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26 SUPERIOR COURT OF THE STATE OF CALIFORNIA

27 FOR THE COUNTY OF LOS ANGELES

28	DAISY TAILFEATHER, LUCY RITORTO,)	CLASS ACTION
29	ELIZABETH MENDLEY AND ABELARDO)	
30	RODRIGUEZ, on behalf of themselves)	Case No. BC080929
31	and all others similarly situated,)	
32	Plaintiffs,)	FIRST AMENDED
33)	COMPLAINT FOR
34	vs.)	DECLARATORY AND
35)	INJUNCTIVE RELIEF
36	BOARD OF SUPERVISORS OF THE)	AND PETITION FOR
37	COUNTY OF LOS ANGELES, and)	WRIT OF MANDATE
38	ROBERT C. GATES, Director of)	
39	the Los Angeles County)	
40	Department of Health Services,)	
41)	
42	Defendants.)	

43 / / /

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8 Attorneys for Plaintiffs and Petitioners

9 INTRODUCTION

10 1. This is an action to require Los Angeles County to adopt
11 standards concerning the timely provision of necessary medical
12 services to the poor at the County's hospitals and health centers.
13 Interminable delays in delivering essential medical care have
14 become the norm at the County's facilities. At Olive View Medical
15 Center, for example, a woman died of a ruptured aortic valve after
16 waiting for more than eight hours to be seen in the emergency
17 room. Meanwhile, a woman with suspected uterine cancer was
18 advised to get a hysterectomy because she would receive the
19 surgery sooner than a biopsy from Harbor-UCLA Medical Center. A
20 diabetic with failing eyesight will have to wait more than 200
21 days for an appointment with the Ophthalmology Clinic at County-
22 USC Medical Center, during which time he may go blind. The
23 backlog of appointments has grown so large at several other
24 clinics of the Medical Center, including Gastroenterology,
25 Neurology, and Oncology, that these clinics are refusing to treat
26 any new patients.

27 2. Under state law, defendant Board of Supervisors has the
28 mandatory duty to provide necessary medical care to indigent

1 residents of Los Angeles County and to adopt standards to ensure
2 the adequacy of such care. To comply with these mandates, the
3 Board of Supervisors'has established standards governing, ~~inter~~
4 ~~alia~~ eligibility for and the scope of medical services available
5 to the poor. However, the Board of Supervisors has failed to
6 adopt any corresponding standards on the timely provision of
7 medical care. The Board of Supervisors has also not established
8 any system to monitor the indigent's access to care and to address
9 problems with unacceptable delays in the provision of care.

10 3. Plaintiffs are eight indigent residents who depend on
11 the County for their medical cars. Plaintiffs seek declaratory
12 and injunctive relief or, alternatively, a peremptory writ of
13 mandate requiring the defendants to promulgate reasonable and
14 nonarbitrary standards on the timely delivery of health care to
15 the poor and to administer the County's hospitals and health
16 centers in accordance with such standards.

1: PARTIES

18 Plaintiffs and Petitioners ("Plaintiffs")

19 4. Plaintiff, Daisy Tailfeather is an indigent resident of
20 Los Angeles County who lives in a residential center for homeless
21 women. Ms. Tailfeather is unable to work and is receiving General
22 Relief benefits from the County. She has multiple health
23 problems, including the possibility of tuberculosis. Ms.
24 Tailfeather depends on County-USC Medical Center for her health
25 care because she is not eligible for Medi-Cal and cannot afford a
26 private doctor.

27 5 . Plaintiff Lucy Ritorto is an indigent resident of Los
28 Angeles County. Her only income is the minimum wage that she

1 receives as an In-Home Supportive Services provider for her 23-
2 year old daughter, who is moderately retarded and has cerebral
3 palsy and severe emotional problems. Ms. Ritorto relies on
4 Harbor-UCLA Medical Center for her own health care needs, because
5 she is not eligible for Medi-Cal and cannot afford a private
6 doctor. Ms. Ritorto does not get the medical care that she needs
7 because she cannot leave her daughter long enough to go to and
8 from Harbor-UCLA Medical Center and wait the many hours which are
9 required to be seen by the medical staff.

