The JS-44 civil cover sheet and the information comained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

l. (a) PLAINTIFFS			DEFENDA	NTS	THE TORIVI.)
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Roy L. Land 7840 Missio San Diego,	n Center CT, S CA 92108)296-7898 Suite 101	Attorneys (If K	589 B-(L-S	5P)
Plaintiff 2 U.S. Government Defendant	Pederal Question————————————————————————————————————	lot-o-Rarty)	(For Diversity Cases Only)	DEF I Incorporated or of Business Incorporated an of Business Incorporated an of Business Incorporated and In	Place an "X" in One Box for Plaintiff and One Box for Defendant) DEF Principal Place
IV. NATURE OF SUIT CONTRACT	(Place an "X" in One Bo		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
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VII. REQUESTED IN COMPLAINT: XX VIII. RELATED CASE(S	On on basis of CHECK IF THIS IS A OUNDER F.R.C.P. 23 (See instructions):	disabilit	DEMANDS		if demanded in complaint:
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~13 44 (KeV. 2144) CIVIL COVER SHEET The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) I. (a) PLAINTIFFS DEFENDANTS McDONALD'S RESTAURANT, McDONALD'S GAYNOR CARLOCK CORPORATION BOB SEDER, FATV, et al. 03 APRV-708853:1-10, Inclusive, San Diego (b) County of Residence of First Listed Plaintiff Şan Diego County of Residence of Firett Listed (EXCEPT IN U.S. PLAINTIFF CASES) CLERK. U.S. DISTRICT OF CINIOUS PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. **DEPUTY** (c) Attorney's (Firm Name, Address, and Telephone Number) 8 Y : Attorneys (If Known) (619)296-7898 Roy L. Landers 06900 7840 Mission Center CT, Suite 101 San Diego, CA 92108 II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant) DEF DEF D 1 U.S. Government 3 Federal Question Citizen of This State . D 1 \Box 1 Incorporated or Principal Place

4 $\Pi 4$ Plaintiff (U.S. Government Not a Party) of Business In This State ☐ 2 U.S. Government ☐ 4 Diversity Citizen of Another State 2 □ 2 Incorporated and Principal Place [5 D 5 Defendant (Indicate Citizenship of Parties of Business In Another State in Item III) Citizen or Subject of a - - 3 - - Foreign Nation 0 6 □ 6 Foreign Country IV. NATURE OF SUIT (Place an "X" in One Box Only) CONTRACT **TORTS** FORFEITURE/PENALTY BANKRUPTCY OTHER STATUTES 110 Insurance PERSONAL INJURY PERSONAL INJURY 610 Agriculture 422 Appeal 28 USC 158 400 State Reapportionment 120 Marine 310 Airplane 362 Personal Injury 620 Other Food & Drug ☐ 410 Antitrust 130 Miller Act 315 Airplane Product Med. Malpractice 625 Drug Related Seizure 423 Withdrawal 430 Banks and Banking 140 Negotiable Instrument Liability ☐ 365 Personal Injury of Property 21 USC 28 USC 157 150 Recovery of Overpayment □ 450 Commerce/ICC Rates/etc 320 Assault, Libel & Product Liability 630 Liquor Laws ☐ 460 Deportation & Enforcement of Slander 368 Asbestos Personal 640 R.R. & Truck PROPERTY RIGHTS Issismedicare Act D 470 Racketeer Influenced and 330 Federal Employers Injury Product 650 Airline Regs. Corrupt Organizations 152 Recovery of Defaulted 820 Copyrights Liability Liability 660 Occupational ☐ 810 Selective Service В Student Loans 340 Marine PERSONAL PROPERTY 830 Patent Safety/Health ☐ 850 Securities/Commodities/ (Excl. Veterans) 840 Trademark 345 Marine Product 2 370 Other Fraud 690 Other \Box Exchange 153 Recovery of Overpayment Liability 350 Motor Vehicle D 371 Truth in Lending 875 Customer Challenge of Veteran's Benefits D 380 Other Personal LABOR SOCIAL SECURITY 12 USC 3410 160 Stockholders' Suits 355 Motor Vehicle Property Damage D 891 Agricultural Acts 710 Fair Labor Standards 190 Other Contract а **Product Liability** ☐ 385 Property Damage 861 HIA (1395ff) D 892 Economic Stabilization Act 195 Contract Product Liability D 360 Other Personal Injury 862 Black Lung (923) Product Liability D 893 Environmental Matters 120 Labor/Mgmt. Relation. 863 DIWC/DIWW (405(g)) REAL PROPERTY 894 Energy Allocation Act CIVIL RIGHTS PRISONER PETITIONS 864 SSID Title XVI □ 895 Freedom of 130 Labor/Mgmt.Reporting 865 RSI (405(g)) 210 Land Condemnation 441 Voting 510 Motions to Vacate Information Act & Disclosure Act 220 Foreclosure 442 Employment FEDERAL TAX SUITS ☐ 900 Appeal of Fee Sentence 140 Railway Labor Act 230 Rent Lease & Ejectment 443 Housing/ Determination Under Equal Habeas Corpus: 240 Torts to Land 870 Taxes (U.S. Plaintiff Accommodations 530 General Access to Justice 190 Other Labor Litigation 444 Welfare 245 Tort Product Liability 950 Constitutionality of 535 Death Penalty or Defendant) 290 All Other Real Property 440 Other Civil Rights 540 Mandamus & Other State Statutes 191 Empl. Ret. Inc. ☐ 871 IRS—Third Party ☐ 890 Other Statutory Actions 550 Civil Rights Security Act 555 Prison Condition 26 USC 7609 (PLACE AN "X" IN ONE BOX ONLY) V. ORIGIN Appeal to District Transferred from Judge from Magistrate another district Qriginal_ Removed from Remanded from Reinstated or D 5 □ 6 (specify) Multidistrict ロフ State Court Appellate Court Judgment Reopened Litigation VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 42 USC 12101-12102, 12181-12183 and 12201, et seq. Discrimination on basis of disability (Public Accommodations) VII. REQUESTED IN ☐ CHECK IF THIS IS A CLASS ACTION DEMAND S CHECK YES only if demanded in complaint: COMPLAINT: XX UNDER F.R.C.P. 23 JURY DEMAND:_ Yes No (See VIII. RELATED CASE(S) instructions): **IF ANY** JUDG DOCKET NUMBER E DATE SIGNA URE OF ATTORNEY OF RECORD 3-03

