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**Martinez Ruiz, Jr., Maria**  
**Luisa Meraz and Alberto**  
**Meraz**

**FILED**  
SUPERIOR COURT of CALIFORNIA  
COUNTY of SANTA BARBARA

**FEB 15 2007**

GARY M. BLAIR, Executive Officer  
BY B. Meza  
B. MEZA, Deputy Clerk

SUPERIOR COURT of the STATE of CALIFORNIA  
COUNTY of SANTA BARBARA  
COOK DIVISION

**MARIA ELENA ORTIZ, ANNA RUIZ,**  
**ROSA MERAZ, ARMANDINA**  
**AGUILAR, MARCOS MERAZ, JOSE**  
**RUIZ, FRANCISCO RUIZ, EUSEBIO**  
**MARTINEZ RUIZ, JR., MARIA LUISA**  
**MERAZ and ALBERTO MERAZ,**

CASE NO. :

**1232717**

**Plaintiffs,**

vs.

**MICHAEL JACKSON, an Individual,**  
**MARIAN MEDICAL CENTER, a**  
**California Corporation, CATHOLIC**  
**HEALTHCARE WEST, a California**  
**Corporation and DOES 1-100,**

**Defendants.**

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**COMPLAINT for GENERAL, SPECIAL and PUNITIVE DAMAGES**

*for*

**ABUSE of CELEBRITY STATUS**

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1 suffered a *massive heart attack* and was brought by her distraught family members, local  
2 working-class people, to Marian Medical Center - a Hospital on the rich central coast of  
3 California.

4  
5 8. Her vital functions were operating at a mere 30%.

6  
7 9. Manuela was promptly placed into the Hospital's *most* acute care facility - its  
8 *two-bed* Trauma Room, in a restricted area - on the first floor of the Hospital, not far from  
9 the entrance to the Emergency Room and the Emergency Waiting Room.

10  
11 10. Manuela was admitted in critical condition.

12  
13 11. She was intubated and placed on life support, being kept alive by a  
14 *mechanical respirator*.

15  
16 12. By 8:30 a.m. that morning, her condition still had *not* improved.

17  
18 13. The family had been advised to expect the *worst* ... but, if Manuela ever  
19 could be stabilized, she would be moved to a less acute care facility, the Critical Care Unit,  
20 *upstairs* in the Hospital.

21  
22 14. Two of her adult daughters kept vigil in the small Trauma Room with  
23 Manuela, holding her hands and holding back their tears.

24  
25 15. Other family members gathered and worried, within earshot, in the small  
26 Emergency Waiting Room next door, waiting for their turn to visit their mother.

27  
28 16. Shortly after 8:30 a.m., pandemonium broke loose in the Hospital's

1 Emergency Room.

2

3 17. Several nurses suddenly rushed into Manuela's room ... and, without any  
4 explanation, hastily started unplugging the respiratory ventilator and disconnecting the other  
5 life support system machines that she was attached to.

6

7 18. The daughters were first startled, then became frightened.

8

9 19. The nurses frantically raced around the room, still without any explanation,  
10 essentially bundling up Manuela to move out of the Trauma Room ... without telling her  
11 two daughters *why* or *where* they were taking her.

12

13 20. The daughters were now shocked, and then became panicked.

14

15 21. Finally, the nurses blurted out to Manuela's daughters' that "*someone else*"  
16 needed the room ... that that person was "*very sick*" ... and that there was an "*emergency*"  
17 ... that it was a "*new patient*" and, then, next, that "*a private patient*" needed the room in  
18 order to "*protect his privacy.*"

19

20 22. Manuela's daughters protested that it was a *two-bed* Trauma Room, separated  
21 by the standard pull-curtain, clearly with room enough for the "*new patient*" until "*Manuela*  
22 *became stabilized.*"

23

24 23. The daughters complained that their mother was still "*too critical*" to be  
25 moved and that "*she was already on life support.*"

26

27 24. Manuela's daughters were rebuffed and curtly told that the new patient  
28 "*needed his privacy*" and that the daughters needed to "*step out*" of the Trauma Room now.

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25. Manuela’s daughters’ continued objections to the hasty removal of Manuela went unheeded.

