ORIGINAL

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6380 Wilshire Boulevard
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Los Angeles, CA 90048-5003
Telephone (323) 782-6782
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Attorneys for Administrative Claimant MARIA SOLORIO

FILED
MAR - 3 2004
Denise H. Curtis, Clerk
U.S. Bankruptcy Court for D.C.

UNITED STATES BANKRUPTCY COURT

DISTRICT OF COLUMBIA

In re PACIFICA OF THE VALLEY CORPORATION, Debtor	Case No. 02-2249 [Jointly Administered under Case No. 02-2250(SMT)] Chapter 11 Case No. 02-2253 [Jointly Administered under Case No. 02-2250(SMT)]
In re DOCTORS COMMUNTY HEALTH CARE CORPORATION Debtor	REQUEST FOR PAYMENT OF ADMINISTRATIVE EXPENSE [11 U.S.C. §503 and §1129(a)(9)(A)] AND REQUEST FOR NOTICE Plan Confirmation Hearing Set: DATE: March 30, 2003 TIME: 10:30 a.m. CTRM: 34

Claimant MARIA SOLORIO ("Claimant") hereby requests payment of sums due her as an administrative expense of the above-entitled

estates on or prior to the effective date of the Debtors' Plan of Reorganization pursuant to 11 U.S.C. §503 and §1129(a)(9)(A) and in support thereof represents as follows:

1. This debt was incurred on December 28, 2002, based on bodily injuries sustained in an accident on Debtors' business premises. Legal action has been commenced against the Debtors; A copy of the Summons and Complaint in said civil action is attached hereto as Exhibit 1, and is incorporated herein by reference as though fully set forth at this point.

2. At all times on and after November 20, 2002, and specifically including December 28, 2002, Debtors were operating as debtors-in-possession under Chapter 11 of Title 11 of the United States Code. Claimant was at Debtors' hospital premises in the course of seeking emergency treatment from Debtors for her son, for which Debtors would receive payment for professional services rendered by them. As such, Claimant has an administrative claim in these Chapter 11 cases and is entitled to payment thereof on the effective date of Debtors' Plan of Reorganization pursuant to 11 U.S.C. §1129(a)(9)(A).

4. The amount claimed for which payment is sought herein is the sum of $100,000.00 or such other sum as is mutually agreed upon by the parties.

5. Although Claimant has previously requested notice of all proceedings before this Court as provided in Federal Bankruptcy Rule 2002(a), such notices have not been provided to her as requested to and including the date hereof, specifically including although not limited to notices of hearings, bar dates and other deadlines. Claimant hereby renews her request for notice of all

proceedings in these matters under Federal Bankruptcy Rule 2002(a); the addresses to which all notices and to which the payment requested here should be sent are as follows:

Robert M. Cohen
Cohen, Stimpert & Ford
6380 Wilshire Boulevard
Suite 1020
Los Angeles, CA 90048-5003
Telephone (323) 782-6782
Facsimile (323) 782-6788

with an additional copy to:

Steven A. Schwaber
Law Offices of Steven A. Schwaber
2600 Mission Street
Suite 100
San Marino, CA 91108
Telephone (626) 403-5600
Facsimile (626) 403-4691
Email: steve@schwaberlaw.com

DATED: March 2, 2004

ROBERT M. COHEN
COHEN, STIMPERT & FORD

By: _____
STEVEN A. SCHWABER
Attorneys for Administrative
Claimant Maria Solorio

Exhibit 1

SUMMONS
(CITACION JUDICIAL)

NOTICE TO DEFENDANT: ***(Aviso a Acusado)***
PACIFICA OF THE VALLEY CORPORATION, A DELAWARE CORPORATION; DOCTORS COMMUNITY HEALTHCARE CORPORATION, A DELAWARE CORPORATION; and DOES 1 to 50, inclusive

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

YOU ARE BEING SUED BY PLAINTIFF:
(A Ud. le está demandando)
MARIA SOLORIO

You have *30 CALENDAR DAYS* after this summons is served on you to file a typewritten response at this court.

A letter or phone call will not protect you; your typewritten response must be in proper legal form if you want the court to hear your case.

If you do not file your response on time, you may lose the case, 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 call an attorney referral service or a legal aid office (listed in the phone book).

Después de que le entreguen esta citación judicial usted tiene un plazo de 30 DIAS CALENDARIOS para presentar una respuesta escrita a máquina en esta corte.

Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.

Si usted no presenta su respuesta a tiempo, puede perder el caso, y le pueden quitar su salario, su dinero y otras cosasde su propiedad sin aviso adicional por parte de la corte.

Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).