10 6. Plaintiff Elizabeth Mendly is an indigent resident of
11 Los Angeles County whose sole source of income is General Relief.
12 She is not eligible for Medi-Cal and relies on the County for her
13 health care. Ms. Mendly has extruded discs, a collapsed spine and
14 other medical problems. The nearest County facility to her
15 apartment is County-USC Medical Center, but the trip and the
16 extended waits to be seen aggravate her condition. Ms. Mendly's
17 health is continuing to deteriorate because she does not have
18 reasonable access to basic health care.

19 7. Plaintiff Abelardo Rodriguez is an indigent resident of
20 Los Angeles County. His sole source of income is \$293 per month
21 from General Relief. Mr. Rodriguez has several medical conditions
22 which prevent him from working, including diabetes, herniated
23 discs in his lower spine and high blood pressure. He also suffers
24 periodically from chest pains and shortness of breath. He relies
25 entirely on County-USC Medical Center for his medical care. When
26 Mr. Rodriguez becomes ill between his scheduled appointments at
27 the Internal Medicine Clinic, he has no alternative but to go to
28 the emergency room and wait the many hours required to be seen

1 | there.

2 | 8. Plaintiff Lynda Brewer is an indigent resident of the
3 | County of Los Angeles. She cares for a granddaughter who has
4 | multiple health problems. Her granddaughter receives cash income
5 | under the Aid to Families with Dependent Children program for
6 | foster children (AFDC-FC). While her granddaughter receives Medi-
7 | Cal, Ms. Brewer's applications for Medi-Cal have been denied,
8 | except one for the month of December, 1993. She has no other form
9 | of health insurance except in connection with temporary
10 | employment. Otherwise, she depends on the defendant County for
11 | medical care when she needs it. She has a family history of
12 | diabetes and high blood pressure. She should receive annual
13 | medical examinations but defendant County does not provide such
14 | regular examinations.

15 | 9. Jose Gamez is a low income resident of Los Angeles
16 | County. He regularly experiences back and kidney pains. He lives
17 | with his wife and one daughter. He has income from employment and
18 | his wife does not work. Because he lives in an intact family, he
19 | does not qualify for Medi-Cal under the "Medically Needy" program.
20 | His income from working disqualifies him from categorical
21 | eligibility for Medi-Cal and General Relief. On the other hand,
22 | he cannot afford to pay for medical care out of pocket or to pay
23 | the premiums for private health insurance. He depends on
24 | defendant County for medical care through its "Ability to Pay"
25 | ("ATP") program.

26 | 10. Plaintiff Mattie Glover is a low-income resident of the
27 | County of Los Angeles. She suffers from an irregular heartbeat for
28 | which she must take medication. She requires regular monitoring

1 | for this condition and must be regularly reexamined to
2 | obtain refills of the prescription medicine. She depends for care
3 | on defendant County because she does not qualify for Medi-Cal and
4 | cannot afford private insurance or to pay for medical care out of
5 | pocket. She does not qualify for General Relief since she has
6 | income from Worker's Compensation. She currently receives refills
7 | of her heart medication by going to County Emergency Rccms. She
8 | received an appointment with a cardiologist six -weeks after her
9 | last Emergency Room visit.

10 | 11. Plaintiff Estela Madrigal is a low income resident of
11 | the County of Los Angeles. She was denied Medi-Cal benefits in
12 | September of 1993, which decision she is appealing. She requires
13 | frequent medical attention because of intraabdominal adhesions
14 | which cause severe pain, vomiting and diarrhea, and alsosuffers
15 | from a severe nervous condition. She receives care at Los Angeles
16 | County/USC Medical Center, a facility run by defendant County, and
17 | depends on the County for her health care. She has experienced
18 | frequent delays in receiving service.

19 | Defendants and Respondents ("Defendants")

20 | 12. Defendant Board of Supervisors of the County of Los
21 | Angeles ("Board of Supervisors") is the governing body of the
22 | County of Los Angeles ("County") and has the duty of ensuring
23 | compliance of the County with the laws of the State of California
24 | and of the United States.