26. No doctor advised or recommended to the daughters that Manuela be moved.

27. The semi-conscious Manuela posed **no** “*privacy*” risk for Michael Jackson and it was unlikely she would pester Michael Jackson for his *autograph* or a *photograph* in her death-bound condition.

28. The two daughters, likewise, were focused on their mother’s condition and did **not** pose a “*privacy*” risk for Michael Jackson and, for that matter, similarly, were disinterested in his autograph, photograph or celebrity.

29. Instead, the Hospital's covert “VIP” policy efficiently and swiftly clear-cut the way for Michael Jackson's need for “*privacy*” in the ***two-bed*** Trauma Room.

30. Manuela was hustled out of the Trauma Room *in less than two minutes*, *unhooked* from the mechanical life support systems and was now rolling aimlessly through the hallway - *destination unknown* - being kept alive by being *hand-pumped* oxygen by one of the nurses.

31. It was not clear, though, *where* the nurses were planning to shuffle Manuela next.

32. The nurses did *not* seem to know either.

33. What Manuela’s daughters did hear, though, over the commotion in the

1 hallways, was: “*Oh my god, Michael is here!*”

2  
3 34. The emergency room doors were now *locked*.

4  
5 35. Doorways were *blocked*.

6  
7 36. The elevator was *shut* down.

8  
9 37. No one was allowed to *move* around the floor.

10  
11 38. An army of well-dressed security guards *cordoned* off the floor.

12  
13 39. Security guards swept through the floor, *securing* the perimeters.

14  
15 40. Hospital operations on the first floor came to a *standstill*.

16  
17 41. Manuela’s family was *trapped* in the Emergency Waiting Room - not able to  
18 come or go ... and, more importantly, **not** able to see their mother.

19  
20 42. The move also displaced one of the two daughters who had been *constantly*  
21 by the side of Manuela ... so that she could not reach or be with Manuela, having been told  
22 that she could not follow - what only could be now called – an impromptu circus parade.

23  
24 43. Manuela’s family was dumbfounded and shocked and, then, traumatized -  
25 especially when they overheard that their *critically-ill* mother was being hustled rough-shod  
26 out of the Trauma Room . . . to who knew where ... so that Michael Jackson, walking around  
27 and claiming “*flu-like*” symptoms could have *both beds* in the small Trauma Room to  
28 himself ... in order to protect “*his privacy*.”

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44. The hallway was now packed with a private army of Michael Jackson's security guards ... and lingering, gawking and fawning Hospital staff.

45. In the confusion and chaos, the Hospital personnel, moving Manuela on the gurney, ran over the cords and IVs that were connected to Manuela's body.

46. As the Hospital personnel navigated through the crowds, the same cords and IVs became tangled again and the nurses had to stop to untangle them.

47. One nurse shouted several times for her co-workers to just "*slow down!*"

48. Meanwhile, another nurse continued to *hand-pump* oxygen into Manuela to keep her alive.

49. It took about *20 minutes* to find Manuela a destination.

50. Manuela, a dying cardiac patient, was brought to the doorway of the only available room on the floor ... an *Eye, Ear, Nose and Throat Exam Room* ... with **no** medical equipment in it!

51. Nothing. No life-support systems. No respirator ventilator.

52. Instead, eye charts, nose sprays and tongue depressors.

53. Unfazed, the nurses plowed ahead and, after several tries, shoehorned Manuela's gurney into the undersized room.

1           54.     Once inside, the nurse *hand-pumping* oxygen into Manuela was now clearly  
2 frustrated, if not tired, and yelled out on several occasions to know where the life support  
3 systems were!

4  
5           55.     Getting no response, she passed off the responsibility for *hand-pumping* to a  
6 nearby nurse and started out on her hunt for the ventilator ... only to find out that it had been  
7 transferred to the *wrong* room on *another* floor in the Hospital.

8  
9           56.     Life support machines started to straggle into Manuela's *new* hospital room -  
10 with each piece, as it was squeezed in, hitting the doorway and/or the IV cords, sustaining  
11 Manuela's life.

12  
13           57.     Any family members attempting to walk through the hallway to Manuela's  
14 room were blocked by Michael Jackson's security guards, Hospital security and the crowds  
15 of Hospital staff hovering around the area star struck and gawking into the Trauma Room to  
16 sneak a peak at Michael Jackson.

