PI/PD/WD tort (35)
Employment: [] Wrongful termination (36), [] Other employment (15)
Contract: [] Breach of contract/warranty (06), [] Rule 3.740 collections (09), [] Other collections (09), [] Insurance coverage (18), [] Other contract (37)
Real Property: [] Eminent domain/Inverse condemnation (14), [] Wrongful eviction (33), [] Other real property (26)
Unlawful Detainer: [] Commercial (31), [] Residential (32), [] Drugs (38)
Judicial Review: [] Asset forfeiture (05), [] Petition re: arbitration award (11), [] Writ of mandate (02), [] Other judicial review (39)
Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403): [] Antitrust/Trade regulation (03), [] Construction defect (10), [] Mass tort (40), [] Securities litigation (28), [] Environmental/Toxic tort (30), [] Insurance coverage claims arising from the above listed provisionally complex case types (41)
Enforcement of Judgment: [] Enforcement of judgment (20)
Miscellaneous Civil Complaint: [] RICO (27), [] Other complaint (not specified above) (42)
Miscellaneous Civil Petition: [] Partnership and corporate governance (21), [] Other petition (not specified above) (43)

- 2. This case [] is [X] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
a. [] Large number of separately represented parties d. [] Large number of witnesses
b. [] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. [] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. [] Substantial amount of documentary evidence f. [] Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. [X] monetary b. [X] nonmonetary; declaratory or injunctive relief c. [X] punitive
4. Number of causes of action (specify): One (1)
5. This case [] is [X] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: November 7, 2018
Parker A. Smith, Esq.
(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
• Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
• File this cover sheet in addition to any cover sheet required by local court rule.
• If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
• Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

| | | |
|---|---|---|
| Auto Tort | Contract | Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403) |
| Auto (22)—Personal Injury/Property Damage/Wrongful Death | Breach of Contract/Warranty (06) | Antitrust/Trade Regulation (03) |
| Uninsured Motorist (46) <i>(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</i> | Breach of Rental/Lease Contract <i>(not unlawful detainer or wrongful eviction)</i> | Construction Defect (10) |
| | Contract/Warranty Breach—Seller Plaintiff <i>(not fraud or negligence)</i> | Claims Involving Mass Tort (40) |
| | Negligent Breach of Contract/Warranty | Securities Litigation (28) |
| Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort | Other Breach of Contract/Warranty | Environmental/Toxic Tort (30) |
| Asbestos (04) | Collections (e.g., money owed, open book accounts) (09) | Insurance Coverage Claims <i>(arising from provisionally complex case type listed above)</i> (41) |
| Asbestos Property Damage | Collection Case—Seller Plaintiff | Enforcement of Judgment |
| Asbestos Personal Injury/Wrongful Death | Other Promissory Note/Collections Case | Enforcement of Judgment (20) |
| Product Liability <i>(not asbestos or toxic/environmental)</i> (24) | Insurance Coverage <i>(not provisionally complex)</i> (18) | Abstract of Judgment (Out of County) |
| Medical Malpractice (45) | Auto Subrogation | Confession of Judgment <i>(non-domestic relations)</i> |
| Medical Malpractice—Physicians & Surgeons | Other Coverage | Sister State Judgment |
| Other Professional Health Care Malpractice | Other Contract (37) | Administrative Agency Award <i>(not unpaid taxes)</i> |
| Other PI/PD/WD (23) | Contractual Fraud | Petition/Certification of Entry of Judgment on Unpaid Taxes |
| Premises Liability (e.g., slip and fall) | Other Contract Dispute | Other Enforcement of Judgment Case |
| Intentional Bodily Injury/PD/WD (e.g., assault, vandalism) | Real Property | Miscellaneous Civil Complaint |
| Intentional Infliction of Emotional Distress | Eminent Domain/Inverse Condemnation (14) | RICO (27) |
| Negligent Infliction of Emotional Distress | Wrongful Eviction (33) | Other Complaint <i>(not specified above)</i> (42) |
| Other PI/PD/WD | Other Real Property (e.g., quiet title) (26) | Declaratory Relief Only |
| Non-PI/PD/WD (Other) Tort | Writ of Possession of Real Property | Injunctive Relief Only <i>(non-harassment)</i> |
| Business Tort/Unfair Business Practice (07) | Mortgage Foreclosure | Mechanics Lien |
| Civil Rights (e.g., discrimination, false arrest) <i>(not civil harassment)</i> (08) | Quiet Title | Other Commercial Complaint Case <i>(non-tort/non-complex)</i> |
| Defamation (e.g., slander, libel) (13) | Other Real Property <i>(not eminent domain, landlord/tenant, or foreclosure)</i> | Other Civil Complaint <i>(non-tort/non-complex)</i> |
| Fraud (16) | Unlawful Detainer | Miscellaneous Civil Petition |
| Intellectual Property (19) | Commercial (31) | Partnership and Corporate Governance (21) |
| Professional Negligence (25) | Residential (32) | Other Petition <i>(not specified above)</i> (43) |
| Legal Malpractice | Drugs (38) <i>(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</i> | Civil Harassment |
| Other Professional Malpractice <i>(not medical or legal)</i> | Judicial Review | Workplace Violence |
| Other Non-PI/PD/WD Tort (35) | Asset Forfeiture (05) | Elder/Dependent Adult Abuse |
| Employment | Petition Re: Arbitration Award (11) | Election Contest |
| Wrongful Termination (36) | Writ of Mandate (02) | Petition for Name Change |
| Other Employment (15) | Writ—Administrative Mandamus | Petition for Relief From Late Claim |
| | Writ—Mandamus on Limited Court Case Matter | Other Civil Petition |
| | Writ—Other Limited Court Case Review | |
| | Other Judicial Review (39) | |
| | Review of Health Officer Order | |
| | Notice of Appeal—Labor Commissioner Appeals | |