25 | 13. Defendant Robert C. Gates is the Director of the
26 | Department of Health Services of the County of Los Angeles ("DHS")
27 | and is charged with exercising supervision over all health
28 | facilities operated by the County of Los Angeles. He is sued in

1 his official capacity. For purposes of this complaint, both the
2 Board of Supervisors and Mr. Gates will be referred to as the
3 "County Defendants" or the "County."

4 CLASS ACTION

5 14. Plaintiffs bring this action on their own behalf and on
6 behalf of all others similarly situated.

7 15. Plaintiffs seek to represent a class consisting of all
8 indigent residents of the County who are or will be in need of the
9 medical services provided by the Los Angeles County Department of
10 Health Services.

11 16. This is a proper class action under Code of Civil
12 Procedure §382. The class is definite and ascertainable, and it
13 is so numerous that the joinder of all its members is not
14 practical. There are substantial questions of law and fact common
15 to plaintiffs and members of the class. The claims of plaintiffs
16 are typical and substantially identical to the claims of the class
17 as a whole, and they will fairly and adequately represent the
18 interest of the class.

19 17. The County has acted on grounds generally applicable to
20 the class by failing to adopt standards to ensure that its
21 provision of medical services fulfills its duty to provide
22 adequate care to the indigent, and to preserve and protect the
23 public health and safety. Only by adjudication of this
24 controversy as a class action can relief be granted so as to make
25 the members of the class whole and to avoid a multiplicity of
26 lawsuits.

27 STATUTORY FRAMEWORK

28 18. Welfare and Institutions Code §17000 provides, in

1 for the early detection and treatment of conditions which are
2 potentially complicated and life-threatening. All of these
3 services, properly provided, are necessary to protect and preserve
4 the public health, as well as the health of individuals.

5 24. It is a common experience for the needy poor to wait
6 many weeks, even months, to obtain a scheduled appointment at a
7 County outpatient clinic. These backlogs in appointments endanger
8 poor people's lives and health, exceeding reasonable limits given
9 the need for prompt medical care and treatment. When the Sates
10 for these scheduled appointments eventually arrive, it is equally
11 common for people to wait many hours, in crowded waiting areas, to
12 be seen.

13 25. The same delays and crowded conditions exist in the
14 waiting areas of the County emergency rooms. Such delays and
15 overcrowding not only imperil the health of the individual in need
16 of emergent care, but increase the exposure of others in the
17 emergency room to a variety of diseases. The public at large is
18 at risk as each person in turn exposes all those with whom they
19 subsequently come in contact.

20 26. At all times material herein, the County has failed to
21 establish written standards concerning access for the poor to
22 necessary medical care at County facilities, including, in
23 particular, reasonable waiting times for a scheduled appointment
24 at a County outpatient clinic and for examination and treatment in
25 a County emergency room.

26 27. At all times material herein, the County has failed to
27 adopt some system or plan for monitoring the poor's access to
28 necessary medical care at County facilities and for addressing

1 problems, such as the current backlog of scheduled appointments at
2 the outpatient clinics.

3 28. In the absence of any standards of adequate access to
4 care, millions of needy residents who depend on the County health
5 care system are in jeopardy. Such a system also jeopardizes the
6 public health of all residents of the County.

7 FIRST CAUSE OF ACTION AGAINST ALL DEFENDANTS

8 (For Declaratory and Injunctive Relief for Violations
9 of Welfare and Institutions Code §§17000 and 17001)

10 29. The allegations of paragraphs 1 through 24 are
11 incorporated herein by reference.

12 30. In violation of Welfare and institutions Code §§17⁰⁰⁰
13 and 17001, the County defendants have failed: (a) to promulgate
14 and adopt reasonable and adequate standards concerning the timely
15 provision of essential health care to the dependent poor at the
16 County's hospitals and health centers; and (b) to ensure that the
17 County health care system is operated in accordance with such
18 standards of access to care.