17  
18           58.     Security - both Michael Jackson's and the Hospital's - told patients and their  
19 family members to stay put and to turn off their cameras, cell phone cameras and, in one  
20 instance, took a man's camera away.

21  
22           59.     Meanwhile, other security guards snatched paper hand towels from nearby  
23 bathrooms and started plastering them on the various see-through windows that allow family  
24 members and staff to see openly through the emergency room ... in order to, rather  
25 awkwardly, further insure Michael Jackson's "*privacy.*"

26  
27           60.     While this chaos raged, Manuela's sole remaining daughter tried to focus on  
28 Manuela and tried to hold her hand and reassure her ... but she, sadly, only saw *fear* in her

1 dying mother's eyes.

2  
3 61. Sometime after Manuela was placed in the *Ear, Ear, Nose and Throat Exam*  
4 *Room*, Manuela had another heart attack.

5  
6 62. Hospital staff attempted later to move Manuela to the Critical Care Unit  
7 upstairs but, again, encountered the milling crowds, security, entourage and slaving  
8 hangers-on, delaying her arrival at the Critical Care Unit.

9  
10 63. Manuela died later that evening ... meanwhile, Michael Jackson - having  
11 been buffered from a day in court - was switched from the Trauma Room to, ironically, the  
12 empty **Pediatric Unit** of the Hospital to recuperate from his "*symptoms*."

13  
14 64. Michael Jackson's medical records will show that his purported "*symptoms*"  
15 *not only* did **not** require his placement in the Trauma Room, *but that* he should **not** have  
16 been admitted to the Hospital at all ... having been told during admission that he could just  
17 as well go home!

18  
19 65. Michael Jackson's trumped-up admission to the Trauma Room, by virtue of  
20 his celebrity, by his insistence, by the Hospital's covert "VIP" policy and with the star-  
21 struck approval and obsequious assistance of the Hospital staff ... and, at the disastrous  
22 expense of the emotional well-being of the Plaintiffs' family was both an artful *ploy* for  
23 Michael Jackson to avoid attendance at his then pending criminal child molestation trial at  
24 the nearby Santa Maria Courthouse - and a tragic *play* that allowed Michael Jackson to ease  
25 his nerves in avoiding court while forever traumatizing the Plaintiffs, watching the final  
26 hours of their mother's life.

27  
28 66. Neither Michael Jackson nor the Hospital is alleged in this Complaint to have

1 *caused or contributed* to the death of Manuela Ruiz.

2  
3 67. Nor is a claim of Wrongful Death being alleged in this Complaint against the  
4 Hospital or Michael Jackson.

5  
6 68. Nor is a claim of Professional Negligence or Medical Malpractice against  
7 the Hospital being alleged in this Complaint.

8  
9 69. Instead, the Plaintiffs bring this Complaint solely *on their own behalf* for  
10 General, Special and Punitive Damages for the *other* intentional and negligent torts, alleged  
11 herein, as follows, against Michael Jackson and the Hospital for the outrageous, circus-like  
12 atmosphere they orchestrated during the last hours of Manuela Ruiz's life and its obvious  
13 emotional and mental lasting effects upon the Plaintiffs.

14  
15 **THE PARTIES**  
16

---

17 70. Plaintiffs, *Maria Elena Ortiz, Anna Ruiz, Rosa Meraz, Armandina Aguilar,*  
18 *Marcos Meraz, Jose Ruiz, Francisco Ruiz, Eusebio Martinez Ruiz, Jr., Maria Luisa Meraz*  
19 *and Alberto Meraz,* are respectively sons, daughters, family members and heirs of the  
20 Decedent, Manuela Ruiz.

21  
22 71. Defendant, *Michael Jackson,* is, and was, at all times mentioned herein, a  
23 property owner and occasional resident in the County of Santa Barbara, recently of Bahrain and  
24 currently ensconced in Las Vegas ... spotted without "*flu-like*" symptoms and seen on a  
25 shopping spree and planning "*fan appreciation events*" in Japan.

26  
27 72. Defendant, *Marian Medical Center* [hereinafter, referred to as "*MMC*"], is a  
28 corporation, existing under the laws of the State of California and doing business in 2005 and to

1 the present as a Hospital, open to the public, in the County of Santa Barbara.