The name and address of the court is: *(El nombre y dirección de la corte es)*
Superior Court of California
Los Angeles County – Unlimited Civil Cases
300 E. Olive Ave.
Burbank, CA 91502
North Central - Burbank Courthouse

Case assigned to North Central Glendale, 600 E. Broadway, Glendale, CA, for all further proceedings.

CASE NUMBER *(Número del Caso)*
EC 037595

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)
Robert M. Cohen, Esq. (#70454) (323) 782-6782
Ian J. Ford, Esq. (#180644)
Law Offices of Cohen, Stimpert & Ford
6380 Wilshire Blvd., Suite 1020
Los Angeles, CA 90048

DATE: SEP 04 2003 *(Fecha)*
JOHN A. CLARKE Clerk, by *(Asturario)* D. QUISPE, Deputy *(Delegado)*

[SEAL] SUPERIOR COURT, LOS ANGELES CO.

NOTICE TO THE PERSON SERVED: You are served
1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify)*:
3. ☐ on behalf of *(specify)*:
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)
☐ other:
4. ☐ by personal delivery on *(date)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):
Robert M. Cohen, Esq. (#70454)
Ian J. Ford, Esq. (#180644)
Law Offices of Cohen, Stimpert & Ford
6380 Wilshire Blvd., Suite 1020
Los Angeles, CA 90048
TELEPHONE NO: (323) 782-6782 FAX NO. (Optional):
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name): Plaintiff

FOR COURT USE ONLY

NAME OF COURT: Superior Court of California
STREET ADDRESS: Los Angeles County
MAILING ADDRESS: 300 E. Olive Ave.
CITY AND ZIP CODE: Burbank, CA 91502
BRANCH NAME: North Central - Burbank Courthouse

PLAINTIFF: MARIA SOLORIO

DEFENDANT: PACIFICA OF THE VALLEY CORPORATION, A DELAWARE CORPORATION; DOCTORS COMMUNITY HEALTHCARE CORPORATION, A DELAWARE CORPORATION; and
[x] DOES 1 TO 50, inclusive

ORIGINAL FILED
SEP 04 2003
LOS ANGELES SUPERIOR COURT

COMPLAINT — Personal Injury, Property Damage, Wrongful Death
[ ] **AMENDED (Number):**

Type (check all that apply):
[ ] **MOTOR VEHICLE**
[ ] **Property Damage**
[x] **Personal Injury**
[x] **OTHER (specify):** Premises Liability
[ ] **Wrongful Death**
[ ] **Other Damages (specify):**

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**
[x] **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:
EC 037595

1. PLAINTIFF (name): MARIA SOLORIO

alleges causes of action against DEFENDANT (name): All Defendants
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):
(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 Complaint — Attachment 3.

Form Approved for Optional Use
Judicial Council of California
982.1(1) [Rev. July 1, 2002]
COMPLAINT — Personal Injury, Property Damage, Wrongful Death
Legal Solutions Plus

SHORT TITLE: SOLORIO V. PACIFICA	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. [X] **except** defendant *(name)*: PACIFICA OF THE VALLEY CORPORATION, A DELAWARE CORPORATION
      (1) [ ] a business organization, form unknown
      (2) [X] a corporation
      (3) [ ] an unincorporated entity *(describe)*:
      (4) [ ] a public entity *(describe)*:
      (5) [ ] other *(specify)*:

   b. [X] **except** defendant *(name)*: DOCTORS COMMUNITY HEALTHCARE CORPORATION, A DELAWARE CORPORATION
      (1) [ ] a business organization, form unknown
      (2) [X] a corporation
      (3) [ ] an unincorporated entity *(describe)*:
      (4) [ ] a public entity *(describe)*:
      (5) [ ] other *(specify)*:

   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)*:

   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)*:

   [ ] Information about additional defendants who are not natural persons is contained in Complaint — Attachment 5.

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

7. [ ] Defendants who are joined pursuant to 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. [X] 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. [ ] plaintiff has complied with applicable claims statutes, **or**
   b. [ ] plaintiff is excused from complying because *(specify)*:

SHORT TITLE: SOLORIO V. PACIFICA	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. [X] General Negligence
    c. [ ] Intentional Tort
    d. [ ] Products Liability
    e. [X] Premises Liability
    f. [ ] Other *(specify)*:

11. Plaintiff has suffered
    a. [X] wage loss
    b. [ ] loss of use of property
    c. [X] hospital and medical expenses
    d. [X] general damage
    e. [ ] property damage
    f. [X] loss of earning capacity
    g. [X] other damage *(specify)*: ACCORDING TO PROOF AT TRIAL