19 31. There is an actual controversy between plaintiffs and
20 defendants relating to the legal rights and duties of the parties,
21 in that plaintiffs claim and contend that defendants' actions
22 described above violate the aforesaid provisions of law.
23 Defendants contend in all respects to the contrary. Plaintiffs
24 desire a judicial declaration of the rights and duties of the
25 parties with respect to the controversy described herein.

26 32. As a direct and proximate result of the County
27 defendants' abovementioned violations of the law, plaintiffs and
28 the class they represent have suffered and will continue to suffer

1 irreparable harm, be that the outright denial of necessary medical
2 care, life- and health-threatening delays in receiving necessary
3 medical care or the anxiety, fear and pain associated with the
4 denial of prompt medical care.

5 33. Plaintiffs have no plain, speedy and adequate remedy at
6 law to redress the wrongs described herein. Plaintiffs and the
7 class they represent will continue to be irreparably injured
8 unless the Court grants the injunctive relief requested herein.

9 SECOND CAUSE OF ACTION AGAINST ALL DEFENDANTS

10 (For **Declaratory** and Injunctive Relief for
11 Violations of Health and Safety Code §450)

12 34. The allegations of paragraphs 1 through 29 are
13 incorporated herein by reference.

14 35. in violation of Health and Safety Code §450, the County
15 defendants have failed to protect and preserve the public health
16 of the general public, by allowing harmful and contagious medical
17 conditions to increase and spread in the absence of any standards
18 concerning the prompt delivery of care to the dependent poor at
19 the County's hospitals and health centers.

20 36. There is an actual controversy between plaintiffs and
21 defendants relating to the legal rights and duties of the parties,
22 in that plaintiffs claim and contend that defendants' actions
23 described above violate the aforesaid provisions of law.
24 Defendants contend in all respects to the contrary. Plaintiffs
25 desire a judicial declaration of the rights and duties of the
26 parties with respect to the controversy described herein.

27 37. As a direct and proximate result of the County
28 defendants' abovementioned violations of the law, plaintiffs, the

1 | class they represent and the general public have suffered and will
2 | continue to suffer irreparable harm through the increase and
3 | spreading of otherwise curable diseases and illnesses among the
4 | populace.

5 | 38. Plaintiffs have no plain, speedy and adequate remedy at
6 | law to redress the wrongs described herein. Plaintiffs, the class
7 | they represent and the general public will continue to be
8 | irreparably injured unless the Court grants the injunctive relief
9 | requested herein

10 | THIRD CAUSE OF ACTION AGAINST ALL DEFENDANTS

11 | (For Injunctive and Declaratory Relief for Violations
12 | of California Constitution, Article I, §1)

13 | 39. The allegations of paragraphs 1 through 34 are
14 | incorporated herein by reference.

15 | 40. By failing to adopt standards that ensure the provision
16 | of adequate care to its indigent residents, the County defendants
17 | have violated California Constitution, Article I, §1, which
18 | guarantees the inalienable right of these residents to enjoy life
19 | and to pursue and obtain safety.

20 | 41. There is an actual controversy between plaintiffs and
21 | defendants relating to the legal rights and duties of the parties,
22 | in that plaintiffs claim and contend that defendants' actions
23 | described above violate the aforesaid provisions of law.
24 | Defendants contend in all respects to the contrary. Plaintiffs
25 | desire a judicial declaration of the rights and duties of the
26 | 'parties with respect to the controversy described herein.

27 | 42. As a direct and proximate result of the County
28 | defendants' abovementioned violations of the law, plaintiffs and

1 the class they represent have suffered and will continue to suffer
2 irreparable harm, be that the outright denial of necessary medical
3 care, unjustifiable delays in receiving necessary medical care or
4 the anxiety, fear and pain associated with not securing necessary
5 medical care in a timely fashion.

6 43. Plaintiffs have no plain, speedy and adequate remedy at
7 law to redress the wrongs described herein. Plaintiffs and the
8 class they represent will continue to be irreparably injured
9 unless the Court grants the injunctive relief requested herein.