2  
3 73. Defendant, *Catholic Healthcare West* [hereinafter referred to as “CHW”], is a  
4 corporation existing under the laws of the State of California and is the parent corporation of  
5 Marian Medical Center.

6  
7 74. All Defendants have directly or indirectly acted in concert with respect to and  
8 are compliant in the events which are the subject of this Complaint.

9  
10 75. Defendants, **Does 1 through 100**, inclusive, are sued herein under fictitious  
11 names, their true names and capacities currently unknown to the Plaintiffs. When the true  
12 names and capacities are ascertained, Plaintiffs will amend the Complaint accordingly.  
13 Plaintiffs believe, and based thereon, allege that **Does 1 through 100**, and each of them are  
14 agents, principals, affiliates, representatives, co-conspirators or other persons or entities,  
15 who have directly or indirectly encouraged, assisted, participated or benefited from the  
16 wrongful conduct alleged in this Complaint, or are otherwise responsible for the acts and  
17 omissions alleged in the Complaint, and that their conduct caused the damages claimed here.

18  
19 76. Each Defendant herein, known or otherwise, acted as an agent or as a  
20 principal, as the facts will dictate, and acted with the knowledge, permission, consent,  
21 acquiescence and/or ratification of the other Defendants in undertaking and allowing the  
22 conduct or misconduct alleged herein.

23  
24 **JURISDICTION and VENUE**  
25 \_\_\_\_\_

26 77. The events complained of herein occurred within the jurisdiction of the  
27 County of Santa Barbara.



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81. *In* doing the things alleged herein and *in* undertaking the misdeeds specified and *in* inflicting *severe emotional* and *mental distress* on the individual Plaintiffs, the Defendants acted *willfully, intentionally* and *maliciously* and *with the intent to vex, annoy* and *injure* the individual Plaintiffs and *with a reckless disregard of the consequences of their actions*, thereby entitling the individual Plaintiffs to a separate and distinct award of **punitive damages** against the Defendants in an amount to be proven at trial.

82. The conduct of Defendants was despicable, constitutes oppressions, fraud and malice within the definition of *California Civil Code § 3294*, and was done with willful and conscious disregard for the rights of Plaintiffs. By reason of such conduct, the Plaintiffs are entitled to recover punitive damages from each of the Defendants.

**- SECOND CAUSE of ACTION -**

**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

83. Plaintiffs incorporate by reference, as though fully set forth, Paragraphs 1 through 77 of this Complaint.

84. Alternatively, if shown by the facts at trial, Plaintiffs allege that Defendants' acts were done mindlessly, carelessly, and/or recklessly and Defendants, and each of them, knew, or, at a minimum, should have known, that Defendants' conduct would hurt, or was likely to hurt, the Plaintiffs by causing them to suffer *severe emotional* and *mental distress* in observing the grotesque antics of the Defendants in their mother's last hours.

85. As a direct and proximate cause of the Defendants' negligent infliction of *severe emotional* and *mental distress* upon the individual Plaintiffs, the individual Plaintiffs have suffered **general** and **special damages** in an amount as yet to be ascertained and to be

1 shown by proof at trial.

2  
3 **- THIRD CAUSE of ACTION -**

4 **ELDER ABUSE AGAINST ALL DEFENDANTS**

5  
6 86. Plaintiffs incorporate by reference, as though fully set forth, Paragraphs 1  
7 through 77 of this Complaint.

8  
9 87. Manuela, in her last hours, while Michael Jackson, his entourage and the  
10 Hospital staff scurried around the Hospital floor in order to protect Michael Jackson's  
11 "privacy," engaged in a pattern of conduct violative of the California Elder Law statutes,  
12 either intentionally or negligently, subjecting Manuela, the Hospital's patient, who was  
13 under the exclusive custodial care, custody and control of the Hospital, and subjecting  
14 Manuela's family members present, who contemporaneously observed this conduct, to  
15 emotional abuse, in the form of *humiliation, neglect* and *intimidation* to comply with the  
16 Hospital's "VIP" policy for the sole benefit of Michael Jackson and his celebrity.