12. [ ] The damages claimed for wrongful death and the relationships of plaintiff to the deceased are
    a. [ ] listed in Complaint — 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) [X] compensatory damages
       (2) [ ] punitive damages
    b. The amount of damages is *(you must check (1) in cases for personal injury or wrongful death)*:
       (1) [X] according to proof
       (2) [ ] in the amount of: $

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

Date: August 28, 2003

Robert M. Cohen, Esq.
(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE: SOLORIO V. PACIFICA	CASE NUMBER:

First (number) **CAUSE OF ACTION - Premises Liability** Page 4

ATTACHMENT TO ☐ Complaint ☐ Cross-Complaint

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

Prem.L-1. Plaintiff *(name)*: MARIA SOLORIO
alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.
On *(date)*: 12/28/02 plaintiff was injured on the following premises in the following fashion *(description of premises and circumstances of injury)*:
Plaintiff was walking into the emergency room entrance hallway at Pacifica Hospital of the Valley, located at 9449 San Fernando Road, Sun Valley, CA, when she suddenly slipped in a puddle of liquid which was present on the hallway floor and violently fell to the ground, thereby causing the injuries and damages more fully set forth in this complaint.

Prem.L-2. ☒ **Count One-Negligence** The defendants who negligently owned, maintained, managed and operated the described premises were *(names)*: PACIFICA OF THE VALLEY CORPORATION; DOCTORS COMMUNITY HEALTHCARE CORPORATION; AND

☒ Does 1 to 50

Prem.L-3. ☐ **Count Two-Willful Failure to Warn** [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were *(names)*: PACIFICA OF THE VALLEY CORPORATION; DOCTORS COMMUNITY HEALTHCARE CORPORATION; AND

☒ Does 1 to 50

Plaintiff, a recreational user, was ☒ an invited guest ☒ a paying guest.

Prem.L-4. ☐ **Count Three-Dangerous Condition of Public Property** The defendants who owned public property on which a dangerous condition existed were *(names)*:

☐ Does _____ to _____

a. ☐ The defendant public entity had ☐ actual ☐ constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.

b. ☐ The condition was created by employees of the defendant public entity.

Prem.L-5. a. ☒ **Allegations about Other Defendants** The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were *(names)*: PACIFICA OF THE VALLEY CORPORATION; DOCTORS COMMUNITY HEALTHCARE CORPORATION; AND

☒ Does 1 to 50

b. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are ☐ described in attachment Prem.L-5.b ☐ as follows *(names)*:

SHORT TITLE: SOLORIO V. PACIFICA	CASE NUMBER:

Second (number) **CAUSE OF ACTION - General Negligence** Page 5

ATTACHMENT TO [x] Complaint [ ] Cross-Complaint

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

GN-1. Plaintiff *(name)*: MARIA SOLORIO

alleges that defendant *(name)*: PACIFICA OF THE VALLEY CORPORATION; DOCTORS COMMUNITY HEALTHCARE CORPORATION; AND

[x] Does 1 to 50

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)*: 12/28/02

at *(place)*: Pacifica Hospital of the Valley, 9449 San Fernando Road, Sun Valley, California

(description of reasons for liability):

Defendants, and each of them, so negligently owned, operated, supervised, maintained, and managed the described hospital emergency room entrance hallway so as to cause Plaintiff to slip and full in a puddle of liquid which was present on the hallway floor, thereby causing the injuries and damages as set forth in this complaint.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Mission Street, Suite 100, San Marino, CA 91108.

On March 2, 2004, I served the foregoing document described as REQUEST FOR PAYMENT OF ADMINISTRATIVE EXPENSE [11 U.S.C. §503 and §1129(a)(9)(A)] AND REQUEST FOR NOTICE on the interested parties in this action:

X by placing the true copies thereof enclosed in the United States mail addressed as:

Andrew M. Troop, Esq./Cleveland Lawrence III
Weil, Gotshal & Manges LLP
1501 K Street NW
Suite 100
Washington, DC 20005

X BY MAIL

X I deposited such copies in the mail at San Marino, CA. 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 the U.S. Postal Service on that same day with postage thereon fully prepaid at San Marino, 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 the date of deposit for mailing in affidavit.

____ BY FEDERAL EXPRESS

__ I deposited such envelope in the Federal Express drop at 2600 Mission Street, San Marino, California. The envelope was sent with fees thereon fully prepaid.

___ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for Federal Express. Under that practice it would be deposited with the Federal Express drop at 2600 Mission Street, San Marino, California on that same day with fees thereon fully prepaid in the ordinary course of business.

X By confirmed facsimile transmission to Debtor's Counsel at (202) 857-0939

X (Federal) I declare that I am a member of the bar of this court.

Executed on March 2, 2004 at San Marino, California.

STEVEN A. SCHWABER
Type or Print Name

Signature