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CIVIL COVER SHEET The JS-44 civil cover sheet and the information conged herein neither replace nor supplement the filing an service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) I. (a) PLAINTIFFS DEFENDANTS BIG O-TIRES, INC., et al. GAYNOR CARLOCK San Diego San Diego (b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES) K. U.S. DISTRICTINGUER PLAINTIFF CASES ONLY) SULLICAN NOTERIALIZAND EURBENINATION CASES, USE THE LOCATION OF THE LAND INVOLVED (c) Attorney's (Firm Name, Address, and Telephone Number) Attorneys (If Known DEPUTY ay: (619)296~7898 Roy L. Landers 1450J 7840 Mission Center CT, Suite 101 San Diego, CA 92108 II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant) DEF DEF □ 1 U.S. Government 3 Federal Question Citizen of This State Incorporated or Principal Place

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☐ 120 Marine ☐ 130 Miller Act	☐ 310 Airplane ☐ 315 Airplane Product	☐ 362 Personal Injury— Med. Malpractice	- -	620 Other Food & Drug 625 Drug Related Seizure		☐ 410 Antitrust	
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 220 Foreclosure 230 Rent Lease & Ejectment 	☐ 442 Employment ☐ 443 Housing/	Sentence Habeas Corpus:	0	740 Raitway Labor Act	FEDERAL TAX SUITS	900 Appeal of Fee Determination Under Equal	
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42. An actual controversy now exists in that plaintiff is informed and believes and thereon alleges that defendants' premises are in violation of the disabled access laws of the State of California including, but not limited to, Civil Code Sections 51, et seq., Section 52, et seq., Title 24 of the California Code of Regulations and Title III of the Americans with Disabilities Act and the Americans with Disabilities Access Guidelines (ADAAG).

43. A declaration of plaintiff's rights is necessary and appropriate in order for the parties to this action to know their respective rights and duties. Accordingly, the court should make a declaration of the rights of the parties.

DEMAND FOR JURY

44. Plaintiff respectfully requests that the claims made herein be heard and determined by a jury.

WHEREFORE PLAINTIFF PRAYS:

- 1. For general damages according to proof;
- 2. For special damages according to proof;
- 3. For damages pursuant to Cal. Civil Code section 52, in the amount of \$4,000 for each and every
- offense of California Civil Code section 51, Title 24 of the California Building Code and the
- Americans with Disabilities Act.
- 4. For Injunctive relief pursuant to 42 U.S.C. 12188(a) and for declaratory relief;
- 5. For an award of attorney's fees pursuant to 42 U.S.C. 1988, 42 U.S.C. 12205 and Cal. Civ. Code section 55;
- 6. For treble damages pursuant to Cal. Civ. Code 52 (a);
- 7. For punitive damages according to proof;
- 8. For a Jury Trial;
- 9. For costs of suit incurred herein and;
- 10. For such other and further relief as the court deems proper.

Respectfully submitted,

Dated: 3/5/6/

Ву:

Attorney for Plaintiff

Ismael Rivera

Rivera vs. Domingues, et al.
Complaint for Damages re: Violation of Civil Rights
Page 14 of 14

6. For treble damages pursuant to Cal. Civ. Code 52 (a); 7. For punitive damages according to proof; 8. For a Jury Trial; 9. For costs of suit incurred herein and; 10. For such other and further relief as the court deems proper. Respectfully submitted, Dated: 9/29/03

1	3. For damages pursuant to Cal. Civil Code section 52, in the
2	amount of \$4,000 for each and every offense of California Civil
3	Code section 51, Title 24 of the California Building Code and the
4	Americans With Disabilities Act.
5	4. For Injunctive relief pursuant to 42 U.S.C. 12188(a) and
6	California Business and Professions Code section 17200
7	5. For an award of attorney's fees pursuant to 42 U.S.C. 1988, 42
8	U.S.C. 12205 and Cal. Civ. Code section 55;
9	6. For treble damages pursuant to Cal. Civ. Code 52 (a);
10	7. For punitive damages according to proof;
11	8. For a Jury Trial;
12	9. For costs of suit incurred herein and;
13	10. For such other and further relief as the court deems proper.
14	Respectfully submitted,
15	DEMAND FOR JURY
16	Plaintiff respectfully requests that the claims made herein be
17	heard and determined by a jury.
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19	Dated: 1/28/04 (Tont of Thurs
20	Attorney for Plaintiff, Ismael Rivera
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