17  
18 88. *In* doing the things alleged herein and *in* undertaking the misdeeds specified  
19 and *in* inflicting *severe emotional* and *mental distress* on the individual Plaintiffs, the  
20 Defendants acted *willfully, intentionally* and *maliciously* and *with the intent to vex, annoy*  
21 and *injure* the individual Plaintiffs and *with a reckless disregard of the consequences of*  
22 *their actions*, thereby entitling the individual Plaintiffs to a separate and distinct award of  
23 **punitive damages** against the Defendants in an amount to be proven at trial.

24  
25 89. The conduct of Defendants was despicable, constitutes oppressions, fraud  
26 and malice within the definition of *California Civil Code § 3294*, and was done with willful  
27 and conscious disregard for the rights of Plaintiffs. By reason of such conduct, the Plaintiffs  
28 are entitled to recover punitive damages from each of the Defendants.

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90. The Plaintiffs are also entitled to attorney’s fees in connection with the Defendants’ violations.

**- FOURTH CAUSE of ACTION -**

**FALSE IMPRISONMENT AGAINST ALL DEFENDANTS**

91. Plaintiffs incorporate by reference, as though fully set forth, Paragraphs 1 through 77 of this Complaint.

92. The Plaintiffs were wrongfully and unlawfully confined and detained against their will in either the Hospital's Emergency Waiting Room, in the Hospital hallways, in the Hospital and in the various rooms that the Plaintiffs and their mother were in.

93. Each of the Plaintiffs was aware of their wrongful and unlawful confinement in their respective places at the time the confinement was effectuated by the Defendants.

94. *In* doing the things alleged herein and *in* undertaking the misdeeds specified and *in* inflicting *severe emotional* and *mental distress* on the individual Plaintiffs, the Defendants acted *willfully, intentionally* and *maliciously* and *with the intent to vex, annoy* and *injure* the individual Plaintiffs and *with a reckless disregard of the consequences of their actions*, thereby entitling the individual Plaintiffs to a separate and distinct award of **punitive damages** against the Defendants in an amount to be proven at trial.

95. The conduct of Defendants was despicable, constitutes oppressions, fraud and malice within the definition of *California Civil Code § 3294*, and was done with willful and conscious disregard for the rights of Plaintiffs. By reason of such conduct, the Plaintiffs are entitled to recover punitive damages from each of the Defendants.

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**- FIFTH CAUSE of ACTION -**  
**CONSPIRACY AGAINST ALL DEFENDANTS**

96. Plaintiffs incorporate by reference, as though fully set forth, Paragraphs 1 through 77 of this Complaint.

97. On or about February 15, 2005, Defendants, Michael Jackson and Marian Medical Center and certain Doe Defendants, and each of them, knowingly and willfully conspired and agreed among themselves, if not by word, then by combined action, and acted in concert and in complicity to inflict *severe emotional* and *mental distress*, as alleged herein, upon the Plaintiffs and/or, alternatively, to knowingly and willfully cause the Plaintiffs to be wrongfully and unlawfully detained and falsely imprisoned against their will in the Hospital's Emergency Waiting Room, in the hallways and in the various rooms with the Plaintiffs' dying mother.

98. Defendants, and each of them, did the acts and things herein alleged pursuant to, and in furtherance of, the conspiracy and above-alleged agreement.

**THE PRAYER**

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**WHEREFORE**, the **Plaintiffs** now pray for judgment against the **Defendants** and each of them, as follows:

1. For **General Damages** according to proof.
2. For **Special Damages** according to proof.

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- 3. For **Punitive Damages** according to proof.
  
- 4. For **Attorney's Fees** according to proof.
  
- 5. For **Costs** according to proof.
  
- 6. For such *other* and *further relief* as the Court may deem proper.

**DATED: February 15, 2007**

**JAMES MCKIERNAN LAWYERS**

By: \_\_\_\_\_



**JAMES MCKIERNAN, ESQ.**  
Attorney for Plaintiffs,  
**Maria Elena Ortiz, Anna Ruiz, Rosa Meraz, Armandina Aguilar, Marcos Meraz, Jose Ruiz, Francisco Ruiz, Eusebio Martinez Ruiz, Jr., Maria Luisa Meraz and Alberto Meraz**