10 FOURTH CAUSE OF ACTION AGAINST ALL DEFENDANTS

11 (For Writ of Mandate Pursuant to Code of Civil Procedure
12 51085 for Violations of the Welfare and Institutions
13 Code, Health and Safety Code and California Constitution)

14 44. The allegations of paragraphs 1 through 39 are
15 incorporated herein by reference.

16 45. Plaintiffs and those similarly situated have a
17 beneficial interest as needy individuals dependent upon the
18 County's health care system and as County residents in the
19 performance by defendants of their statutory and Constitutional
20 duties.

21 46. At all times material herein, defendants have been able
22 to perform their duties regarding the application of relevant
23 State laws, specifically Welfare and Institutions Code §§17000 and
24 17001, Health and Safety Code §450 and Article I, §1, of the
25 California Constitution.

26 47. Plaintiffs have no plain, speedy, and adequate remedy in
27 the ordinary course of law to make the defendants comply with the
28 law as set forth above, except by way of peremptory writ of this

1 Court ordering defendants to act in accordance with the above
2 cited statutes and regulations.

3 48. Plaintiffs therefore seek a Writ of Mandate pursuant to
4 Code of Civil Procedure §1085 compelling defendants to perform
5 acts required by State law as set forth in the above causes of
6 action, namely: to promulgate and adopt standards on indigents'
7 access to essential medical care at County facilities, especially
8 as to reasonable and adequate waiting times to be seen for
9 emergency care and outpatient specialty care; and to operate these
10 County facilities in accordance with such standards.

11 PRAYER FOR RELIEF

12 WHEREFORE, plaintiffs and petitioners pray for judgment as
13 follows

14 1. Determine that this action may be maintained as a class
15 action;

16 2. Enter preliminary and permanent injunction requiring
17 defendants, their respective successors-in-office, agents,
18 employees, and all persons acting in concert therewith: to
19 promulgate and adopt written standards concerning the
20 accessibility of necessary medical care for the poor at County
21 facilities, especially reasonable waiting times for a scheduled
22 appointment at a County outpatient clinic and for examination and
23 treatment in a County emergency room; and to operate the County
24 facilities in accordance with such standards;

25 3. Enter declaratory relief determining that the defendants
26 have a legal duty to promulgate standards concerning the timely
27 provision of necessary medical care to the poor at the County
28 facilities and to operate the County facilities in accordance with

such standards;

4. Issue a peremptory writ of mandate commanding defendants to perform the acts described in paragraph 2. above;

5. Award plaintiffs their reasonable costs and attorneys' fees; and

6. Grant plaintiffs such other and further relief as the Court deems just and proper.

DATED: March 11, 1994

WESTERN CENTER ON LAW & POVERTY
NATIONAL HEALTH LAW PROGRAM
LEGAL AID FOUNDATION OF LOS ANGELES
ACLU FOUNDATION OF SOUTHERN CALIFORNIA
LEGAL SERVICES PROGRAM FOR PASADENA AND
SAN GABRIEL-POMONA VALLEY

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By: 

John E. Rittmayer

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VERIFICATION (446, 2015.5C. C. P.)

STATE OF CALIFORNIA, COUNTY OF

I am the one of the plaintiffs

in the above entitled action or proceeding: I have read the foregoing First Amended Complaint
For Declaratory And Injunctive Relief And Petition For Writ
Of Mandate

and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters
which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

Executed on March 11, 1994 at Pasadena California
(date) (place)

I declare, under penalty of perjury, that this foregoing is true and correct.

[Handwritten Signature]
Signature

PROOF OF SERVICE BY MAIL (1013a, 2015.5 C. C. P.)

STATE OF CALIFORNIA, COUNTY OF Los Angeles

I am a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled
action; my business address is:

221 E. Walnut Street, Suite #102 Pasadena Ca 91101

On _____ 19____, I served the within _____

Answer Unlawful Detainer

on the Interested Parties
in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in
the United States mail at Pasadena
addressed as follows:

Executed on _____ at Pasadena California
(date) (place)

I declare, under penalty of perjury, that the foregoing is true and correct.

