

SUMMONS (CITACION JUDICIAL)

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

U.S. AIRWAYS

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

JING FANG WANG

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

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 desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Superior Court for Santa Clara County
191 N. 1st St.
San Jose, CA 95113

CASE NUMBER:
(Número del Caso):

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):
JING FANG WANG 770 SYCAMORE AVE 122-442 VISTA, CA 92083 760.716.1858

DATE: _____ Clerk, by _____, Deputy
(Fecha) (Secretario) (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)).

[SEAL]

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): U.S. AIRWAYS
 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 (authorized person)
 other (specify):
- by personal delivery on (date):

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JING FANG WANG 770 Sycamore Ave. 122-442 Vista, CA 92083</p> <p>TELEPHONE NO: 760-716-1858 FAX NO. (Optional):</p> <p>E-MAIL ADDRESS (Optional):</p> <p>ATTORNEY FOR (Name):</p>	<p>FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA</p> <p>STREET ADDRESS: 191 N. 1ST STREET</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE: SAN JOSE, CA 95113</p> <p>BRANCH NAME: DOWNTOWN</p>	
<p>PLAINTIFF: JING FANG WANG</p> <p>DEFENDANT: US AIRWAYS, INC.</p> <p><input checked="" type="checkbox"/> DOES 1 TO 10 INCLUSIVE</p>	
<p>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</p> <p><input type="checkbox"/> AMENDED (Number):</p> <p>Type (check all that apply):</p> <p><input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): NEGLIGENCE</p> <p><input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death</p> <p><input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify):</p>	
<p>Jurisdiction (check all that apply):</p> <p><input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000</p> <p><input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)</p> <p><input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint</p> <p><input type="checkbox"/> from limited to unlimited</p> <p><input type="checkbox"/> from unlimited to limited</p>	<p>CASE NUMBER:</p>

1. Plaintiff (name or names): **JING FANG WANG**
 alleges causes of action against defendant (name or names):
US AIRWAYS
2. This pleading, including attachments and exhibits, consists of the following number of pages:
3. Each plaintiff named above is a competent adult
 - a. except plaintiff (name): **US AIRWAYS, INC.**
 - (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 Attachment 3.

SHORT TITLE: WANG V. U.S. AIRWAYS, INC.	CASE NUMBER:
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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. except defendant (name): **U.S. AIRWAYS**
 (1) a business organization, form unknown
 (2) a corporation
 (3) an unincorporated entity (describe):

 (4) a public entity (describe):
U.S. AIRWAYS, INC.
 (5) other (specify):
- b. 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):
- 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 Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
 a. Doe defendants (specify Doe numbers): 1 THROUGH 25 were the agents or employees of other named defendants and acted within the scope of that agency or employment.
 b. Doe defendants (specify Doe numbers): 1 THROUGH 25 are persons whose capacities are unknown to plaintiff.
7. Defendants who are joined under 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. 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. has complied with applicable claims statutes, or
 b. is excused from complying because (specify):

SHORT TITLE: WANG V. U.S. AIRWAYS, INC.	CASE NUMBER:
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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. General Negligence
 - c. Intentional Tort
 - d. Products Liability
 - e. Premises Liability
 - f. Other (specify):

11. Plaintiff has suffered
- a. wage loss
 - b. loss of use of property
 - c. hospital and medical expenses
 - d. general damage
 - e. property damage
 - f. loss of earning capacity
 - g. other damage (specify):

PERMANENT PHYSICAL INJURY

12. The damages claimed for wrongful death and the relationships of plaintiff to the deceased are
- a. listed in Attachment 12.
 - b. as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

THIS ACCIDENT DUE TO THE NEGLIGENCE OF US AIRWAYS OCURRED IN THE CITY OF SAN JOSE, CA.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for
- a. (1) compensatory damages
 - (2) punitive damages
- The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):
- (1) 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: MARCH 14, 2011

JING FANG WANG

(TYPE OR PRINT NAME)



Jing Fang Wang

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

CASE NUMBER:

SHORT TITLE:

WANG V U.S. AIRWAYS, INC.

FIRST

(number)

CAUSE OF ACTION—General Negligence

Page 3

ATTACHMENT TO Complaint Cross - Complaint

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

GN-1. Plaintiff (name): JING FANG WANG

alleges that defendant (name): U.S. AIRWAYS, INC.

Does 1 to 25

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): 3/21/09

at (place): 1661 AIRPORT BLVD. TERMINAL C SAN JOSE, CA 95110

(description of reasons for liability):

PLAINTIFF WAS A PASSENGER OF US AIRWAYS ON 3/21/09. UPON ARRIVAL AT SAN JOSE AIRPORT, CA., US AIRWAYS DECIDED TO FORCE THEIR PASSENGERS TO DIS-EMBARC ON A SLICK, WET, RAINY, PORTABLE STAIRCASE, RATHER THAN THE COVERED, NORMAL DIS-EMBARCKMENT AT THE TERMINAL. TO DISEMBARK THE PLANE. PASSENGERS HAD TO DISEMABARK ON A SLIPPERY SET OF PORTABLE STAIRS ONTO ANOTIHER SLICK, SLIPPERY, WET, TARMACK. RATHER THAN TAXI THEM TO SAFETY AND DIS-EMBARC THEM IN THE USUAL COVERED MANNER, US AIRWAYS DUMPED THEIR CUSTOMERS ONTO A STAIRCASE THAT WAS STEEP, WET, AND TREACHEROUS. US AIRWAYS ACCEPTS LIABILITY WHEN THEY SELL YOU A TICKET THAT YOU PURCHASE. IT WAS FORSEABLE THAT SIGNIFICANT BODILY HARM WOULD OCCUR WHEN FORCING PASSENGERS TO DIS-EMBARC ON A WET, SLICK, STAIRCASE RATHER THAN THE COVERED TERMINAL THAT THEY NORMALLY USE. PHYSICAL INJURY WAS PROIMATELY CAUSED BY THEIR FORSEEAB LE NEGLIGENCE.

SHORT TITLE: WANG V. U.S. AIRWAYS	CASE NUMBER
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Exemplary Damages Attachment

Page _____

ATTACHMENT TO Complaint Cross - Complaint

EX-1. As additional damages against defendant (name):

US AIRWAYS, INC.

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:

US AIRWAYS OFFERED ONLY ONE WAY TO DISEMBARK THE FLIGHT. THE DANGEROUS, SLIPPERY PATH DOWN THE PORTABLE STAIRCASE. PHYSICAL INJURY WAS FORSEEABLE IN THAT US AIRWAYS KNEW IT WAS RAINING AND ANY PORTABLE STAIRCASE USED TO DISEMABARK PASSENGERS, WOULD ALSO BE WET AND SLICK. US AIRWAYS IGNORED THE SAFETY OF THEIR OWN PASSENGERS AND WILLINGLY ENCOURAGED THEM TO EXIT VIA THE DANGEROUS STAIRS. THEY ASSUMED THE LIABILITY WHEN THEY WERE PAID FOR SAFE TRANSPORATION. US AIRWAYS DELIBERATELY IGNORED ALL THE SAFETY REQUIREMENTS OF AN AIRLINE COMPANY, AND OPPRESSIVELY FORCED THEIR PAYING CUSTOMERS TO EXIT THEIR PLANE ONTO A DANGEROUS STAIRCASE. SINCE THERE WAS NO OTHER EXIT EXCEPT THE DANGEROUS ONE, IT WAS OPPRESSIVE TO FORCE PEOPLE INTO DANGER.

EX-3. The amount of exemplary damages sought is

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