Signature

STATE OF CALIFORNIA, COUNTY OF

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Plaintiff

I am the _____

in the above entitled action or proceeding; I have read the foregoing Amended Complaint

and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 3-3-94 at Los Angeles, California
(date) (place)

Estela Madrigal
Estela (Signature) Madrigal

PROOF OF SERVICE BY MAIL (1013a, 2015.5 C. C. P.)

STATE OF CALIFORNIA, COUNTY OF

I am a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is:

On _____, 19____, I served the within _____

on the _____
in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the

United States mail at _____
addressed as follows:

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ at _____, California
(date) (place)

(Signature)

VERIFICATION (446, 2015.5 C. C. P.)

STATE OF CALIFORNIA, COUNTY OF Los Angeles

I am the one of the plaintiffs

in the above entitled action or proceeding: I have read the foregoing FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION FOR WRIT OF MANDATE

and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

Executed on March 8, 1994 3 Pasadena California
(date) (place)

I declare, under penalty of perjury, that the foregoing is true and correct.

Matthe V. Glover
Signature

PROOF OF SERVICE BY MAIL (1013a, 2015.5 C. C. P.)

STATE OF CALIFORNIA, COUNTY OF Los Angeles

I am a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is:

221 E. Walnut Street, Suite #102, Pasadena California

On _____ 19____, I served the within _____

Answer Unlawful Detainer

on the Interested Parties
in said action, by placing a true copy thereof enclosed in 3 sealed envelope with postage thereon fully prepaid, in the United States mail at Pasadena
addressed as follows:

Executed on _____ at Pasadena California
(date) (place)

I declare, under penalty of perjury, that the foregoing is true and correct.

Signature

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF

I have read the foregoing Amended Complaint for Declaratory and Injunctive Relief and Petition for Writ of Mandate and know its contents.

CHECK APPLICABLE PARAGRAPH

E 1 I am a party to this action. The matters stated in the foregoing document are true of my own knowledge **except** as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am an Officer a partner a _____ of _____

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I am informed and believe and on that ground allege that the matters **stated** in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I **believe** them to be true.

c 1 I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground **allege that** the matters stated in the foregoing document are true.

Executed on March, 1994 at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is **true** and correct.

Lvnda Brewer
Type or Print Name

[Signature]
Signature

PROOF OF SERVICE
CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of _____, State of California.

I am over the age of 18 and not a party to the **within action**; my business address is: _____

On _____, 19____, I served the foregoing document described as _____

on _____ in this action
 by placing the true copies thereof enclosed in sealed **envelopes** addressed as stated on the attached mailing list:
 by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL

*I deposited such envelope in the mail at _____, California.
The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing **correspondence** for mailing. Under that practice it would be deposited with U.S. postal **service** on that same day with postage thereon fully prepaid at _____ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on _____, 19____, at _____, California.

c 1 "(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on _____, 19____, at _____, California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the **office** of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

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PROOF OF SERVICE BY MAIL - CCP 1013A, 2015.5

I declare that: I am (a resident of/employed in) the County of Los Angeles, California.

I am over the age of eighteen years and not a party to the within entitled cause: my (business/residence) address is:

221 East Walnut Street
Suite 102
Pasadena, California 91101

On March 14, 1994, I served the attached:

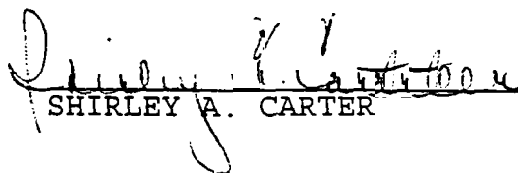
SUMMONS AND FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION FOR WRIT OF MANDATE

on the INTERESTED PARTIES by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States and mailed to the following address:

DE WITT W. CLINTON, County Counsel
STEVEN J. CARNEVALE
PATRICK A. WU, Principal Deputies County Counsel
ANDREW W. OWENS
ADA TREIGER, Senior Deputies County Counsel
648 HALL OF ADMINISTRATION
600 WEST TEMPLE STREET
LOS ANGELES, CA 90012

Executed on March 14, 1994 at Pasadena, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


SHIRLEY A. CARTER